

## East Devon Local Development Scheme – December 2023

The work programme for planning policy production in East Devon



East Devon – an outstanding place

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## 1 Introduction

- 1.1 This East Devon District Council Local Development Scheme (LDS) sets out a programme and timetable for production of future planning policy documents by the Council.
- 1.2 East Devon District Council has resolved that this new LDS should take effect from 6 December 2023. This LDS covers the time period from October 2023 through to the end of 2026, it is envisaged however that it will be revised and superseded before this end date.

## 2 The stages in Development Plan Document preparation

- 2.1 Development Plan Documents (DPDs) sit at the top of the hierarchy of District Council planning policy documents, on adoption they form part of what is defined as the Development Plan. The term 'local plan' is often used interchangeably with DPD and the Council has an adopted plan (which is a DPD) called the 'East Devon Local Plan'.
  - 2.2 DPDs are of fundamental importance in respect of informing prospective developers of the types of development and locations for development that are likely to be appropriate and they are the key policy documents used in determining planning applications. DPDs also inform communities, infrastructure and service providers and other council and wider service providers of development proposals. There are specific legally defined procedural steps that need to be complied with by the Council in order to produce a DPD, some of these are referred to in this LDS, however for a more complete picture see: The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), noting that future changes may be made: <http://www.legislation.gov.uk/uksi/2012/767/contents>
  - 2.3 In this LDS we set out dates for undertaking key stages in production of DPDs; the stages we report on are summarised below:
    - Issues Consultation – this is the starting point where comments on general issues and plan scope are sought. At this stage of plan making potential options and alternatives for development may be identified.
    - Draft plan – this is where a draft version of the plan or some other consultation document or documents are produced and feedback is sought.
    - Publication – this is the plan that the Council intend to submit for examination. The plan is made available and formal objections and other responses are sought from at this stage. Anyone can comment.
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- Submission – the publication plan, the evidence supporting the plan and the formal responses to the plan are submitted to the government who appoint an independent inspector to consider the soundness of the plan. The examination of a plan, carried out by a Planning Inspector, starts at plan submission.
- Inspector’s Hearings – as part of the examination process there will typically be hearing sessions at which the Inspector will lead discussion on the contents of the plan, this helps the Inspector prepare their report.
- Adoption – the Council receive a report from the inspector and can then, assuming earlier tasks do not need to be revisited, adopt the plan.

2.4 It is stressed that the above stages are a much-simplified version of what happens in plan making, however they give an overview of plan preparation timelines. Government plan making regulations and legislation (and other guidance) should be reviewed for a complete picture of legislative processes that have to be followed.

### **3 The adopted East Devon Local Plan, the Villages Plan and the Cranbrook Plan**

3.1 There are now three existing current East Devon District Council adopted DPDs:

- The existing East Devon Local Plan, covering most policy matters across the district, was adopted on the 28 January 2016.
- An East Devon Villages Plan, adopted on 26 July 2018, has a much more narrowly defined remit of defining Built-up Area Boundaries around selected village settlements and it defines retail policy for Beer and Colyton.
- The Cranbrook Plan covers development matters at the new town and was adopted on 19 October 2022.

3.2 It should be noted that policies in local plans should be reviewed at least every five years to assess whether they need updating, and the reasons for decision should be published. A formal review of the adopted East Devon Local Plan was undertaken in 2020.

### **4 Future Development Plan Documents in East Devon**

4.1 This LDS sets out that, from 2023 to 2026, there will be one further DPD that will be produced by the Council, summary details with dates set against key stages, are set out below. It should be noted that the dates (year and months) provided are based on what we currently know or best estimates, changes over time are, however, possible.



4.2 Future East Devon Local Plan – the expectation is that this plan will address all Development Plan matters, potentially other than at Cranbrook, that fall to the responsibility of East Devon District Council. The following forms the timetable for production:

- Issues Consultation – completed in January 2021.
- Draft plan – the first consultation was completed in January 2023 and there is further consultation planned for March/April 2024.
- Publication – consultation projected for December 2024/January 2025.
- Submission – Spring 2025.
- Inspector’s Hearings – 2025/2026.
- Adoption – Mid/late 2026.

## 5 Other policy documents identified for production

5.1 In addition to DPDs the Council also produce a number of additional policy documents. Of greatest importance in respect of determining planning applications are Supplementary Planning Documents (SPDs). SPDs are intended to provide more detail on the use and implementation on policies in DPDs. Procedures for producing SPDs are set out in legislation and regulations and the Council has a protocol for SPD production, see:

<https://eastdevon.gov.uk/media/2443645/spd-protocol-adopted-by-spc-20-march-18.pdf>

5.2 SPDs need to go through two stages of consultation but they are not subject to examination and therefore their preparation is shorter and simpler than DPDs; but they do not carry the same weight in decision making.

5.3 The Planning Policy team of the Council may also produce further guidance and advice to support and promote development and promote wider social and environmental objectives. Such guidance will not have the formal status of an SPD but we will often look to follow similar processes in production.

## 6 Community Infrastructure Levy - Charging Schedule

6.1 In East Devon a financial charge, called a Community Infrastructure Levy (CIL), is placed on certain types of new development (most notably new housing) and monies raised are used to help pay for infrastructure that is needed to support development.

6.2 In order to be able to charge CIL the Council had to produce a charging schedule that is supported by financial viability assessment evidence, undertake consultation and take the work to Examination by an independent examiner. In this respect production of the CIL charging schedule follows a similar path to that for DPDs (but under separate legislation). The current charging schedule was approved in 2020 and applied from 1 February 2021.

## **7 Neighbourhood Plans**

- 7.1 Neighbourhood Plans are produced by local communities and in East Devon they are typically produced at the parish level. Neighbourhood Plans set out policies and proposals for development and in this respect they are similar to DPDs and they follow reasonably similar stages in production (but under separate legislation). Once adopted (the technical term is that they are Made) they also form part of the Development Plan for the District and are used alongside DPDs, SPDs and other policy documents in the determination of planning applications.
- 7.2 For more information on Neighbourhood Plans see:  
<https://eastdevon.gov.uk/planning/planning-policy/neighbourhood-and-community-plans/>

## **8 Waste and minerals planning and Devon County Council work**

- 8.1 The responsibility for waste planning and minerals planning in East Devon rests with Devon County Council; they have legal responsibility for producing plans and determining planning applications for these two matters. The County Council adopted a new Devon waste plan in 2014 and adopted a new minerals plan in 2017. For more information see:  
<https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy>
- 8.2 The adopted waste plan and adopted minerals plan are also part of the Development Plan for East Devon.