

The new emerging East Devon Local Plan – Preparing for Consultation Discussion Session

7pm Thursday 20th October 2022

Q & A Notes

Question: Can we not challenge the Government's housing figures?

Answer: There are lots of difficulties to challenging the standard method, not least that our work so far demonstrates that we can ultimately meet and deliver the figure set for us - at least in this plan period - albeit that we acknowledge this does involve allocating some development on land that perhaps isn't our first choice and has some issues to address to be achievable. In some respects that makes the task all the more difficult.

Question: Is it correct that ultimately the c.20,000 homes have to be delivered and have to go somewhere so that if the consultation pushes it away from one area, it will have to be accommodated elsewhere? Can we move forward with the plan and challenge the government on these figures at the same time?

Answer: Yes, that is correct. The bottom line is that it has to go somewhere and although we could try and challenge the Government's standard method, with reference to the answer above, officer assessment is that we do not think that we have a case for this and that it would be highly unlikely to be a successful challenge. This is coupled with us being in a position where we cannot currently demonstrate that we have a full five year land supply, so there are clearly risks involved in challenging and delaying plan production. Our current position is therefore that we need to move forward with the local plan and find the best solution that delivers those homes in the best and most suitable locations we can find. Our Members have however written to the Government expressing their concerns about the standard method approach and they have committed to continue to fight that fight, but it's fundamentally through the future examination process on the local plan that the plan will ultimately be tested.

To go against the standard method, we would need to promote a plan strategy that delivers a lower level of growth than the standard method requires, and then fight our corner through the examination process. We are not aware of any local authority that has succeeded in that approach and there's a very big risk that then the local plan is found unsound and we would have to go back to 'square one'. We could face years and years of not having an up-to-date local plan AND not having a five year land supply, which would leave us open to speculative development and the appeals process. If there was a good argument to be made for not meeting the standard method, as officers we would be recommending this, but that is not our assessment of the situation for this plan period at least.

Question: How can we be expected to 'sell' the plan in communities, particularly where there is substantial new housing proposed, but no obvious benefits of accepting it?

Answer: We are not necessarily expecting local councils to 'sell it' to people for us, more to just raise awareness of it because we genuinely want to hear people's views - whether positive or negative - about the proposals. The main thing is to get the message out, to get people engaged and to have a conversation with our communities about the levels of growth that are appropriate in their location and what that might do for their community, positively or negatively. In terms

of new housing it is worth being aware that if communities want to see more affordable housing delivered, they will be unlikely to get this without market housing, because affordable-only housing schemes are very rarely viable/deliverable. Affordable provision almost always forms a proportion of a wider market-led scheme. We are aware that we are presenting a strategy that proposes higher levels of growth in some areas than others. It is true to say that the distribution of growth is not proposed on the basis of an even spread, through putting proportions of the growth in particular locations, but is heavily influenced by what the capacity is of particular locations to accommodate growth, given their constraints (so issues such as protected landscapes, flood zones etc). This is where, for example, places like Axminster and Ottery St Mary are less constrained than some of our other settlements, and where we have a large number of sites put forward by land owners/developers, wanting to bring forward sites. In combination with the settlement hierarchy and sustainable development considerations, this is what is influencing our strategy at this point – i.e. the availability of sites and the suitability of sites - rather than what necessarily seems 'fair' as such in terms of the distribution. We fully appreciate how this might be viewed by the community that feel they are taking disproportionately more growth than others, and that is something we are keen to engage and have that conversation about through the consultation.

Question: What are the opportunities for changing the consultation draft of the local plan as a result of this current consultation exercise, and how much will what communities say really be able to make a difference?

Answer: We are seeking views on all aspects of the plan and there are places in the consultation to make comments on a whole range of things. The plan is not a '*fait de complet*' and can genuinely be informed by the consultation. We want to hear what peoples' views are and also benefit from their local knowledge. This could influence the approach on specific sites or specific policies in particular locations, certainly in relation to our assessment of particular sites, and flagging issues that are particular concerns that we perhaps either haven't addressed through the draft plan so far, or could be addressing differently. We will take these views on board and as a result we may perhaps, for example, take out an unpopular allocation or modify it in some way, or link it to identified infrastructure needs. Fundamentally though, the plan needs to be based on evidence and genuine planning reasons, and, ultimately the decisions will be made by our Members in terms of deciding what changes are justified and what they wish to see go forward through the plan.

Question: Can anything be done about second home ownership and holiday homes through the local plan to restrict these in order to ease development pressure, and to reduce loss of/retain housing stock as main residences? *(Reported as a concern / seen as a significant issue by some attendees in reference to the communities they represent and an increasing issue post-Covid)*

Answer: We have done some initial work looking at the prevalence of second homes in the district, via council tax records. This has suggested there are only one or two quite specific locations in the district where second homes actually make up a particularly or unusually high proportion of the housing stock. Therefore our initial assessment has been that the evidence does not justify a specific policy or approach through the local plan which is looking at primarily district-wide issues. We are however aware some neighbourhood plans in other areas have sought to address the issue. Happy to receive comments on this through the consultation, in spite of the fact there is no policy on this currently, and we can look at it again and consider further whether there is an appropriate way to address this through the local plan. Alternatively, it could potentially be looked at through neighbourhood plans in specific localities if the evidence can justify this. It is also worth noting that through the planning system we can only control what happens with new homes - we cannot control existing homes being sold as second homes or as holiday homes where no development / change of use occurs.

Question: How are we going to retain sufficient high-grade agricultural land in the district to marry up with the direction of travel on the sustainability and self-sufficiency of food and energy production?

Answer: There is a policy in both the adopted and emerging local plan that seeks to protect high-grade agricultural land (i.e. Grades 1, 2 and 3a), which are the best and most versatile land for food production. There are some challenges with that intent and the increasing pressure to accommodate renewable energy installations, particularly solar farms, on agricultural land, and we do obviously have to address the balance in responding to the climate emergency between supporting renewable energy production and food production. Our policies would certainly look to direct renewable

energy to lower grade agricultural land as far as possible in order to retain the highest grade land for food production. There is also an issue with feasibility as our higher grade land is often found in only small pockets and fields which are not economical/suitable for commercial farming.

Question: Why has the allocation in some communities changed significantly since the earlier version of the plan that went into the public domain in December last year?

Answer: Much more detailed site assessment work was undertaken between the two versions. Happy to advise individual communities on any particular changes, but fundamentally it is because after the early working draft was published in December every site was looked at in much more depth. There has also been some consideration of new sites submitted to our second call in May this year, although this work is still on-going.

Question: Can the energy policy related to battery storage be reconsidered as the draft reads very permissively, including comparatively against the other energy related policies in the plan, yet it is a hot issue in some communities (e.g. Hawkchurch)?

Answer: Understand the concern, however there is clearly the need to move across to renewable energy production and to increase our energy independence - and battery storage is a key part of that - nationally and locally. There obviously needs to be controls in place to make sure that these installations are appropriately sited, that they don't cause significant landscape harm and that issues with safety and pollution from them are suitably controlled. It is worth noting that the plan is written on the basis that it applies as a whole, so if a particular consideration such as landscape impact is not itemised in a specific policy, it will still be a consideration under the landscape-specific policies. Having said that, happy to look again at the wording of those policies, and would encourage comments through the consultation.

Question: Is it within the scope of the plan to consider solar energy from building mounted facilities (e.g. by mandating them on new builds) as well as policy for solar farms?

Answer: In principle we want to encourage installations and increasingly people/customers want them, but some house builders are lagging behind. New employment developments are currently far more likely to include solar panels as standard as it makes commercial sense. It remains to be seen at this stage how far we will be able to require solar panels on all new developments through this Local Plan.

Question: Can the plan be clearer about what benefits local people will get on the back of new development, particularly in terms of infrastructure improvements etc. i.e. if the district is to have these 20,000 more homes, what are people going to gain other than just a lot more houses?

Answer: The difficulty is that at this stage in plan preparation this is rather 'chicken and egg'. We need to engage with infrastructure providers and understand what infrastructure is needed to support the levels of growth that we are showing in the plan. From that there will be proposals for where we need a new school, where we need a new hospital, where we need improved public transport provision etc., but those conversations with infrastructure providers need to come from a position of being able to say that we are planning for 'X' number of homes in this location and 'Y' number of homes in that location - what does that do for your infrastructure and what do we need to provide to support that development. Before we know this, the infrastructure providers are not going to be able to tell us because where growth goes will largely dictate where the infrastructure needs to go, so we do not have all of the answers yet to include in this consultation.

We are however also simultaneously consulting with the infrastructure/service providers during the consultation process, and there will be future work with them moving forward. Part of the role of consultation is to understand pressures, challenges and opportunities that may be generated from development proposals in respect of service provision. If/where we are aware of infrastructure concerns/needs we would seek to highlight them in discussions with providers.

In a future iteration of the plan, we will be in a much better position to set this out both through the local plan and also through an Infrastructure Delivery Plan that will be produced to go alongside it through which we can show how we are looking to at least part-fund that infrastructure through Community Infrastructure Levy. We will also be reliant on funding coming from other sources and to a large extent the funding is one of the big challenges in delivering infrastructure and there is never enough money out there for it. A lot of the funding and grants that are being there in the past just do not exist anymore, which makes this all the more challenging, but we will need to come up with a strategy that seeks to address this in the best way possible.

Question: How much flexibility is there for changes to the draft plan in respect of allocations? For example, for the community to identify an alternative site they prefer to be developed than those proposed in the draft plan, particularly perhaps where sites could be able to deliver local benefits? And, if communities come up with suggestions of alternative sites what guarantee can be given that you would not then allocate BOTH the alternative site and the site that has already been identified in the draft plan? Similarly, is it valid to propose alternative uses for sites, if, for example, land has been allocated for employment use and the community think it would be more appropriate for housing?

Answer: This is a draft plan and still ultimately at a fairly early stage of the plan preparation process. We are consulting on sites that have been put forward to us by land owners/developers through a series of 'calls for sites' which we have assessed and put forward as proposed allocations, where we think appropriate. As we have run several calls for sites already, we consider it likely that we are aware of most available land by now. However, if communities feel there are other sites that would be more appropriate and you think there are willing landowners, then by all means comment back through the consultation and highlight those opportunities to us so we can look to explore them and potentially take them forward in a future iteration of the plan. Please note that the key thing is that sites identified are available for development, so we would urge you to discuss with the landowner first and ensure they are interested in the land being put forward for development. We would need to assess any alternative sites alongside and in the same way as all the others, and therefore we couldn't guarantee that a community wouldn't end up with the alternative site in addition to the

preferred allocations in the current draft. We need to look at all suitable and available sites in the round. Having said that, we will also take account, alongside our site assessments, of the views expressed in the consultation. In terms of changes in proposed allocations from employment use to housing, we are trying to take a balanced approach through the draft plan to meet both the housing needs and employment needs of places. Starting to take out employment land, which is even harder to deliver for reasons of viability than good housing sites, is something officers are likely to struggle with, because they are needed to deliver jobs in those localities and make them as self-contained and sustainable as possible.

Question: What has been the process to ensure that “2nd choice sites” meet the sustainability criteria for good planning decision making?

Answer: The 2nd best sites (as implied in the title) are not seen as the best site choices for allocation, but they were considered to be better than other options. The Council faces the challenge of needing to identify sufficient sites to meet housing numbers generated by the Government’s standard methodology. The 2nd best sites (and indeed preferred options) have been selected on account of being deemed credible development options which align with the general distribution strategy set out in the plan. Wide ranging sustainability considerations have been taken into account in choices made and these will be summarised in a Sustainability Appraisal report that will sit alongside the local plan at the current consultation. All sites have been assessed for their suitability for development though of course through consultation the assessment and conclusion can be challenged.

Question: Have you ruled out development in AONB’s?

Answer: No, we have not ruled out development in AONB’s as a matter of course although naturally we are aware of the challenges in respect of building within them, and specifically national policy that will highlight considerations.

Question: Will sites outside a ‘20-minute’ neighbourhood be ruled out / refused planning permission?



Answer: We would like to see the principle of a 20 minute neighbourhood being applied, but have not established this as an absolute. From our work there would not appear to be sufficient sites to meet all of our housing needs on sites that would meet a 20 minute test. However, more sites may come forward through the consultation and those that meet this principle, all other things being equal, are likely to be more favourably considered.

Question: Have any of the sites proposed for allocation been the subject of a robust viability exercise?

Answer: We have not yet undertaken viability assessment and we plan to do this task next year. This work will look at sites (or site types) and also whole plan viability considerations.

Breakout Group Discussion

In groups, delegates discussed the following:

“How they could help to raise awareness of the consultation locally and support communities to engage and respond and what support might be needed from East Devon District Council in order to do this?”

Key points arising from feedback, with responses provided by officers (updated after November SPC meeting) were:

Feedback	Response
<p>Requests to have an East Devon District Council officer present at public meetings</p>	<p>We do hear what is being said about the place for face-to-face engagement, and for people to be able to speak to a planning officer in person and we will consider how we could refine what we are currently doing. We do however have over 60 parishes and realistically we are not going to get to every settlement / every parish to do a face-to-face consultation.</p> <p>Following feedback and our Strategic Planning Committee post this webinar, two further locations (Whimble and Clyst St Mary) were added to the schedule of exhibitions to extend the reach into rural areas potentially most significantly affected by plan proposals. The remainder of the events are to remain focused on the towns, with the intention that they would act as a kind of hub for people in the surrounding areas. Noting concerns expressed that this could be a barrier for the engagement of rural communities, these are to be drop-in sessions, in the most accessible / central locations, and not public meetings, giving people the opportunity to find about any aspect of the plan, and speak 1:1 with officers.</p>

Feedback	Response
	<p>We can find other ways to make ourselves available for questions and answers through perhaps further webinars with town and parish councils to help answer questions that may have come up through the consultation thus far. Individual members of the planning team can also make themselves available to assist over the phone.</p>
<p>Greater clarity needed on local issues to enable Town and Parish Councils to consult with their communities and be clear what we are asking and what is proposed.</p>	<p>Noted – hoped that the information as set out on Commonplace will assist with this.</p>
<p>East Devon District Council to demonstrate that it is listening to peoples’ views and to be seen to be doing so, order to encourage engagement, for example doing visits and speaking to people, particularly in areas where there is significant new development proposed. A need to go above and beyond online software which could be perceived as a box ticking exercise.</p>	<p>Understood. We will of course produce a kind of ‘you said, we did’ summary report of the consultation when we have finished going through and considering all the responses, which we will publish next year.</p> <p>On the on-line consultation being perceived as a tick box exercise, we hope that the way we have presented the Local Plan in the on-line consultation, and invested in this new software, will make it more engaging and will bear this point in mind as we conclude the design of it prior to launch.</p>
<p>Need to ensure that the text space is sufficient or unrestricted for answers to give people the opportunity to say more than a couple of sentences</p>	<p>Yes - the comments boxes are ‘free text’ boxes without a word limit. Options for those with limited time are to complete the ‘quick survey’ and/or to use the ‘unhappy to happy’ emoji scales to say how they feel about particular aspect/policies/sites.</p>

Feedback	Response
<p>Requests to give more time for people to respond as the minimum six weeks proposed is too short/very tight and will be difficult for people, especially given it's the festive season.</p>	<p>Plan (at the time of the webinar) was to start the consultation on the 7th of November and run for six weeks, finishing before the most intensive pre-Christmas period. Following feedback and Strategic Planning Committee, this has now been extended to mid January (15th).</p>
<p>Timing in the lead up to Christmas is seen as particularly difficult and at other times of the year, there would be more opportunity for piggybacking on other local events, particularly over the summer period.</p>	<p>We are endeavoring to keep to a tight timetable set by Members, which planned for this first consultation to take place this autumn. Timing of consultation is always difficult and rarely perfect. The summer period is typically avoided because many people are away on holiday. Maybe events in the lead-up to Christmas could still present opportunities in terms of piggybacking for Local Plan awareness raising?</p>
<p>Likely to be a lot of people who will not or are not able to engage with an online-only consultation, and that putting one copy in a library is insufficient. Request for more 'hard copy' and 'in person' opportunities to engage, including local meetings to explain to people more about it and if they need help understanding it.</p>	<p>Understood. See above response re. in-person events and contact with officers by phone. Hard copies will be available in all the main libraries and EDDC offices, but due to the volume of paper and the fact the plan is not intended to be read from cover to cover, it is not currently intended for EDDC to supply hard copies to every parish.</p>
<p>Request that where local councils need to speak to somebody at EDDC they can get a fairly quick response, including related to using commonplace to support the use of that software by as many as possible.</p>	<p>Noted.</p>

Feedback	Response
<p>Local councils present were planning to use their social media to push out the consultation, as well as including in newsletters and linking from websites, displaying maps, putting notices up in pubs, village shops, local noticeboards etc. and potentially leaflet drops.</p> <p>Would there be any funding available from EDDC to support this kind of activity? And/or can EDDC support with providing large-scale good quality maps?</p>	<p>We appreciate the offer from local councils for putting up posters and will be happy to send posters out to be put on noticeboards around your areas. We think this will really help to spread the word.</p> <p>We can also look at sending out some large maps.</p> <p>We could consider summary leaflets if you think that would help to get the word out there, but there are risks as others have pointed out during this discussion in being selective in what is included/omitted and also resourcing implications if every community wanted something tailored.</p>
<p>Can EDDC provide a summary of the Local Plan for individual communities, picking out the key things that are relevant to each community or to summarise the plan for those unlikely to read the 300+ pages.</p>	<p>What we will put on the 'Commonplace' consultation software is a condensed version of the plan, providing summaries of the chapters and the longer policies to endeavour to make the material more accessible, concise, and plain English, whilst including the key points of the text and the policies. This should help in terms of the desire for summary information, although the full PDF of the plan will of course also be available for those who want it.</p>
<p>Request for EDDC to be mindful that some local councils on the boundary of East Devon with other districts have got significant proposals just the other side of the boundary, for example solar farms, and consider whether there can be any coordination or recognition of this as these communities will need to look at it in the round.</p>	<p>Not sure there is an easy answer to address this – but the point is noted.</p>