CABINET
21 NOVEMBER 2019

REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION

GREATER EXETER STRATEGIC PLAN AND LOCAL DEVELOPMENT SCHEME UPDATE 2019

Cabinet Member(s): Cllr Graeme Barnell
Responsible Officer: Mrs Jenny Clifford, Head of Planning, Economy and Regeneration

Reason for Report: To update the Local Development Scheme to take account of the new Greater Exeter Strategic Plan timetable agreement.

RECOMMENDATIONS:

1. **That Cabinet approves the revised Local Development Scheme attached as Appendix 1 to come into effect on 29 November 2019.**
2. **That Cabinet agree the proposed scope and timetable for the Greater Exeter Strategic plan as detailed in this report and summarised in Appendix 1.**

Financial Implications: The Local Development Scheme part of the report itself has no direct financial implications, however the preparation of planning policy documents have associated production costs. There is currently a budget for the examination of the Local Plan and production of the Greater Exeter Strategic Plan (GESP) within the planning service. As a collaboration between the four councils, the funding of GESP has in the past and should in the future continue to be shared by the four councils with the shared funding mechanism to be established once the scope and timetable has been agreed. Budgetary provision will be earmarked for the preparation of a new Local Plan for Mid Devon in future budgets.

Approved by Finance: [*yes/no – include name/post title, eg Group Manager for Financial Services]*

Legal Implications: A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 as amended by Section 111 of the Localism Act 2011. It must specify (among other matters) the documents which, when prepared will comprise the Local Plan for the area. It must be made available publicly and kept up to date.

Approved by Legal: *[yes/no – include name/post title, eg Group Manager for Legal Services]*

Risk Assessment: Preparing and updating local plans is a statutory requirement. Plans may be subject to challenge if it can be demonstrated that it was not drawn up in compliance with the LDS. The proposed LDS provides an accurate, updated timetable for the production of development plans.

Approved by Performance/Governance: *[yes/no – include name/post title, eg Group Manager for Performance, Governance and Data Security]*

Equality Impact Assessment: The Local Development Scheme sets out the Council's project plan and timescales for the development of local development documents. It would not in itself lead to any impacts on the equality strands protected under the Equality Act 2010 (the "protected characteristics"). The Local Plan Review was subject to a full Equalities Impact Assessment, as will the Greater Exeter Strategic Plan in due course.

Relationship to Corporate Plan: The new LDS, appended to this report, sets out a revised timetable for the final stages of the Mid Devon Local Plan Review 2013 - 2033 which will set the strategy for guiding new development in the district, allocating sites for housing, employment and retail uses, the provision of infrastructure, as well as policies for the protection of the environment and managing development. The Greater Exeter Strategic Plan (GESP) will set out a shared vision, strategic policies and proposals for the development and conservation in the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge up to 2040. The new Local Plan for Mid Devon will sit alongside the Greater Exeter Strategic Plan and adopted Neighbourhood Plans, and will include both strategic policies (other than those included in the Greater Exeter Strategic Plan) and non-strategic policies for the use and development of land and buildings in Mid Devon. These plans will help meet the Corporate Plan priorities: 'Economy', 'Homes', 'Community' and 'Environment'

Impact on Climate Change: The preparation of local plans is a key method for climate change mitigation and environmental protection, through appropriate policies and development strategy.

By its nature, climate change is something which cannot be considered in one isolated area, but can only be tackled through work which reflects cross-boundary transport movements and other strategic matters. Involvement in the Greater Exeter Strategic Plan provides this opportunity to consider carbon emission and climate change impacts of development and transport over a wider, larger-than-local scale. Involvement in GESP is therefore likely to be beneficial to climate change policy compared with seeking to achieve carbon neutrality in just one district. The key impacts will arise from the specific policies and strategy chosen however. These implications will arise as the GESP is prepared.

1.0 Introduction/Background

1.1 Local Planning Authorities are required to prepare and keep up to date a development plan for their area. It is important that the development plan is kept up to date to ensure that it reflects recent changes in the planning system, the Council's current corporate objectives and provides a sound basis for decision making. Therefore a project plan needs to be put in place to ensure the review is completed efficiently.

1.2 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 requires local authorities to prepare and maintain a LDS for the district. The LDS provides interested people and organisations with the Council's project plan for the preparation of local development documents. The Council's adherence to the LDS is part of the legal compliance check applied to Local Plans at their examinations. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 has introduced a legal requirement to review local development documents within certain time periods. In respect of a local plan, a

review must be completed every five years starting from the date of adoption of the local plan. Consequently, this LDS review incorporates an indicative timescale for the production of a new local plan post-adoption of the Local Plan Review 2013 - 2033.

1.3 The purpose of this report is to present a revised version of the LDS to take account of the new Greater Exeter Strategic Plan timetable agreement.

2.0 The Local Plan Review 2013 – 2033, the Greater Exeter Strategic Plan and a new Local Plan for Mid Devon

Mid Devon Local Plan Review 2013 – 2033

2.1 The Mid Devon Local Plan Review was submitted on 31st March 2017 to the Planning Inspectorate for Examination. The appointed Inspector held preliminary hearings on the 20th and 21st September 2018 specifically in relation to Policy J27, Policy SP2 Higher Town, Sampford Peverell and Policy TIV16 Blundells School, Tiverton. Main Hearings into the Plan were conducted on the 14th, 15th, 19th and 20th February 2019 and the Inspector issued his post hearings advice note on 21st May 2019.

2.2 In summary, the Inspector:

- Was content that the objectively assessed need (OAN) figure of 7860 (393 hew homes each year) is soundly derived;
- Considered the vision, and general approach of the Plan, directing development, and housing in particular, to Cullompton, in the main, is reasonable, in principle;
- Did not see the need for any changes to Policy J27 or Policy CB1;
- Requested amendments to Policy SP2 Higher Town, Sampford Peverell, through the removal of the tie to Policy J27 and the removal of the limitation on development until the completion of improved access works to the A361;
- Was concerned at the Plan's approach to provision for Gypsies and Travellers in relation to Policies S14 and DM7;
- Suggested revisions to some of the Development Management policies (Policies DM1, DM2, DM12, DM19, DM25, DM27) and had a concern with Policy DM28;
- Acknowledged that a number of changes to the Plan had been agreed in various Statements of Common Ground submitted before and during the hearings and others accepted by the Council at the hearings, which would need to be considered to ascertain whether these changes would necessitate main modifications.

2.3 However, the Inspector expressed concerns about the housing trajectory in the early years of the Plan in particular, and he suggested the Local Authority consider either in isolation or combination four possible remedies to maintain a five-year supply of deliverable housing sites (that may require potential Main Modifications to the Plan). The Council provided a Draft Housing Land Supply Update 2019 and Sustainability Appraisal Implications Report to address the Inspector's concerns. The Inspector then invited participants at the hearings related to housing land supply and Policy SP2 Higher Town, Sampford Peverell and Policy CU21 Land at Colebrook,

Cullompton to comment on these documents. Ten representations were received from the hearing participants. Officers carefully considered all of the comments made and provided the Council's response to these representations to the Inspector on 6th September 2019.

2.4 The Inspector has now advised that he has "*no further questions at this stage. On that basis, The Inspector is content for the Council to publish its draft Main Modifications for consultation as soon as it is ready to do so".* This is subject to a separate Cabinet Report, however there is a need to update the LDS to reflect the Council's revised expected date for adoption. Appendix 1 amends the timetable for the Local Plan Review accordingly.

Greater Exeter Strategic Plan

2.5 In 2016, the four councils of East Devon, Exeter, Mid Devon and Teignbridge agreed formally to prepare a statutory joint local plan to be known as the Greater Exeter Strategic Plan (GESP). A joint planning team has been set up and work has progressed on various aspects of the plan. The reasons then given for preparing a joint plan between the councils are still highly relevant today and are summarised below:

- The Greater Exeter area geography reflects economic, housing and transport patterns. Coordinated planning and infrastructure provision will be enhanced to the wider benefit of councils taking part.
- Related to this, the legal requirement on local plans to be prepared under the Duty to Cooperate will be significantly easier than through the separate publication of individual plans by the found councils on differing timetables.
- Strategic decisions taken previously by the Regional Spatial Strategy and Structure Plans have now been effectively completed, so a new vision and strategy for the area is needed.
- Joint working and planning gives the Greater Exeter authorities greater profile and weight when applying for national and regional infrastructure funding and in other relationships with other bodies.

Current Local Development Scheme (LDS)

2.6 The description and timetable of GESP is contained within a common section in the four LDS as follows:

> **"The Greater Exeter Strategic Plan will cover the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge (i.e. those Councils' administrative areas excluding Dartmoor National Park). It will be prepared jointly by those four local planning authorities with the support of Devon County Council under Section 28 of the Planning and Compulsory Purchase Act. It will:**
>
> **• set an overall vision and strategy for the development of the area in the context of national and other high level policy;**
> **• include overarching, cross-boundary and strategic targets, policies and proposals for development and conservation;**
> **• guide the overall level and distribution of development;**
> **• make strategic development and infrastructure proposals;**

• contain other strategic policies necessary to implement the vision and strategy; and
• cover the period 2020 to 2040.

Once adopted it will supersede specified strategic parts of the East Devon Local
Plan, Exeter Core Strategy, Exeter Local Plan, Mid Devon Local Plan (once adopted), Teignbridge Local Plan and any other Development Plan Documents as necessary. The preparation timetable is as follows:
• February 2017 – Issues consultation
• June 2019 – consultation on draft plan
• September 2020 – Publication (Proposed Submission)
• March 2021 – Submission
• May 2021 – Inspector's Hearings
• December 2021 – Adoption"

Revised Timetable

2.7 However, with changes in administration arising from the recent elections it has been necessary to ensure that the GESP is proceeding in a way and on a timetable which continues to meet the objectives of the four councils. Discussions between lead officers and members have therefore been taking place and the planned June 2019 consultation was put "on hold". Recently, at a meeting of the GESP Leadership Group (see below), the Council's leaderships confirmed their commitment to continuing GESP preparation but with a revised timetable. It is necessary that the new timetable is formally inserted into the Councils' Local Development Scheme.

2.8 The following milestones are now proposed to replace those set out in the previous Local Development Scheme, including an explanation of their role in the plan preparation process:

Stage	Notes	Date
Draft Policies and Site Options	A document containing the proposed strategic policies for comment, together with a number of potential strategic site options. There will be more options than will eventually be contained in the GESP, giving communities and others the opportunity to respond in the light of a wide range of alternative sites.	June 2020
Full Draft Plan	The full draft will contain revised policies, taking account of the consultation and any further work undertaken. More controversially, it will have narrowed down the strategic allocations to the final list, and seek further comments on those. The "rejected" options will no longer be within the plan.	November 2020
Proposed Submission	The form of the plan which the council wishes to submit, based on the full draft, but taking account of any comments received to the draft. This is the last formal consultation on the plan before it is submitted. Also known as the "publication" stage.	February 2022
Submit Plan	The plan and all its evidence is sent to the Planning Inspectorate and the examination process starts.	July 2022
Examine Plan	An Inspector leads an examination into the plan through a series of hearings. The focus is on whether the plan is	September 2022

	"sound". There may be further changes to the plan in the form of "Main Modifications" recommended by the Inspector.	
Adopt Plan	The Plan can only be adopted with a positive recommendation from the Inspector with any Main Modifications proposed by them.	April 2023

GESP Scope Revisited

2.9 The Greater Exeter Strategic Plan, as its name indicates, is intended to provide an overarching strategy for the area, but will not include the full suite of policies and proposals. Each council will continue to update their own individual local plan (or plans) covering issues not included in GESP. In addition, Neighbourhood Plans will continue to be prepared by local communities. The various plans, once adopted, will be read together to provide the "Development Plan" against which planning applications are to be assessed. The diagram below helps explain the relationship between the various plans:

2.10 The Council's existing LDS, describes the scope of GESP in general terms. The Leadership Group considered the matter afresh, and supported an updated version,

containing a clearer description, as follows. This version is outlined below and reflected in the revised LDS attached as Appendix 1.

The Greater Exeter Strategic Plan will cover the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge (i.e. those Council's administrative areas excluding Dartmoor National Park). It will be prepared jointly by those four local planning authorities with the support of Devon County Council under Section 28 of the Planning and Compulsory Purchase Act. It will:

- **Set an overall vision and strategy for the area in the context of national and other high level policy and in particular climate emergency declarations and the NPPF;**
- **Contain policies and proposals for strategic and cross boundary issues where these are best dealt with at larger-than-local scale;**
- **Set the overall amount of growth for the period 2020 – 2040;**
- **Promote the Liveable Exeter vision by allocating urban regeneration sites in the city;**
- **Implement the overall vision and strategy by allocating strategic sites of 500 or more homes which may include urban extensions and new settlements;**
- **Provide districts' local plans with targets for non-strategic development**

2.11 This updated scope provides the following key benefits:

- It is legally "sound" because GESP will contain enough detail to be justified by evidence and by comparison with other potential strategy approaches, the proposals will be worked up in enough detail for their effectiveness to be tested and confirmed, and it will deal with the strategic matters facing the area rather than deferring them.
- The policies can be applied as soon as the GESP is adopted, rather than waiting for a later plan to add further detail. This is highly beneficial in matters of urgent policy renewal like climate change. At the same time, GESP will not be filled with policies which are better dealt with in district local plans.
- It means that communities will be aware of the detail of proposals early in the process, ensuring that they have the opportunity to comment on them with a good understanding of the plan and the potential alternatives. Once the GESP is adopted, communities will have clarity and certainty about the policies and proposals.
- The allocated strategic development sites, including the "Liveable Exeter" brownfield sites and any strategic greenfield sites could start to develop earlier. This reduces the number of other sites needed within GESP or the districts' own local plans.

2.12 The Leadership Group considered potential scope options with less detail and fewer sites, but these were not supported by them. These alternative options would provide less certainty for communities and later delivery of strategic sites. This latter issue would lead to the need to allocate additional development sites either within GESP or within the later local plans.

Governance – how will GESP decisions be made?

2.13 There have been suggestions made that the Greater Exeter Strategic Plan removes decision-making authority from the individual councils. However, this is not the case, since despite being a joint plan, the GESP must be approved by all four of the participating councils at each stage. As a result of this it is clearly important that there a coordinated approach to member involvement in plan decisions if decision-making is to be effective. The governance of the plan is set out below, for information.

- GESP Officer Team
  Working on evidence development and plan preparation and making recommendations as necessary to the other bodies and to individual councils on GESP matters. The team consists of informally seconded officers from the partner authorities, with a Team Manager. The team works out of Exeter Civic Centre and manages the joint GESP budget which has been agreed by the partner authorities.

- Project Assurance Group:
  Provides a regular steer and decision making on detailed matters to the GESP team, including considering reports, evidence and plan drafts. Gives advice to the Principals Group. It generally meets monthly and consists of the Head of Planning or equivalent from each of the partner authorities.

- Principals Group:
  Acts as the main officer board for the project, providing high level corporate input and direction. Considers reports, evidence and plan drafts including recommendations from the Project Assurance Group. It generally meets monthly and consists of the Chief Executives or equivalent from each of the partner authorities.

- GESP Leadership Group:
  Primary Member Group which provides political advice and steer to the work of the GESP, oversees progress on the plan and secures political agreement and support for GESP proposals. Considers advice and recommendations from the GESP Team, Project Assurance Group, Principals Group including reports and draft plans. It will meet approximately six times per year, but this will be varied to reflect GESP workload. Consists of the Leader and Planning Portfolio Holder (or equivalent) of each of the Partner Councils. The first meeting has been held, and supported the timetable and scope as recommended by this report.

- Member Reference Forum:
  Provides wider, informal councillor input to plan preparation through workshop, discussion and other appropriate methods. Will support the preparation of plan policies and proposals including discussion of draft plan proposals before they are formally considered by each council. It will meet as and when it is needed. Consists of 10 councillors, politically balanced, from each of the four local planning authorities (total 40 councillors). Meetings are usually also attended by members of the Principals Group, Project Assurance Group and Leadership Group. Meetings have been arranged starting in November through to March with invitations going out shortly.

- Local Planning Authorities:

The formal decisions on plan contents up to and including its adoption are made by the four local planning authorities through their own decision making structures. The governance bodies referred to above are intended to ensure GESP progress through these formal processes without undue delay. The councils will be considering the Draft Policies and Site Options consultation document in or around May 2020 in time for June consultation.

Conclusion

2.14 The preparation of the Greater Exeter Strategic Plan has been somewhat on hold while the implications of new administrations in three of the councils have been absorbed. The council leaders have now met and agreed a preferred way forward for the plan, including an updated description of the plan and a new timetable. The proposed new Local Development Scheme attached to this report reflects that agreement, and you are recommended to adopt it.

New Mid Devon Local Plan

2.15 As set out in paragraph 1.2, there is now a legal requirement for Councils to complete a review of their local development documents every five years. The procedure for preparing a local plan requires the development of a robust evidence base, extensive public consultation and detailed consideration of the economic, social and environmental issues facing the area. Therefore a project plan needs to be put in place to ensure the review is completed efficiently.

2.16 A review will also be required as the Greater Exeter Strategic Plan reaches more advanced stages of preparation. The GESP will be a formal statutory document, providing the overarching spatial strategy and level of housing and employment land to be provided in the period to 20140. The document will provide the high level strategic planning policy framework for the area and will therefore supersede specified parts of the Mid Devon Local Plan Review 2013 – 2033. This will create a need for a future review to identify other strategic policies and also non-strategic policies for the use and development of land and buildings in Mid Devon.

2.17 An indicative timetable for a new Local Plan for Mid Devon is provided in Appendix 1.

3.0 Groups Consulted

3.1 The Planning Policy Advisory Group (PPAG) were advised of the timings within the new LDS during their meeting on 7th November 2019.

4.0 Approval of the LDS

4.1 The Cabinet Report of 9th June 2016 'Planning policy documents for consideration by the Planning Policy Advisory Group, Cabinet and Council' states that Cabinet is the only body that needs to give approval to the adoption of a new LDS. There is no longer a requirement for the LDS to be signed off by the Secretary of State. If approved, the new LDS will be published on the Council's website.

4.2 It is recommended that the LDS is approved and is published on the Council's website with effect from Friday 29th November 2019.

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Circulation of the Report: Cabinet Member seen and approved [yes/no – name of Cabinet Member], Leadership Team seen and approved [yes/no]

List of Background Papers: