

**REPORT OF MRS JENNY CLIFFORD, THE HEAD OF PLANNING AND
REGENERATION**

**GREATER EXETER STRATEGIC PLAN: LOCAL DEVELOPMENT SCHEME AND
OTHER MATTERS**

Cabinet Member	Cllr Richard Chesterton
Responsible Officer	Mrs Jenny Clifford, Head of Planning and Regeneration

Reason for Report: To make further recommendations on various aspects of the Greater Exeter Strategic Plan (GESP) to be prepared jointly with the Councils of Mid Devon, East Devon, Exeter City and Teignbridge in partnership with Devon County Council.

RECOMMENDATIONS TO COUNCIL THAT:

- 1. The subject matter of the Greater Exeter Strategic Plan is agreed, subject to review as the plan is prepared.**
- 2. The timetable for the Greater Exeter Strategic Plan is agreed.**
- 3. The Local Development Scheme attached as Appendix 1 is to have effect from 22nd February 2017.**
- 4. The Greater Exeter Strategic Plan is prepared under Section 28 of the Planning and Compulsory Purchase Act 2004, without the need for a statutory joint planning committee (thereby retaining sign off of key plan stages by individual councils).**
- 5. A Member Steering Group is set up with a representative from each of the five councils, to which the Cabinet Member for Planning and Regeneration is appointed, with the Leader as his deputy.**
- 6. A joint informal advisory reference forum is set up consisting of 5 councillors each from Mid Devon, Devon, East Devon, Exeter and Teignbridge to consider and make comments on draft plan proposals before they are formally considered by each council.**
- 7. That the “Issues” document attached as Appendix 2 to this report is agreed for consultation.**
- 8. That the draft Greater Exeter Statement of Community Involvement attached as Appendix 3 is agreed for consultation.**
- 9. That resolving any inconsistencies arising from the decisions of individual councils is delegated to the relevant Chief Executive in consultation with their Cabinet/Executive members for Planning.**

10. That delegated authority to agree minor modifications (which do not go to the heart of the documents' meanings) is granted to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Regeneration.

11. That the staffing proposal is approved with additional funding of £30,000 in order to ensure Mid Devon is represented.

Relationship to Corporate Plan: The Corporate Plan contains priorities of homes, community, economy and environment. Exploring collaborative working with other Councils on a sub-regional basis will enable enhanced delivery of these priorities through a joint strategic planning approach..

Financial Implications: The Cabinet report of 7th July 2016 set out anticipated costs associated with the production of a joint strategic plan, with emphasis on joint commissioning of the evidence base. A joint budget of £330,000 has been agreed for 16/17 on the basis of £70,000 equal split per authority with DCC also contributing £50,000 and holding the budget. This report also gave estimates for future financial years. The cost of the examination of the joint strategic plan will also be shared between authorities. Due to difficulties resourcing simultaneous work on the Mid Devon Local Plan Review and the Greater Exeter Strategic Plan from within the existing establishment of the Forward Planning team, an additional £30,000 is proposed to secure additional staff resource in order to ensure Mid Devon is adequately represented on GESP work.

Legal Implications: Authority has previously been granted to enter into a Memorandum of Understanding (MOU) between 'Greater Exeter' Councils. The MOU is not intended to be legally binding although signatory Councils will use reasonable endeavours to comply with its terms, spirit and honour any obligations arising.

Agreement has previously been reached to take advantage of the opportunity to work together in order to deliver a joint strategic plan across of the Great Exeter area. Local Planning Authorities have plan making responsibilities under the Planning and Compulsory Purchase Act 2004. This Act includes provisions for joint plan making. The Localism Act 2011 also introduced a legally binding duty to cooperate between authorities. This report sets out the legal basis upon which the GESP is proposed to be formulated, governance arrangements including seeking agreement over the establishment of a member steering group with associated representation, means to involve wider membership and to resolve any differences between councils.

Risk Assessment: The main risk associated with this decision is the potential for money to be expended in pursuing a joint strategic plan which could be wasted if agreement cannot be reached and/or the plan work is aborted. It is however considered that given the duty to co-operate on plan making whether through joint work or otherwise this risk already exists to some extent and any abortive work will still be of value to work on separate plans in any event. Against this must be set the risk of future local plans failing their "duty to co-operate" without a clear agreed strategic plan. The relevant Councils have already agreed to work together to jointly

prepare a strategic plan for the Greater Exeter area together with a joint budget to fund plan evidence base.

From a Mid Devon perspective, there is also risk that work on a Greater Exeter area strategic plan will divert from the completion of the Mid Devon Local Plan Review. It is unusual for an authority to work on two plans covering different plan periods simultaneously. However the Local Plan Review will remain the top priority for the MDDC Forward Planning team and is expected to be submitted to the Planning Inspectorate before the end of March 2017. Accordingly, until the examination of that plan has been completed, Mid Devon will contribute financially towards evidence commissioning, but will be in less of a position to participate in terms of staff resources in comparison with the other Greater Exeter area councils. Nevertheless in recognition of the importance of GESP and Mid Devon's desire to be a full partner in the shared work, funding for additional staff resource is sought within this report to contribute in the short /medium term.

1. BACKGROUND

1.1. The four Local Planning Authorities of East Devon, Exeter, Mid Devon and Teignbridge have confirmed that they will prepare a joint plan to cover strategic matters for their area and have agreed the general funding arrangements. Work will be in partnership with Devon County Council. Decisions were taken by full council meetings of each on 27 July, 26 July, 31 August and 26 September respectively. It is proposed that further consideration is now given to:

- **Subject matter and scope.**
- **GESP timetable**
- **Mid Devon Local Plan Review timetable**
- **Local Development Scheme**
- **Governance**
- **Issues Report consultation**
- **Statement of Community Involvement consultation**
- **Housing and Employment Land Call for Sites**
- **Dealing with inconsistencies between councils**
- **Staffing arrangements**

2. MAIN IMPLICATIONS

Subject Matter and Scope

2.1. The geographical scope and broad subject matter of the plan have already been agreed, extending to Mid Devon, East Devon, Exeter and Teignbridge (excluding Dartmoor National Park) and covering the following strategic planning matters;

- The vision for growth and development
- Housing and economic development needs and general distribution
- Strategic development allocations
- Strategic planning policies and infrastructure proposals
- Other policies where consistency is considered to be beneficial

2.2. Decisions on the plan's detailed contents will undoubtedly evolve as the plan progresses, and as evidence presents itself. In particular, the impact of financial and other devolution agreements and government policy changes will be kept under review. However, bearing in mind these uncertainties a potential structure and scope is emerging from officer discussions as below, with implications for city, town and countryside across the GESP:

- Contents
 - A list of chapters and policies.
- Executive summary
 - A short outline of what the plan is seeking to achieve and how.
- Role of the joint plan and relationship with other plans
 - Setting out the overall scope of the plan and how it can support other related strategies such as the Local Enterprise Partnership's policies and the results of the devolution discussions. How it relates to the existing and proposed new local plans prepared by each council and with Neighbourhood Plans. Duty to cooperate discussions.
- Background changes and issues
 - A consideration and analysis of what is happening and the problems and opportunities arising.
- Overarching vision and objectives
 - High level principles underpinning the plan
- Plan Strategy
 - Description of the overall strategy which best meets vision and the challenges facing the area. Covering the big ticket themes of where and how many homes and jobs are needed, how key environmental assets will be protected and enhanced and the need for new and improved infrastructure.
- Strategic Settlements and area strategy and functions
 - The implications of the vision and strategy for each of the main settlements and the plan area as a whole. Setting out the key planning functions and role of these.
- Strategic Development Proposals
 - The strategic development sites allocated in this plan to meet the strategy and other area's needs. Implications for the remaining district/city level local plans' allocations.
- Strategic Policies
 - Homes – setting the strategic targets for the objectively assessed need for housing, and considering the need for specific types of housing (including affordable, student, custom build and accessible homes).
 - Economy – considering forecast economic performance and how the plan can guide/improve. This is likely to include consideration of particular economic sectors (and in particular the evolving role of the knowledge economy and innovation), the protection of key economic assets across the whole plan area.
 - City and Town Centres – giving the overall approach to the need and best locations for retail, leisure and other “main town centre uses” taking account of the existing “hierarchy” of town and city centres in the area.

- Environment – policies concerning issues including climate change, air quality, flooding, protection of European sites, other strategic landscape and biodiversity matters and heritage protection.
- Community infrastructure – policies and proposals for the provision of community facilities and infrastructure, including information, smart systems and broadband.
- Quality of development – improving the design of new development, including consideration of density and space standards.
- Implementation, delivery and monitoring – proposals to ensure that policies and proposals happen on the ground and how their success will be measured.

3. Greater Exeter Strategic Plan Timetable

3.1. An indicative timetable was included in the previous report, subject to further investigation. Officers have considered this matter further, with a more detailed assessment of the evidence and other stages needed to prepare a strategic plan for this wide area. A revised timetable for the GESP is now proposed, as follows.

- February 2017
 - Consultation on an Issues Report
 - Consultation on a Greater Exeter Draft Statement of Community Involvement
 - Housing and Employment Land Availability Assessment “call for sites”
- January 2018 - Consultation on Draft Plan
- February 2019 - Publication (Proposed Submission) Plan
- August 2019 – Submission of Plan
- November 2019 - Hearings before Planning Inspector
- June 2020 – Adoption after Inspector’s report received

3.2. This timetable is reflected in a proposed Local Development Scheme set out in **Appendix 1** and will be similarly reflected in the other councils’ schemes.

4. Mid Devon Local Plan Review Timetable

4.1. The timescales for the production of the Mid Devon Local Plan Review together with associated Local Development Scheme were reported to Cabinet on 21st November 2016.

Stage	Date
Sustainability Appraisal Scoping	May 2013 (completed)
Preparation Stage Consultation	January 2014 (completed)
Publication Stage Consultation	February – April 2015 (completed)
Modifications Consultation	January – February 2017
Submission	March 2017

Hearings	September 2017
Adoption	January 2018
Revision	2020

- 4.2. Until the adoption of the Mid Devon Local Plan Review the planning team will be working on both plans at the same time, although the Local Plan will be prioritised through to examination completion.
- 4.3. The GESP is a strategic plan and as such it will not update all of the Mid Devon Local Plan Review policies. Therefore a timetable for a review of the remaining local plan elements is proposed to commence in 2020.
- 4.4. This is reflected in the proposed Local Development Scheme at **Appendix 1** to this report. It is recommended that the Local Development Scheme is approved, to be published on the council's website and to come into force on 22nd February 2017.

5. Governance of Greater Exeter Strategic Plan

- 5.1. Plans require member decisions at certain stages. A joint plan can be prepared under either of Sections 28 or 29 of the Planning and Compulsory Purchase Act 2004.
- 5.2. Under Section 28 a joint plan is subject to separate decisions by each of the Local Planning Authorities. In other words, all four councils will need to approve the plan at each relevant stage in accordance with their own constitutions/schemes of delegation.
- 5.3. Under Section 29, by comparison, a Statutory Joint Committee is set up with the delegated authority to prepare the joint plan as a planning authority. Setting up a joint committee requires that an order is laid before parliament defining its scope, remit and membership. Once the plan is adopted by the joint committee it is as if it has been adopted by each of the participating planning authorities.
- 5.4. The councils are being recommended to prepare the plan under the first of these approaches in view of the need to progress the plan quickly, without waiting for Secretary of State/Parliamentary approval. This would require no alterations to the individual constitutions of each council.
- 5.5. As part of the plan preparation process, it is further recommended that a member steering group is set up between the five councils, consisting of the appropriate cabinet / portfolio holder from each. This would have no formal decision making powers, which would remain with each council as set out above, but would provide high level leadership guidance into the work of the existing officer board.
- 5.6. It is recognised that it might be difficult for the wider council membership to input into a joint plan through the normal committee/council channels. It is therefore proposed that member input is provided for in two additional ways.

Firstly, it is proposed that a joint informal advisory reference forum is set up, consisting of 5 councillors from each of the five authorities (total 25 members). There would be an expectation that the councillors from each authority would be politically balanced. This joint forum would consider plan drafts and comment upon them before they are finalised and presented to the meetings of the individual councils. Secondly, officers will run member briefings before each formal committee cycle to allow all councillors to review and comment upon draft plan contents and proposals. This would help to ensure that councillors' views can be considered before proposals are finalised.

5.7 Members should note that there is a separate proposal to set up a Greater Exeter Growth and Development Board as a formal joint committee to consider economic development and other key related strategies for the area which will inform the strategic context for the GESP. This has been agreed in principle by Exeter and Teignbridge and will be considered by East Devon and Mid Devon. (Note that Devon County have confirmed their wish not to be involved in such a joint committee at this stage, although this does not undermine their commitment to the GESP). It is envisaged that the member steering group referred to above would have a role reporting on plan progress and strategy to the joint committee. This does not affect the recommendation referred to above to prepare the GESP under Section 28.

6. Issues Consultation

6.1. To give an opportunity to explain the scope of the Greater Exeter Strategic Plan and to encourage initial expression of views, it is recommended that the councils publish a short "launch" document for the plan, attached as **Appendix 2** to this report. This will;

- Introduce and explain the reasons for preparing an agreed strategy across the Greater Exeter area;
- Summarise the proposed general scope and subject matter of the Greater Exeter Strategic Plan;
- Introduce a number of relevant planning issues;
- Invite anyone with an interest to send us their initial views on what a plan of this type should contain and any other matters.

6.2. There are no specific proposals within this short document, it therefore provides an open opportunity for initial comment. It is proposed that this is published in February 2017, as set out in the timetable above. This allows for our already-timetable Mid Devon Local Plan Review consultation on local plan changes to finish before new GESP consultations start, avoiding potential for confusion.

6.3. You are recommended to endorse the issues report for publication and consultation.

7. Greater Exeter Statement of Community Involvement (SCI)

7.1. Each of the councils have their own Statement of Community Involvement (SCI) which contain policies on how the councils will consult on planning

decisions. However, these differ between the councils. Therefore if the existing SCI policies were used to guide GESP preparation, the consultation processes would vary within the GESP area. It would be time consuming to review each of the councils' existing SCIs individually to incorporate four identical GESP-specific sections, causing delay and diverting staff resources from actual plan production. Instead, it is proposed that a joint SCI is prepared, covering GESP-specific consultation only, to sit alongside each council's existing SCI.

7.2. While there is no specific legal requirement to consult on an SCI it is nevertheless proposed to do so and a draft is attached as **Appendix 3**, to be approved for consultation alongside the Issues report. The final SCI will be brought back to each council for adoption during 2017.

8. Housing and Employment Land Availability Assessment (HELAA)

8.1. It is a requirement of government policy that plans are deliverable; for development allocations a HELAA (formerly SHLAA) is prepared. An early stage of this is a "call for sites" where landowners, developers and site promoters are invited to advise the councils of land which is available for economic, housing and other development. This "call for sites" is not a consultation event as such, however it is of course a fairly public process. It needs to be undertaken early in the plan making process to allow time to research and assess the submitted sites before the contents of the Draft Local Plan are recommended to each council. It is therefore proposed that the call for sites starts alongside the publication of the Issues Report and Draft SCI.

9. Ensuring Consistency

9.1. Because decisions are taken by the four separate councils individually, it is possible that inconsistencies could arise. For example, a change of wording to the Issues Report could be agreed by one of the councils, but not considered by any of the others. It is hoped that this will not occur since the documentation has been prepared with the collaboration of the officers from each of the councils and the report is relatively uncontroversial. However, if that did happen there needs to be a process for achieving agreement before the document is formally published. It would be extremely time consuming for a revised version to go through each council's committee cycle again, delaying plan production against the timetable above. It is therefore recommended that such inconsistencies are resolved through agreement between the four Chief Executives in consultation with the relevant portfolio holders. This is reflected in the recommendations above.

10. Staffing Resources

10.1. The councils agreed to provide a central budget, held by Devon CC, to fund necessary evidence for the GESP work. This has now been set up and is working well. The earlier reports stated that staffing would be considered and reported back in more detail. Thus far the plan has been prepared using staff from each of the partner councils, in varying proportions reflecting their available team members. Following discussions between officers based on the experience so far it is now proposed to instead set up a joint team to carry out the core work on the plan, calling in additional staff, for example specialist advice, where necessary. It is considered that this will increase

the efficiency of the work and in particular help to achieve the timetable set out above.

10.2. Devon County is committed to joint working on GESP. Exeter and Teignbridge propose to continue to task existing staff to this joint team, without the need for additional staff being employed. However existing workloads within Mid Devon and East Devon do not currently permit this approach in the short/medium term. Accordingly, each of these authorities propose to appoint a temporary staff resource to work with the joint team from April 1st 2017. When workloads allow, existing East and Mid Devon staff will become available to work on the GESP. Further details such as location, timing and Human Resources implications are to be determined by agreement between officers of the five councils.

10.3. Mid Devon is unique in the GESP partner authorities in that we are working on two plans simultaneously. The Mid Devon Local Plan Review is well advanced and proposed to be submitted before the end of March 2017. However it is unlikely that the examination of that plan will be completed until after September 2017. Until then the priority for the staff in the Forward Planning team is the Mid Devon Local Plan Review. The importance of work on the GESP and the need for Mid Devon to act as a full partner in that joint work is recognised. However in order to make a meaningful contribution to that work and also to make sure that Mid Devon is represented, an additional staff resource is required. It is anticipated that this will be until the examination into the Mid Devon Local Plan Review has been completed. An additional £30,000 is sought in order to secure this resource and arrangements have been made to second time from forward planning staff from a different authority to assist with this. It is likely that the additional staff resource from Mid Devon towards GESP will initially comprise time from more than one officer, but it is intended that following the examination a dedicated resource will be made available at 1 FTE.

11. Groups consulted

11.1 The report has been agreed jointly with officers of the five participating authorities and is being presented (with appropriate variations to reflect local matters) to each.

Contact for any more information	Jenny Clifford, Head of Planning and Regeneration 01884 234346 jclifford@middevon.gov.uk
Background Papers	Cabinet 12 th May 2016, 7 th July 2016, 21 st November 2016
File Reference	None.
Circulation of the Report	Cabinet Member for Planning & Regeneration

Appendix 1

Local Development Scheme 22 February 2017

Greater Exeter Strategic Plan.

1. 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 to 2040.
2. 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.
3. The preparation timetable is as follows:
 - January 2018 – consultation on draft plan
 - February 2019 – Publication (Proposed Submission)
 - August 2019 – Submission
 - November 2019 – Inspector's Hearings
 - June 2020 – Adoption

Mid Devon

1. INTRODUCTION

- 1.1 Mid Devon District Council is required to prepare and maintain a Local Development Scheme (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 Planning and Compulsory Purchase Act 2004 states that the LDS must specify:
 - The local development documents which are to be 'development plan documents'
 - The subject matter and geographical area to which each development plan document relates

- The timetable for preparation and revision of the development plan documents

1.2 Local authorities can update their LDS at such times as considered appropriate. The previous Mid Devon version has been in place since October 2015. Since this time the Council has been undertaking a review of the Local Plan.

2. THE LOCAL PLAN

2.1 The National Planning Policy Framework (NPPF) states that Local Plans are key to delivering sustainable development and that local authorities should produce a Local Plan for their area. The Local Plan can then be reviewed in whole or in part to respond flexibly to changing circumstances.

2.2 Mid Devon's Local Plan is currently made up of three parts, all of which are development plan documents. The three documents are:

Document	Adopted	Scope	Subject matter
Local Plan Part 1 - Core Strategy 2006 to 2026	July 2007	Mid Devon	The Core Strategy is part 1 of the district's Local Plan. It was adopted in accordance with the timetable set out in the Council's first Local Development Scheme. It sets out a spatial strategy and strategic policies for Mid Devon and its settlements.
Local Plan Part 2 – Allocations and Infrastructure Development Plan Document (AIDPD)	October 2010	Mid Devon	The AIDPD is part 2 of the district's Local Plan. It allocates sites for housing, retail and employment development, whilst setting necessary infrastructure requirements, with policies on the Community Infrastructure Levy, public open space, affordable housing, education provision, green infrastructure and carbon footprint reduction.
Local Plan Part 3 – Development management policies (LP3)	October 2013	Mid Devon	LP3 is part 3 of the district's Local Plan. It provides the detailed development control policies to deal with the specifics of planning applications

2.3 Supplementary Planning Documents (SPDs) are not part of the Local Plan, nor are they considered to be development plan documents. Therefore, information on their production is not set out within the LDS. Instead, such information can be found on the Mid Devon website at <https://new.middevon.gov.uk/planning-policy/supplementary-planning-documents/>.

2.4 The former Devon Structure Plan 2001-2016 (adopted October 2004) and the South West Regional Spatial Strategy (draft, never adopted) have both been revoked by the Government so their provisions no longer apply.

3.0 NEW LOCAL PLAN

Local Plan Review (Core Strategy, AIDPD and LP3) Adoption Target: 2017

- 3.1 The existing Core Strategy has been in place for nine years and the AIDPD for six years. A review process began prior to the adoption of LP3 in October 2013 to reflect the need to adhere to the provisions of the National Planning Policy Framework. This review process includes all strategic policies and allocations for the district, and incorporates development management policies such as those in LP3. The updated document will replace the existing Core Strategy, the AIDPD and LP3 to produce a single Local Plan for the district (effectively a review of parts 1, 2 and 3 of the current Local Plan). The new document will extend the time period of the plan to 2033.
- 3.2 The reviewed Local Plan will contain:
- Strategic policies guiding housing, employment and retail distribution across the district;
 - The development focus for each of the three towns of Tiverton, Crediton and Cullompton, the villages of the district and the open countryside;
 - Site allocations for housing, employment, retail development, community facilities and infrastructure; and
 - Development management policies.
- 3.3 The evidence base for the Local Plan will include a Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment, Open Space and Play Area Strategy, Viability Assessment, Gypsy and Traveller Accommodation Assessment, Renewable and Low Carbon Energy Screening Study, Landscape Character Assessment, Habitat Regulations Assessment, Transport Assessment, Town and Village Character Assessment, Retail Study, Employment Land Review, Infrastructure Delivery Plan and Strategic Flood Risk Assessment. A Community Infrastructure Levy charging schedule is also being produced alongside the Local Plan review.
- 3.4 Coverage: Mid Devon
- 3.5 Conformity: the document will be produced in conformity with the National Planning Policy Framework.
- 3.6 The following table sets out the timetable for production and adoption of the document:

Stage	Date
Sustainability Appraisal Scoping	May 2013 (completed)
Preparation Stage Consultation	January 2014 (completed)
Publication Stage Consultation	February – April 2015 (completed)

Modifications Consultation	January – February 2017
Submission	March 2017
Hearings	September 2017
Adoption	January 2018
Revision	2020

4.0 PROGRESS REPORTING

4.1 The Council produces an Annual Monitoring Report (AMR) in December each year, covering the ‘monitoring year’ (of the preceding April-March period). The AMR sets out the list of documents that are included within the LDS, their timetable for preparation, the stage they are currently at, and if they are behind schedule the reasons for this.

4.2 The AMR is made available on the Mid Devon website and can be seen at: <https://new.middevon.gov.uk/planning-policy/monitoring/>

5.0 REVIEW OF THE LOCAL DEVELOPMENT SCHEME

5.1 The Planning and Compulsory Purchase Act 2004 states that local authorities can revise their LDS at such times as they consider appropriate. The Mid Devon District Council website will be updated to set out if the LDS has been subject to further revision. Proposed changes are subject to ratification by Cabinet.