

TEIGNBRIDGE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY

03 MARCH 2020

EXECUTIVE

10 MARCH 2020

PART 1

Report Title	Local Plan (Part 1) 2020-2040: Quality as Standard – Consultation on Draft Plan
Purpose of Report	To consider the <i>Draft Local Plan (Part 1) 2020-2040</i> and its associated documents and to make a recommendation to Executive
Recommendation(s)	<p>The Committee RESOLVES to recommend that Executive:</p> <ul style="list-style-type: none">• Considers any amendments proposed by Overview and Scrutiny to the Draft Plan and other documentation attached to this report• Resolves that the ‘<i>Draft Local Plan (Part 1) 2020-2040: Quality as Standard</i>’ and associated documents are made available for an eight week period of public consultation in accordance with the Statement of Community Involvement.• Publishes the Strategic Environmental Assessment/Sustainability Appraisal Stage A and B reports for public consultation alongside the Draft Local Plan;• Publishes the Consultation Statement alongside the Draft Local Plan;• Publishes the Teignbridge Draft Settlement Limit Review for public consultation alongside the Draft Local Plan;• Gives delegated authority to the Portfolio Holder for Planning in consultation with the Principal Policy Planner to make minor amendments to the above documents prior to publication.

Financial Implications	<p>The costs of preparing the Local Plan include unavoidable costs associated with gathering evidence and the statutory examination. The majority of the costs associated with procuring evidence can be met within the Spatial Planning base budget but the costs of examination cannot be met from this budget and require additional financing. This financing has previously been agreed by an Executive decision in October 2019 which resolved to make available an additional budget of £30,000 in 2021/22 to fund the costs of statutory plan examination. There are no other forecast financial implications arising from this report.</p> <p>Martin Flitcroft Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk</p>
Legal Implications	<p>Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in development plan documents. The Local Plan (Part 1) 2020-2040 for Teignbridge comprises a partial review of the adopted Local Plan (2013-2033). It will set out priorities and policies for the management and use of land in Teignbridge (outside of the Dartmoor National Park). It will supersede a number of the existing Local Plan (2013 – 2033) policies when it is adopted and these policies are listed in the Draft Local Plan. Once adopted, planning decisions must be taken in line with the Local Plan (Part 1) 2020-2040 and the non-superseded policies of the adopted Local Plan 2013-2033 unless material considerations indicate otherwise.</p> <p>Local Plans must be accompanied by a Sustainability Appraisal and Strategic Environmental Assessment.</p> <p>The local plan will need to be screened under the Habitat Regulations and is likely to be subject to Appropriate Assessment before it is submitted. A Habitats Statement has been prepared as an initial examination of the issues. A full screening/Appropriate Assessment will follow as the plan progresses.</p> <p>Name/Title of person giving advice Tel: 01626 215 Email: @teignbridge.gov.uk</p>
Risk Assessment	<p>To be effective plans need to be kept up to date. It is important that this Local Plan is progressed so that updated policies which reflect revised national policy and Council priorities are in place as soon as possible.</p> <p>Simon Thornley Business Manager Tel: 01626 215706 Email: simon.thornley@teignbridge.gov.uk</p>

Environmental/ Climate Change Implications	The draft policies respond to the Climate Emergency by refreshing and adding to existing climate change and environmental policies in the adopted Local Plan 2013-2033. Once adopted, these policies will require new development to meet much higher standards of climate change mitigation and adaptation, as well as requirements for biodiversity net gain. This will result in positive benefits for the environment/climate change. David Eaton, Environmental Protection Manager Tel: 01626 215064 Email: david.eaton@teignbridge.gov.uk
Report Author	Michelle Luscombe, Principal Policy Planner Tel: 01626 215754 Email: michelle.luscombe@teignbridge.gov.uk
Portfolio Holder	Portfolio Holder for Planning (Cllr Gary Taylor)
Appendices	A. Draft Local Plan (Part 1) 2020-2040 B. Proposed Town Centre Designations C. Stage A Strategic Environmental Assessment/Sustainability Appraisal Report D. Stage B Strategic Environmental Assessment/Sustainability Appraisal Report E. Consultation Statement F. Teignbridge Draft Settlement Limit Review
Part I or II	Part 1
Background Papers	

1. PURPOSE

- 1.1. To consider the *Draft Local Plan (Part 1) 2020-2040: Quality as Standard* (Appendix A) and its associated documents (Appendices B, C, D, E and F) before they are presented to Executive with a recommendation to publish them for an eight week consultation period.

2. REPORT DETAIL

2.1. Financial

- 2.1.1. The costs of preparing the Local Plan are largely covered within the Spatial Planning base budget. The majority of these costs are associated with procuring evidence, testing the viability of the plan, and consultation. However, there are also unavoidable costs arising from the examination of the plan (which is a statutory part of the decision making process). An additional budget of £30,000 was agreed by the Executive in October 2019 to fund the examination of the Local Plan (Part 1) 2020-2040. The financial position has not changed since then and therefore there are no financial implications arising from this report.

2.2. Legal

- 2.2.1. Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement for Local Planning Authorities to prepare development plans (which includes the Local Plan) for their area. These plans must identify the strategic priorities and have policies to manage the use of land. Planning applications, by law, must be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 2.2.2. Under relevant legislation, Local Plans must be accompanied by a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). These very similar requirements are usually integrated into one document/process. SA/SEA considers the effects of the plan on the environment, people and the economy, considers reasonable alternatives, propose measures to mitigate harmful effects, and proposes monitoring measures. In this way sustainability considerations are considered in plan preparation.
- 2.2.3. The SA/SEA reports are provided at Appendices C and D.

2.3. Risks

- 2.3.1. To be effective, Local Plans should be kept up to date. This ensures that they are in general conformity with national policy and reflect local aspirations for the management and use of land in the area to which they apply. A plan does not automatically become 'out of date' after a certain period of time, but policies may lose effectiveness if they are not consistent with higher level policy. Over the last couple of years, there have been two updates to the National Planning Policy Framework and the issue of climate change has moved significantly higher up the agenda. The Draft Local Plan (Part 1) 2020-2040 responds to many of these changes and therefore minimises the risk of the Council having an out of date plan in future years. The preparation of the Greater Exeter Strategic Plan and the Local Plan Part 2 will follow and address other matters not referred to in Part 1 (such as housing and employment growth and distribution).

2.4. Environmental/Climate Change Impact

- 2.4.1. Any applications for major developments are currently assessed against the adopted climate change policies in the current Local Plan, taking account of the revised carbon target agreed by Executive on 28th November 2019.
- 2.4.2. The Draft Local Plan (Part 1) refreshes the existing climate change policies contained in the adopted Local Plan 2013-2033 with a requirement that all new developments which propose the construction of new homes or non-residential floorspace are carbon neutral. Other draft policies also support the development of low carbon and renewable energy schemes, promote

sustainable transport and require the provision of Electric Vehicle Charging points within new developments. Collectively, these will support the Council in achieving its target of becoming carbon neutral by 2025.

2.5. Background

- 2.5.1. An Issues Consultation on the updated Local Plan was published in 2018 and ran for the period Monday 21 May 2018 to Monday 16 July 2018. All of the comments received during the consultation were recorded, summarised and have been responded to in the Consultation Statement (Appendix E).
- 2.5.2. Following this consultation and subsequent amendments to the Greater Exeter Strategic Plan timetable, an updated Local Development Scheme (LDS) was agreed by the Executive in October 2019. The LDS contained timetables for the preparation of the *Local Plan Part 1: Quality as Standard*, the *Local Plan Part 2: Creating Quality Places*, and the *Greater Exeter Strategic Plan*. Once adopted, these plans will collectively replace the adopted Local Plan 2013-2033 and provide both strategic and detailed policies to manage the use and development of land in Teignbridge up to 2040.
- 2.5.3. This report relates specifically to the *Local Plan (Part 1) 2020-2040: Quality as Standard* which is scheduled to be consulted on, examined and adopted ahead of the other two plans.
- 2.5.4. The Local Plan Part 1 covers all policies which relate to **how development takes place**. It focuses on improving our built and natural spaces through careful and positive management so that they support high quality living conditions in a carbon neutral environment.

2.6. Plan Content

- 2.6.1. The Draft Plan is attached at Appendix A and is comprised of 6 themes as set out in Table 1:

Chapter	Summary of content
Sustainable Communities	This chapter provides the overarching sustainability policies of the plan, setting out the key criteria to be taken into account when assessing applications for development.
Climate Change	Policies which aim to tackle the 'climate emergency' by: requiring carbon neutral development; supporting low carbon and renewable energy schemes; and supporting other measures which will assist in the transition to a carbon neutral district, such as sustainable transport, Electric Vehicle charging points and energy storage facilities.
Design and Wellbeing	A suite of design policies which aim to raise the standards of design, development and quality of life. This chapter includes policies relating to natural infrastructure,

	sustainable neighbourhoods, parking, street and building design and other detailed design matters.
Economy	This chapter provides policies which encourage business development throughout Teignbridge and support digital infrastructure. It updates our town centre policies, proposing a more 'fit for purpose' policy framework which reflects the way in which people are now using and experiencing town centres.
Homes	Providing more high quality homes which are accessible, suitable and affordable for each of our generations is the main theme of this chapter. It proposes that all affordable homes to rent are at social rental levels (i.e. 45-60% below market value) and that new homes should be built to higher accessibility (lifetime homes) standards. It provides more opportunities for custom and self build projects and sets out detailed policies relating to householder developments.
Environment	The policies in this chapter ensure a healthy, well-connected and diverse environment. It includes policies relating to our protected wildlife sites (such as the South Hams Special Area of Conservation and Exe Estuary Special Protection Area and Special Area of Conservation), heritage assets, flood risk, landscape and pollution.

Table 1: Plan Themes and Content

2.7. Settlement Limit Review

2.7.1. Settlement limits have been defined for Newton Abbot, Kingsteignton, Kingskerswell, South West Exeter, Teignmouth, Dawlish, Bovey Tracey, Chudleigh and the larger villages. The Draft Plan proposes amendments to these to reflect the various incremental changes to physical features on the ground which have taken place over the last 20 years since settlement limits were last reviewed. The amendments also address any errors or inconsistencies in the original boundary. It is proposed that the Teignbridge Draft Settlement Limit Review (attached at Appendix F) is published alongside the Draft Local Plan for consultation.

2.8. Policies Maps

2.8.1. The Draft Plan will need to be accompanied by Policies Maps which show all of the Local Plan designations in the district. These include existing employment and housing allocations, the undeveloped coast, conservation areas, flood zone 3, recreational land, strategic open breaks, Air Quality Management Areas, European Protected wildlife sites and other environmental designations. The Policies Maps are currently being prepared and will be available for consultation. The majority of these designations remain unchanged. However, the following changes are proposed:

- **Town Centre boundaries/Primary Shopping Area/Primary Shopping Frontage/Secondary Shopping Frontage:** these have been updated to reflect new evidence and stakeholder engagement obtained through the Town Centre Study. The amendments take into account the recent decline of retail dominated town centres and a need to ensure that our town centres can evolve and adapt to these challenges. The updated designations are provided in Appendix B. Accompanying policies and supporting text are provided in Chapter 6 of the Draft Local Plan.
- **Settlement limits:** as explained in 2.7, these have been updated to reflect incremental physical changes on the ground since they were last reviewed 20 years ago. The updated proposed limits are included at Appendix F.

2.9. Groups Consulted

2.9.1. The Draft Plan has been prepared collaboratively with internal colleagues, District Councillors, independent consultants, specialist officers and other external stakeholders. In particular, the following groups have been involved:

Group	Summary of Involvement
Local Plan Working Group	Regular meetings to discuss draft policy wordings.
Internal colleagues	Development Management, Economic Development, Housing, Environmental Health, Design, Ecology, Conservation and Landscape. Regular meetings and discussions as policies were prepared and amended.
Action on Climate in Teignbridge	Consultation on draft climate change policies.
PER	Consultants working for the council on town centre visioning and policies involving meetings with councillors, town centre stakeholders and users.
Town and Parish Councils and NP Groups	Planning Cafes where groups can sit and informally discuss plan contents such as design, landscape, housing, town centre and climate change policies.

Table 2: Groups Consulted

2.10. Environmental Reports

- 2.10.1. In accordance with the Planning and Compulsory Purchase Act 2004, Local Plans must be subject to Sustainability Appraisal (SA). The SA process assists Local Planning Authorities to fulfil the requirement of “contributing to the achievement of Sustainable Development” in spatial planning.
- 2.10.2. Local Authorities must also carry out Strategic Environmental Assessment (SEA) of Local Plans in accordance with European and UK legislation. The SEA considers the effects of the plan on the environment, people and the

economy, considers reasonable alternatives, propose measures to mitigate harmful effects, and sets out monitoring measures.

- 2.10.3. The SA and SEA have, in accordance with good practice, been prepared through a single process. The Stage A and B reports are attached at Appendices C and D. It is recommended that these are published for consultation alongside the Draft Plan.

2.11. Consultation Arrangements

- 2.11.1. It is proposed that the consultation period will run for an eight-week period from Monday 23rd March 2020 until 12 noon on Monday 18th May 2020.
- 2.11.2. The main methods of communication and engagement proposed during the consultation are set out in Table 3.

Method of engagement	Details
Notification of consultation by email/letter	Statutory requirement to directly notify anyone registered on the consultation database, town and parish councils, adjoining authorities and statutory consultees
Drop-in community events	To be held in approximately 7 localities across the district. All day (12noon–8pm) events.
Planning Café	Events specifically for Town and Parish Councils and Neighbourhood Planning Groups.
Online videos	Theme based short videos providing information about the content of the plan and its proposed policies to be shared on the website and via social media.
Website	All documents will be on the council's website and will be freely downloadable and printable.
Press release	Notification via press release of dates of the consultation, scope of the consultation and dates and times of drop in events.
Static displays and document viewing	<p>A static unmanned display will be available to view at Forde House reception area throughout the consultation period.</p> <p>Paper reference copies of any document or proposal will be available in the District Council main offices, public libraries and to Town and Parish Councils.</p> <p>Additional documents will be provided to parishes and town councils if requested.</p> <p>Documents will be for sale at a price reflecting production costs.</p>

Posters/leaflets	<p>A poster will be produced publicising the consultation dates and an overview of the project including illustrations and provided to:</p> <ul style="list-style-type: none"> • Libraries • District Council offices and leisure facilities • Community facilities • Town and Parish Councils for display in public noticeboards and other key locations.
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Table 3: Proposed Consultation Arrangements

2.12. Duty to Cooperate

2.12.1. As covered earlier in the report, the Local Plan (Part 1) is being prepared alongside the Greater Exeter Strategic Plan (GESP) which is evidencing and addressing the wider strategic issues affecting Teignbridge and the other authorities within the GESP area. As such, matters relating to housing numbers, housing distribution, gypsy and traveller provision, major infrastructure provision, management of the Exe Estuary, strategic low carbon projects and carbon reduction targets, and employment land provision will be dealt with through GESP. As a primarily development management policy-based plan, the Local Plan (Part 1) will instead focus on much more detailed and localised matters such as design, development within town centres, local employment opportunities, rural development, affordable housing provision etc. Nevertheless, there are some cross boundary issues included within the Local Plan Part 1 which have the potential to affect a wider area. These include:

- Climate change
- The South Hams Special Area of Conservation (SAC)
- The Exe Estuary Special Protection Area (SPA) and Special Area of Conservation (SAC)
- Landscape
- Biodiversity

2.12.2. A number of these policies have been discussed informally with neighbouring authorities either through preparation of similar GESP policies or through other partnership working (such as the South Hams SAC Habitats Regulation Assessment Guidance). This has helped to bring about consistent wording and approaches between the local planning authorities on relevant strategic matters. Following the consultation on the draft Local Plan (Part 1) officers will prepare a Statement of Common Ground to be agreed with our Duty to Cooperate Partners. This will be kept up to date as the plan progresses through to submission (as statutorily required).

2.12.3. During the Issues Consultation we received no adverse comments from adjoining local planning authorities.

3. OPTIONS

Options were considered when the Local Development Scheme was agreed, setting the preparation timetable and process for the Local Plan Part 1.

4. CONCLUSION

- 4.1.1. The policy wordings proposed to you are considered to be a significant update to the existing local plan policies concentrating in particular on improved climate change and design policies. They have been written collaboratively with council officers outside planning, councillors via the Local Plan Working Group and Action on Climate in Teignbridge. The committee is requested to consider the Draft Plan and other attachments, and to recommend to Executive that they are published for consultation as set out in the report subject to any amendments they wish to propose.