

**TEIGNBRIDGE DISTRICT COUNCIL**

**EXECUTIVE**

**31 OCTOBER 2019**

<b>Report Title</b>	<b>Local Development Scheme Update</b>
<b>Purpose of Report</b>	To update the Local Development Scheme to take account of the new Greater Exeter Strategic Plan timetable agreement.
<b>Recommendation(s)</b>	<b>The Committee RESOLVES to:</b>  <b>Approve the Local Development Scheme attached as Appendix A to come into effect on 8 November 2019</b>
<b>Financial Implications</b>	Additional resources of £30,000 will be required in 2022/23 as outlined in 2.1.1 to be built into the planning process for that year. Martin Flitcroft Chief Finance Officer Tel: 01626 215246 Email: martin.flitcroft@teignbridge.gov.uk
<b>Legal Implications</b>	The Legal implications are as set out in the report. However, it should be noted that the preparation of Local Plans is a statutory duty. Paul Woodhead Legal Services Team Leader and deputy Monitoring Officer Tel: 01626 215139 Email: paul.woodhead@teignbridge.gov.uk
<b>Risk Assessment</b>	The risks associated with preparing plans are preparation of an unsound plan and potential timetable delay. These are strategic risks which are monitored by the council. Simon Thornley Business Manager Tel: 01626 215706 Email: simon.thornley@teignbridge.gov.uk
<b>Environmental/ Climate Change Implications</b>	The preparation of local plans is a key method for climate change mitigation and environmental protection, through appropriate policies and development strategy. Preparation of the Greater Exeter Strategic Plan will give an opportunity to consider climate and strategic environmental matters at a more effective larger-than-local scale. Simon Thornley, Business Manager Tel: 01626 215706 Email: simon.thornley@teignbridge.gov.uk
<b>Report Author</b>	Simon Thornley, Business Manager Tel: 01626 215706 Email: simon.thornley@teignbridge.gov.uk
<b>Portfolio Holder</b>	Portfolio Holder for Planning (Gary Taylor)
<b>Appendices</b>	Draft Local Development Scheme
<b>Part I or II</b>	Part 1
<b>Background Papers</b>	Report to Executive 8 October 2019, Teignbridge Local Plan Review and Wolborough Master Plan Timetable

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## **1. PURPOSE**

1.1. To update the Local Development Scheme to take account of the Greater Exeter Strategic Plan timetable agreement.

## **2. REPORT DETAIL**

### **2.1. Financial**

2.1.1. The Greater Exeter Strategic Plan examination costs (primarily the costs of the Inspector which we are required to pay the Planning Inspectorate) are likely to be about £30,000 per GESP authority, to be paid in 2022/23, and this should be built into the budget process as a pressure for that year. The examination costs of the other plans were covered in the Executive report of 8 October 2019 and are unchanged.

### **2.2. Legal**

2.2.1. Preparing and updating local plans is a statutory requirement. The various local plan documents (including the Greater Exeter Strategic Plan) will replace various existing policies of the Teignbridge Local Plan. Once adopted they will have full weight in considering planning applications.

### **2.3. Risks**

2.3.1. The main risk is that a submitted plan is found unsound by the local plan inspector, or unlawful once it has been adopted. A secondary, albeit important, risk is that preparation of any plan is delayed by various factors such as changing government policy and background evidence and advice/requirements of the local plan inspectors. These are strategic risks in the council's corporate risk register and are regularly updated and reported to Councillors in the quarterly reports.

### **2.4. Environmental/Climate Change Impact**

2.4.1. Climate change mitigation (that is, measures to reduce carbon emissions) will be contained in the plans included in the Local Development Scheme, reflecting an updated carbon reduction target (subject to the local plan legal preparation and adoption process). 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 area. Because of this, involvement in GESP is 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.

## **2.5. Teignbridge Local Plan Review Part 1: Quality as Standard and Wolborough Masterplan DPD Timetables**

2.5.1. The report to Executive on 8 October 2019 contained a description and proposed timetable for the Teignbridge Local Plan Update Part 1: Quality as Standard, and for the Wolborough Masterplan Development Plan Document. There is no proposed change to those timetables, which are reflected in the proposed Local Development Scheme attached as an Appendix to this report.

## **2.6. Greater Exeter Strategic Plan Timetable and Scope**

2.6.1. On various dates in mid-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 given then 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 preparation of individual plans by the four 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.

2.6.2. The current 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;
- 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”

2.6.3. 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 the first meeting of the GESP Leadership Group (see below), the councils’ 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 Schemes.

2.6.4. The following milestones are now proposed to replace those set out above, 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

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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 “sound”. There may be further changes to the plan in the form of “Main Modifications” recommended by the Inspector.	September 2022
Adopt Plan	The Plan can only be adopted with a positive recommendation from the Inspector with any Main Modifications proposed by them.	April 2023

2.6.5. The Greater Exeter Strategic Plan, as its name indicates, is intended to provide an overarching strategy for the area, but not to include the full suite of policies and proposals. Each council will continue to update their own individual local plan (or plans) covering issues not include 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.

2.6.6. Issues of interpretation can arise where planning policies overlap with different wordings affecting the same application. In order to avoid this it is important that the distinction between what goes in the GESP and what is expected to go into local plans, ie the scope of each plan, is sufficiently clear.

2.6.7. The current LDS, quoted above, describes the GESP scope in quite general terms. The Leadership Group considered the matter afresh, and supported an updated version, containing a clearer description, as follows. This version is reflected in the revised LDS attached.

**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:**

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- **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 a 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**

2.6.8. 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 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.

2.6.9. 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 the strategic sites. This latter issue would lead to the need to allocate additional development sites either within GESP or within the later local plans.

## **2.7. Greater Exeter Strategic Plan – Governance and Decision-making**

2.7.1. 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 - 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 and with full involvement of councillors and senior officers. The councils will be considering the Draft Policies and Site Options consultation document in or around May 2020 in time for June consultation.

## **2.8. Teignbridge Local Plan Part 2: Creating Quality Places**

2.8.1. The second element of the Teignbridge Local Plan Update consists of policies which relate to where development takes place. It will set out the Council's strategy for delivering new homes, employment land, facilities and supporting infrastructure.

2.8.2. It will include policies and allocations relating to:

- Employment allocations
- Gypsy and traveller site allocations
- Allocations for new homes
- Renewable energy allocations
- Town centre redevelopment proposals
- Town centre specific retail requirements
- Place specific policies and initiatives

2.8.3. The timetable is proposed to be as described below. This allows the plan to take account of the contents of the Greater Exeter Strategic Plan. Because of the role of the Greater Exeter plan in setting targets on matters such as climate change, development and other strategic matters, this section of the local plan must follow behind GESP preparation.

- Jan 2021 - Draft Policies and Site Options Consultation
- Sep 2021 - Draft Plan
- Sep 2022 - Proposed Submission
- Apr 2023 - Submit Plan
- Jun 2023 - Examine Plan
- Dec 2023 - Adopt Plan

2.8.4. This description and timetable is contained in the proposed Local Development Scheme attached as Appendix A.

## **3. OPTIONS**

### **3.1. Do Nothing**

3.1.1. The current Local Development Scheme is out of date and therefore a do nothing option is not available.

### **3.2. Withdraw from the Greater Exeter Strategic Plan**

3.2.1. The GESP is a key element in planning for a more sustainable sub-region, meeting housing and other development needs in a more sustainable manner and retaining our high level links with Homes England and other key potential funders. It ensures that tricky Duty to Cooperate matters are dealt with in the round, rather than on a one-on-one bilateral basis with a large number of authorities. This is not a sensible option.

### **3.3. Other timetable options**

3.3.1. The timetables indicated do not leave any significant scope for change, given the way the various plans interlock.

## 4. CONCLUSION

### 4.1. Greater Exeter Strategic Plan

4.1.1. The revised timetable and updated scope for the Greater Exeter Strategic Plan provide a sound basis for taking this work forward.

### 4.2. Teignbridge Local Plan Part 2: Creating Quality Places

4.2.1. The update to the Teignbridge Local Plan relating to where development occurs will follow on from key stages in the Greater Exeter Strategic Plan timetable. Full updated plan coverage should be in place by the end of 2023.

## Appendix A Proposed Local Development Scheme

To come into force on 8 November 2019

### Introduction

Teignbridge Council proposes to prepare four Development Plan Documents. These are set out below with a description and timetable.

### Wolborough Masterplan Development Plan Document

The Wolborough DPD will draw on new and existing evidence to guide specific development proposals within the allocated site in the south of Newton Abbot.

The DPD will include policies on:

- Design principles
- Densities
- Distribution of main land uses
- Landscape and green infrastructure
- Greater Horseshoe Bat design framework and parameters
- Wolborough Fen monitoring and mitigation
- Heritage and associated design responses
- Infrastructure delivery

### Timetable:

- December 2019 – Issues and Draft Plan
- April 2020 – Proposed Submission
- September 2020 – Submit Plan
- January 2021 – Examine Plan
- April 2021 – Adopt Plan

### Teignbridge Local Plan Update Part 1: Quality as Standard

This document will cover all policies which relate to how development takes place. Its focus will be on improving our built and natural spaces through careful and positive management so that they support high quality living conditions in an increasingly zero carbon environment. It will set out the Council's expectations for high standards of design, development and living conditions to give a clear and improved framework for all future development including allocations to be contained in GESP and in the Teignbridge Local Plan Update Part 2: Creating Quality Places. It will include policies relating to:

- Climate change and energy requirements
- Design
- Employment (e.g. business development; rural economy; tourism)

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- Environmental conditions (e.g. air, water and soil quality; contamination; pollution)
- Environmental protection (e.g. landscapes; biodiversity; woodland; protected sites)
- Town centres
- Green infrastructure
- Health and wellbeing
- Housing types and standards (e.g. affordable housing; exception sites; custom build; accessible homes)
- Settlement hierarchy
- Settlement limits

**Timetable:**

- January 2020 – Draft Plan
- June 2020 – Proposed Submission
- October 2020 – Submit Plan
- February 2021 – Examine Plan
- July 2021 – Adopt Plan

## **Greater Exeter Strategic Plan**

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 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 a 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

### **Timetable:**

- June 2020 – Draft Policies and Site Options Consultation
- November – 2020 Draft Plan
- February – 2022 Proposed Submission
- July 2022 – Submit Plan
- September 2022 – Examine Plan
- April 2023 – Adopt Plan

## **Teignbridge Local Plan Update Part 2: Creating Quality Places**

The Local Plan Part 2 will cover all policies which relate to where development takes place. It will set out the Council's strategy for delivering new homes, employment land, facilities and supporting infrastructure.

It will include policies and allocations relating to:

- Employment allocations
- Gypsy and traveller site allocations
- Housing allocations
- Renewable energy allocations
- Town centre redevelopment proposals
- Town specific retail requirements
- Place specific policies and initiatives

### **Timetable:**

- Jan 2021 - Draft Policies and Site Options Consultation
- Sep 2021 - Draft Plan
- Sep 2022 - Proposed Submission
- Apr 2023 - Submit Plan
- Jun 2023 - Examine Plan
- Dec 2023 - Adopt Plan