

**Teignbridge District Council
Executive
12 September 2023
Part i**

Local Development Scheme Update

Purpose of Report

To seek approval for the Local Development Scheme for the Teignbridge Local Plan

Recommendation(s)

The Committee RESOLVES to:

1. Agree the timetable set out in Section 4.1.6 below
2. Approve the Local Development Scheme as attached at Appendix 1 to come into effect on 20 September 2023.

Financial Implications

These are as set out in section 2.1

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Legal Implications

These are as set out in section 2.2

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Risk Assessment

These are as set out in section 2.3

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Environmental/ Climate Change Implications

These are as set out in section 2.4

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Executive Member

Executive Member for Planning (Gary Taylor)

Appendices

1. Local Development Scheme – September 2023

1. **PURPOSE**

- 1.1 The purpose of this report is to obtain approval for an update to the Local Development Scheme (i.e. the timetable for preparing the Local Plan) as set out in Appendix 1.

2. **REPORT DETAIL**

2.1 **Financial**

- 2.1.1 Additional evidence as set out in 4.1.5 has been required to demonstrate the soundness of the Plan. This has resulted in additional costs of c. £45,000 above the agreed budget for preparation of the Local Plan. However, given the delay to the timetable as discussed in this report, the examination will now not take place until the financial year 2024/25 and therefore the additional costs can be absorbed within next year's base budget. There is therefore no additional budget pressure identified.

2.2 **Legal**

- 2.2.1 Preparing and updating local plans is a statutory requirement. Section 15 of the Planning and Compulsory Purchase Act requires local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS sets out the plans which are to be prepared, their scope, and the timetable for preparing them. The new Local Plan 2040 will replace the Teignbridge Local Plan 2013-2033, except for some existing allocations that will be saved and will also allocate additional sites for development. Once adopted it will have full weight when considering planning applications.

2.3 **Risks**

- 2.3.1 It is important that the Local Plan is progressed as quickly as possible so that we have updated and fit for purpose policies in place and ensure we have sufficient deliverable sites available to meet our 5-year land supply and Housing Delivery Test requirements. The most recent stage of consultation was carried out in line with the currently adopted timetable earlier this year.

- 2.3.2 Full Council resolved on 12 January 2023 to publish the Proposed Submission Plan for consultation and following consultation submit the Plan, and associated documents, to the Secretary of State for independent examination. It was also resolved that any major modifications will be referred to Full Council for consideration prior to submission if these were deemed necessary based on the responses to the consultation.
- 2.3.3 Section 4.1.1 below sets out some of the key issues that have been raised during the consultation. A number of these are likely to result in Officers recommending major modifications to the Plan. It is important that these are addressed prior to submission as Section 20(2) of the Planning and Compulsory Purchase Act 2004 states that Local Planning Authorities (LPA) must not submit a Plan for examination unless they think it is ready for independent examination. Having considered the Regulation 19 consultation responses, we must only submit a plan if we consider it to be sound and there will not be long delays during the examination because significant changes or further evidence is required. The following report explains where issues have been identified during the most recent Regulation 19 consultation and sets out the recommended steps for ensuring that the Plan we submit is ready for independent examination.

2.4 Environmental/Climate Change Impact

- 2.4.1 There are no direct environmental or climate change impacts arising from this report.

3. Background

- 3.1.1 In September 2022, the current Local Development Scheme was agreed for the district which set out the timetable for preparing the Local Plan as follows:

- May 2018 – *Regulation 18* (Issues) - **completed**
- March 2020 – *Regulation 18* (Part 1) - **completed**
- May 2021 – *Regulation 18* Draft Plan (Part 2) - **completed**
- November 2021 – *Regulation 18* (Part 3) - **completed**

- January 2023 – *Regulation 19* Proposed Submission - **completed**
- July 2023 – *Regulation 22* Submission
- November 2023 – *Regulation 23-25* Examination in Public
- May 2024 – *Regulation 26* Adopt Plan

4. OPTIONS

4.1 Consideration of timetable options

4.1.1 Since adoption of the current LDS, the January 2023, Regulation 19 consultation on the Proposed Submission Local Plan was undertaken. Around 1,000 individuals and organisations responded to the consultation, some of which raised issues which the Plan would benefit from responding to. These include issues which require changes to make sure the Plan that we submit is ‘sound’ and legally compliant, as well as improvements which would provide better outcomes for our communities and environment. They include (but are not limited to) the following:

- Concerns around the impact of the Markham’s Village development (edge of Exeter) on the local and strategic transport network and the need to gather further evidence through detailed transport modelling.
- Concerns about the impact of the Peamore development (edge of Exeter) on the setting of Peamore House and other nearby heritage assets and the need to carry out more detailed masterplanning to limit potential harm.
- Objections to net-zero carbon requirements on new build dwellings ahead of the Future Homes Standard being introduced.
- Historic England objections to the potential impact of wind turbines on heritage assets and the need for a detailed Heritage Impact Assessment to justify their inclusion in the Plan.
- Feedback from the Design Council and Department for Levelling Up, Homes and Communities on the District Design Code suggesting

improvements based on it being prepared as part of the national Design Code Pathfinder programme.

- Opportunity to append the Houghton Barton and Bradmore District Design Code to the Local Plan to give it Development Plan status (i.e. most weight) which is now sufficiently progressed to be consulted on.
- Opportunity to update our housing requirement which has reduced slightly to 720 homes per annum, based on the most recently published datasets.
- Challenge to the lack of any new allocations in Teignmouth and Dawlish which are our 2nd and 3rd largest settlements in the district.

4.1.2 This report is not concerned with the detail of how these issues are responded to as this will be subject to Full Council consideration in due course. However, it sets out a recommended programme to ensure these issues can be adequately addressed whilst still ensuring the Plan is progressed and submitted as expediently as possible. To do this, it is proposed that changes are made to the Plan prior to submitting it to the Secretary of State for examination.

4.1.3 There are two ways in which changes to the plan can be made in response to these issues:

- a. Changes can be submitted as a Schedule of Proposed Modifications alongside the rest of the Plan when it is submitted to the Secretary of State to start proceedings for independent examination. These changes are limited to those which are necessary to make the plan sound and legally compliant. They carry little weight and it is at the discretion of the Inspector examining the Plan whether to consider them or not.
- b. Changes can be consulted on as an Addendum to the Proposed Submission Plan, as part of another Regulation 19 consultation for a minimum six-week period. This can include both changes

necessary to make the plan sound and legally compliant, as well as general improvements to the plan. Once consulted on, they become part of the Proposed Submission Plan and therefore carry the same weight as the rest of the plan - i.e. the original Proposed Submission Plan incorporating the changes in the Addendum will be examined in full.

- 4.1.4 Given the complexity of some of the issues that have been raised it is recommended that an Addendum consultation is undertaken which will provide interested parties and affected communities the opportunity to comment on new evidence and updated proposals. As a focused consultation, comments will only be invited on new or amended information. A decision on the content of the Addendum and whether to publish it for consultation will be sought by Full Council in the autumn.
- 4.1.5 The evidence required to respond to the issues raised, namely transport modelling associated with Markham's Village, Heritage Impact Assessment of wind turbine allocations, further viability modelling of net-zero carbon requirements, and associated environmental appraisals as a result of proposed changes has meant a delay to the Plan of around 4 months. The publication of an Addendum consultation will add a further 3 months on top of this to the programme. Whilst this is an unfortunate delay, having the evidence required and responding to the issues raised through a formal consultation exercise could reduce the amount of debate at the examination and limits scope for a prolonged examination process.
- 4.1.6 The proposed revised timetable is as follows:
- May 2018 – *Regulation 18* (Issues) - **completed**
 - March 2020 – *Regulation 18* (Part 1) - **completed**
 - May 2021 – *Regulation 18* Draft Plan (Part 2) - **completed**
 - November 2021 – *Regulation 18* (Part 3) - **completed**
 - January 2023 – *Regulation 19* Proposed Submission - **completed**

- November 2023 – *Regulation 19* Addendum to the Proposed Submission Plan
- February 2024 – *Regulation 22* Submission
- June 2024 – *Regulation 23-25* Examination in Public
- November 2024 – *Regulation 26* Adopt Plan

5. CONCLUSION

5.1 Proposed timetable

5.1.1 It is recommended that the timetable set out in Section 4.1.6 is agreed for the updated Local Development Scheme.

5.1.2 The proposed Local Development Scheme is provided in Appendix 1.

Appendix 1

Proposed Local Development Scheme

To come into force on 12 October 2022

Introduction

Teignbridge Council proposes to prepare one Development Plan Document which will be the Teignbridge Local Plan 2020-2040. The timetable and description are set out below:

Teignbridge Local Plan 2040

This document will set an overall vision and strategy for the area in the context of local circumstances, national policy, and climate and ecological emergency declarations. It will set the overall amount of growth for the period to 2040 and implement the overall vision and strategy by allocating sufficient land for new employment, housing, renewable energy and other development needs.

The Local Plan will include strategic and non-strategic policies to manage how development takes place in the district. Policies will focus on improving our built and natural spaces to support high quality living conditions in an increasingly zero carbon environment. They 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 taking place in the district.

The Local Plan will include policies and site allocations relating to:

- Climate change and energy requirements;
- Design;
- Employment (e.g. business development; rural economy; tourism);
- Environmental conditions (e.g. air, water and soil quality; contamination; pollution);
- Environmental protection (e.g. landscapes; biodiversity; woodland; protected sites);
- Town centres;

- Natural infrastructure;
- Health and wellbeing;
- Housing types and standards (e.g. affordable housing; exception sites; custom build; accessible homes);
- Settlement hierarchy;
- Settlement limits;
- 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:

- May 2018 – *Regulation 18* (Issues) - **completed**
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