

Neighbourhood Planning & the Local Plan Update



Autumn 2023

This update focuses on progress with the emerging new Local Plan as well as the forthcoming Government changes to the plan-making system. Importantly, it also invites all towns and parish councils to take part in a survey to gather information on neighbourhood planning activity and intentions across the district.

We hope this provides some useful content. If you have any questions or requests for guidance on any neighbourhood planning topics, please do get in touch with our Neighbourhood Planning Officer, Angela King, or any member of the Planning Policy Team.

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East Devon – an outstanding place



State of Play: Emerging new Local Plan

The first half of this year has largely involved collating and summarising all the responses to the Local Plan (Regulation 18) consultation that closed in mid-January 2023. This was a huge task as you can imagine and culminated in an extensive feedback [report](#) presented to Strategic Planning Committee (SPC) in July (with an [addendum](#) going to next week's meeting). This summarises what consultees said, but work continues on considering what changes to the Plan are to be recommended as a result. These will be considered by Members in due course, on a topic-by-topic basis.

Work also restarted in early summer on further consideration of potential sites to be allocated for development in the Plan. This work had been temporarily placed on hold to allow for any further announcements from Government on possible policy changes in respect of housing numbers. However, in the absence of any such changes (to date), detailed assessments are underway for newly submitted sites, as well as reviews of the status of currently proposed / rejected sites, in the light of the consultation responses.

In terms of the number of houses the Plan needs to be providing for, Members reluctantly resolved at the September meeting of SPC that there are no grounds for EDDC to have any realistic chance of successfully challenging the housing numbers set for us by applying the Government 'standard method', and so we will continue Plan-making on that basis. This was based on a thorough [report](#) of the options and risks. However, Members remain concerned, as many of our communities are, about this issue and have [written to MPs](#) to lobby for changes to the current system.

Considerable other work remains on-going to gather [evidence](#) to inform and support the new Plan and work towards a Publication (Regulation 19) Version. A proposed new [vision](#) and revised [timetable](#) for the new Local Plan have just been considered at the most recent SPC meeting on 31st October. The timetable was agreed and recommended to full Council to incorporate into a new published Local Development Scheme (a 'higher level' overarching project plan to take the local plan through to adoption). The vision will be further refined to take on board Members comments and is due to be considered again in January.

The endorsed timetable is based on Plan adoption under the current plan-making system, and envisages submission for examination in May 2025, with Plan adoption taking place in mid-to-late 2026. To achieve this, it is proposed that consultation on the full 'Publication Version' of the Plan would commence at the end of next year.

In the more immediate future, there are also a range of matters still to be consulted on, potentially in the Spring, including:

- Designated Neighbourhood Area housing requirements
 - Employment site allocations
 - Potential new housing (or other) site allocations (for sites submitted to us since May 2022 and not previously assessed)
 - Green wedges
 - Coastal Preservation Areas
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- Town centre retail boundaries
 - Clyst Valley Regional Park Boundary

We are also continuing to work with consultants, CBRE, who are refining assessment work on new community options. We will be considering the findings as they emerge at SPC to inform policy choices for inclusion in the plan as we go forward.

As always, the best way to follow progress on the emerging new Local Plan and all of the work associated with it, is to keep an eye on reports and minutes from our monthly [Strategic Planning Committee](#). All meetings are also available live and as a recording on the [Council's YouTube Channel](#). Information related to the emerging Local Plan is also on our [website](#).

Neighbourhood Plan Intentions Survey

We are now inviting all town and parish councils in East Devon to participate in a short survey related to neighbourhood planning activity. This will be used to inform the on-going preparation of the local plan, as well as the neighbourhood planning support we offer to communities. We will be grateful for your assistance to help make this a valuable exercise.

For more information and to view and complete the survey, please follow the link below:

[Have Your Say Today - Neighbourhood Planning Intentions - Commonplace](#)

We envisage holding our **next Local Plan webinar** early in the new year to present and discuss the results of the survey as well as progress and further consultation on the Local Plan.

Speculative Development Pressures

As many of you will be aware, we do not currently have a full '5-year housing land supply' in East Devon. This is reported on annually. The latest Annual Housing Monitoring Report (to end March 2023), considered by Members at the last [Strategic Planning Committee](#) earlier this month, shows that this remains the case.

This means that substantial weight has to be given to bolstering our housing land supply in planning decisions at this time. We are aware that, in combination with the work on the Local Plan to identify sites suitable for development, this is leading to 'speculative applications' for development in some places, and also appeals are more likely. We fully recognise that this is a challenging, although not uncommon, set of circumstances for those communities affected.

This does not mean we have to approve inappropriate or poor development, and we encourage you to continue to make your views on proposals known to us through

consultations on individual applications, with reference to neighbourhood plans where they exist, to help inform and influence consideration of applications.

Changes to the Plan Making System

The Government continues to move forward and consult on a package of significant proposed changes to the plan-making system. The aim is to make all development plans (including local plans and neighbourhood plans) simpler, shorter and more visual, focussing on locally specific matters, and giving them more weight in decision making. A significant element of the proposals to support this is the introduction of standardised national development management policies.

You may be aware that an [updated version](#) of the National Planning Policy Framework (NPPF) was published in September. However, at this stage the only substantive change was to the Climate Change chapter, to clarify policy support in relation to renewable and low-carbon energy schemes/use.

More fundamentally, the [Levelling Up and Regeneration Act](#) was passed last week and is due to be announced in the King's Speech on 7th November 2023. The final Act is not yet available on the Parliamentary website, but it is understood that Local Plans and Neighbourhood Plans currently under development would need to be submitted for examination by 30th June 2025 in order to be considered under the current planning regime. This could have an impact on some of our emerging neighbourhood plans, or on commencement of new plans, and further clarification is awaited from Government about any flexibility and transitional arrangements. What is clear is that 'made' neighbourhood plans prepared under the current system will continue to remain in force until such time as they are replaced (or superseded by a new Local Plan, where there is a conflict between the two).

Overall, the Government has reaffirmed its commitment to neighbourhood planning, recently stating that "neighbourhood planning remains an essential part of the Government's reforms to help local communities play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals."

The new legislation (as last drafted) set out more explicitly what can and cannot be included within a Neighbourhood Plan under the new system. Broadly speaking, this is not dissimilar to the current scope of neighbourhood plans set out in planning guidance. It can be summarised as:

- to allocate land for development;
 - to include land-use / development related policies;
 - to detail any infrastructure and affordable housing requirements;
 - to set specific design requirements;
 - to contribute to the mitigation of, and adaption to, climate change;
 - to take account of areas and priorities in local nature recovery strategies to protect and enhance biodiversity;
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- not to be inconsistent with or repeat policy that already exists in the incoming National Development Management Policies, and;
 - not to prevent housing which is proposed in the development plan and not propose less housing.

Significantly, the Government has also consulted on increasing the protection given in national policy to the weight of neighbourhood plan policies in development decisions from 2 to 5 years, in situations where the Local Planning Authority does not have a 5-year housing land supply (see [paragraph 14](#) of the NPPF). This proposal has been supported by East Devon District Council in our response to Government, but there is no indication yet as to whether this will form part of the forthcoming changes. This will depend on further consultation expected at the end of the year on a revised NPPF.

In addition to giving increased weight to neighbourhood plans, amongst other things, the Act (as last drafted) introduces several new 'tools' to further community engagement in planning which may be of interest:

- a) 'Neighbourhood Priorities Statements' to aid communities to formally input into the preparation of local plans, particularly where no neighbourhood plan (or up to date plan) exists, and;
- b) new 'street vote' development orders, to allow residents on a street to bring forward proposals to extend or redevelop their properties in line with their design preferences and vote in a referendum if they should be given planning permission.

It also replaces Community Infrastructure Levy (CIL) (and 'Section 106 monies') with a new Infrastructure Levy ("IL"). However, there is no change planned to the proportion of levy collected that is passed on to parish/town councils (either with or without a neighbourhood plan in place (remaining at 15% and 25% respectively)).

We will be reviewing the new legislation once published, including to aid supporting neighbourhood planning activity going forward, but it is important to note that the new planning system will not be operational for some time. Current indications are that this could be from autumn next year. This is dependent on new planning regulations being brought in as well as consultation on, and the introduction of, a revised National Planning Policy Framework and the new National Development Management Policies.

Release of Parish Level Census Data (2021 Census)

The Office of National Statistics has now released census data from the 2021 census, [searchable by parish](#). This can be useful evidence to inform neighbourhood planning, as well as other matters as town / parish level.

Neighbourhood Planning Support Available from Locality (2023/24)

Grants for the current financial year, together with a range of funded technical support packages, remain available from Locality (the Government-funded national umbrella organisation for neighbourhood planning support). A two-stage on-line application process applies and importantly, grants must be spent within the financial year in which they are secured i.e., by end March. It is expected that the next round will be open from April 2024. Full details, along with guides, toolkits and case studies, are available on [Locality's dedicated neighbourhood planning website](#).

Neighbourhood Planning – State of Play

There are now 26 'made' neighbourhood plans in East Devon, with Broadclyst being the latest plan to be made in July this year. Recent data shared by the Planning Officers Society indicates that East Devon has the 12th highest number of made neighbourhood plans of any Local Planning Authority nationally, and some of those ranking higher are unitary authorities covering whole county areas.

It continues to be an uncertain time for neighbourhood plan making with the transition to a new Local Plan and the uncertainty over the direction of future national policy. However, this underlines the importance of liaison between those engaged or interested in neighbourhood planning and the Local Planning Authority, so that appropriate support can be given, as well as the need for communities to be clear on the purpose of preparing a plan, and the timing and reasons of any review.

You can find out the further details and the state of play on all our neighbourhood plans on our website at:

- [Neighbourhood Plans being produced in East Devon - East Devon](#)

To speak to an officer, please see contact details on the cover page.
