

REPORT TO EXECUTIVE

Date of Meeting: 3 September 2024

Report of: Strategic Director for Place

Title: Revised Local Development Scheme 2024

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive

1. What is the report about?

1.1 The report refers to a revised Local Development Scheme which identifies a brief scope and timetable for the preparation of Council planning policy documents including the emerging Exeter Plan (the new Local Plan) and a Supplementary Planning Document.

2. Recommendations:

2.1 That Executive approves the revised Local Development Scheme (Appendix A) as the basis for preparing local planning policy.

3. Reasons for the recommendation:

3.1 The existing Local Development Scheme was approved in July 2023. Since then, work on the Exeter Plan and other planning policy documents has progressed and there is a statutory requirement to keep the Local Development Scheme up to date. This report presents the necessary updates.

4. What are the resource implications including non-financial resources

4.1 The evidence budgets required to prepare the planning policy documents listed in the Local Development Scheme have previously been agreed at various Council meetings. The recommendation made in this report results in no direct additional budgetary implications at this stage.

5. Section 151 Officer comments:

5.1 There are no additional financial implication to consider in this report.

6. What are the legal aspects?

6.1 A Local Development Scheme is a statutory requirement for local planning authorities under s15 of the Planning and Compulsory Purchase Act 2004. The Local Development Scheme outlines amongst other things the local development documents that will form part of the local plan for the area, including development plan documents, their subject matter, geographical coverage and the timetable for their preparation and revision.

7. Monitoring Officer's comments:

7.1 The report seeks approval for a revised Local Development Scheme in line with this legislation.

8. Report details:

Background

8.1 In accordance with legislation set out in the Planning and Compulsory Purchase Act 2004¹, the Council has an existing Local Development Scheme (LDS) which identifies the planning policy documents which it intends to publish, the subject matter to be covered by each of the documents and a timetable for their preparation. The current LDS was approved by the Executive in July 2023.

Revisions to the Local Development Scheme

8.2 Legislation requires that Councils maintain and update their LDS. The updated document at Appendix A responds to this requirement.

8.3 In updating the LDS, specific focus has been given to the inclusion of detail regarding the following documents:

- The Exeter Plan (the local plan); and
- St Luke's University Campus Supplementary Planning Document.

8.4 The LDS also notes that significant progress continues to be made on planning policy preparation since the previous iteration the document as follows:

- A Full Draft Exeter Plan consultation has been organised and completed;
- The Liveable Water Lane SPD (including a development framework and design code) has been adopted (July 2024);
- The Householders Guide: Design of Extensions and Alterations SPD has been adopted (April 2024); and
- The Houses in Multiple Occupation SPD has been adopted (December 2023).

8.5 A revised CIL Charging Schedule has also been examined and approved.

8.6 Further explanatory detail on the Exeter Plan and St Luke's SPD is included in the following sections.

8.7 Further information is also provided on how the City Council intends to respond positively to the Government's recently announced consultation on national planning policy reforms, including planning for an uplift in housing numbers for Exeter.

The Exeter Plan

8.8 The Exeter Plan (the local plan) will be the primary Development Plan Document for the city. Once adopted it will replace the current Exeter Local Plan First Review and Core

¹ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

Strategy. In doing so it will include a vision, objectives, planning policies and site allocations for Exeter.

8.9 The first three milestones in the current LDS, the Issues consultation, an Outline Draft consultation, and a Full Draft Consultation have been achieved.

8.10 Following a review of future work required and the detailed comment provided at the Full Draft Plan Consultation, the proposed revised LDS would see the plan progress through further consultation, submission to the Planning Inspectorate, examination, likely further consultation and then adoption in November 2026.

8.11 It is proposed to amend the currently timetabled adoption date of December 2025 for a variety of reasons.

Addressing consultation responses

8.12 During the Full Draft consultation the Council received more than 2,800 responses from more than 1,100 respondents. The level of response and detail provided on a range of issues means that there are significant matters to resolve to an appropriate level before consulting on the next stage of the plan – the Regulation 19 Publication version of the plan. Discussions with a variety of stakeholders are a key part of this process.

Additional evidence

8.13 Following on from the consultation responses, there are a focused number of areas where additional evidence is required. Some of this evidence had not been anticipated earlier in the plan-making process and the level of detail required has become more significant as the plan has progressed. Examples of this evidence includes ecological surveys, a density study, an emergency access and egress study, sub-regional transport evidence and infrastructure work.

8.14 This evidence will help the Council respond to the tests of soundness which are applied by the Planning Inspectorate when examining the plan. Plans must be:

- Positively prepared
- Justified
- Effective
- Consistent with national policy.

Other planning policy work and staff resource

8.15 As already mentioned, beyond the Exeter Plan itself, the Council has successfully completed four other significant projects since the current LDS was approved. These include the adoption of three SPDs and the approval of a revised CIL Charging Schedule. There are various other projects which also been progressed.

8.16 The significant workload has also coincided with unexpected staff resource challenges within the local plans team. Out of a team of 6 policy staff (including the assistant service lead who also has other responsibilities), three have either left the authority or are on maternity leave. Two new members of staff have, or are in the process of being recruited, however this leaves the team with reduced capacity for policy preparation at a time when key plan drafting is taking place.

Duration of Plan Examinations

8.17 As already stated, the Planning Inspectorate (PINS) will be required to examine the Exeter Plan. In recent years, the average Examination process duration has extended and so additional time has been factored into the Exeter Plan timetable before adoption. It should be noted however that the duration of this part of the process is largely driven by PINS.

Proposed timetable

8.18 To take account of the challenges faced it is proposed to push back the next formal Exeter Plan engagement stage, the Publication stage, by three months. This slight change provides time to address issues, have further discussions with partners and reinforce the evidence base to ensure a robust and resilient plan. This option would also play a positive role in managing staff workload at a time when team resources are particularly limited.

8.19 The principal milestones for preparing the Exeter Plan as set out in the proposed LDS are included below:

- Issues consultation (Regulation 18²): September 2021 **Complete**;
- Outline Draft Plan consultation (Regulation 18): September 2022 **Complete**;
- Draft Plan consultation (Regulation 18): October 2023 **Complete**;
- Publication (Regulation 19): December 2024 /January 2025;
- Submission to Planning Inspectorate (Regulation 22): June 2025;
- Indicative timetable (determined by Planning Inspectorate)
- Examination including hearings (Regulation 23 - 24) November/December 2025;
- Adoption (Regulation 26): November 2026.

National planning policy reform

8.20 By adopting a revised timetable, Exeter City Council should still be in a position to conform with the Government's deadlines and deliver a local plan that effectively addresses the city's future development needs.

8.21 However, it should be noted that the Government is currently consulting on highly significant national planning policy reforms. This includes revisions to the National Planning Policy Framework (NPPF), nationally set housing requirements for each local planning authority area and transitional arrangements for plan-preparation. The Government has stated that the reforms will be in place by the end of 2024.

8.22 The most significant element of the planning reforms relates to the housing requirements for each Council. For Exeter, this would see the requirement increase from 642 to 815 homes per annum. This near 27% increase would equate to 3,460 additional homes to be accommodated over a twenty-year plan period (in addition to the current housing requirement). Exeter City Council is committed to providing for this increase in much needed new homes, whilst bringing forward an up-to-date new local plan, in a timely fashion. It is appropriate to continue progressing the Exeter Plan under the transitional arrangements in accordance with the existing NPPF and current housing

² [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

numbers (642 per annum). Once the Exeter Plan has been adopted, the City Council will plan for the proposed uplift in housing numbers, in accordance with the NPPF.

8.23 In order to take advantage of the transitional arrangements, the Council will need to publish the next stage of the plan within one month of the release of the new NPPF – a stipulation set out in the national planning reforms. Although it is not definitively clear when this will be, if Government continues with its planned timetable this would be likely to be in mid to late December following the end of national consultation on 24 September. This would require the Council to publish the plan for consultation in mid to late January. The timetable set out above would allow for this, albeit it with minimal room to manoeuvre.

8.24 Were Government to publish the revised NPPF unexpectedly early this would make meeting the transitional arrangements extremely challenging given all the challenges set out earlier in the report.

St Luke’s University Campus Supplementary Planning Document

8.25 One of the key employment sites in the Exeter Plan is St Luke’s University Campus. The site is also vital in terms of University investment and maintaining the University’s high profile and status within the academic sector. On this basis, a masterplan is being progressed to shape development on the site. The masterplan is being prepared by the University. It is anticipated that the University will undertake all the necessary work on the masterplan in accordance with regulatory processes. Officers will provide advice and assistance, including exploring whether the masterplan can be adopted alongside the Exeter Plan. Consultation will be required as part of this process – this will be jointly held by the Council and the University.

8.26 The proposed timetable for the work on the SPD is summarised below.

- Evidence gathering: 2024;
- Consultation: 2025;
- Further assessment: 2025;
- SPD adoption: 2026.

9. How does the decision contribute to the Council’s Corporate Plan?

9.1 The revised Local Development Scheme is important for guiding the preparation of new planning policy which will be critical to ensure the delivery of the Council’s Corporate Plan. It will contribute to the aspirations of the Exeter Vision 2040 by helping to establish a robust policy framework which will support growth, shape places, and deliver infrastructure and community services.

9.2 Future planning policy, as set out in the revised LDS will help to deliver the City Council’s strategic priorities of a prosperous local economy through improving Exeter as a place to attract investment. It will also provide policies to encourage health and activity in the city and to support place-making which will deliver housing and build neighbourhoods and communities. The emerging policies timetabled in the revised LDS will also support

the progress towards a new zero carbon city and enhance the culture and heritage of the city.

10. What risks are there and how can they be reduced?

10.1 There is always some risk of slippage on the plan-preparation timetable for a local plan because of the need for consultation and to address a myriad of issues raised by third parties. This is a particular issue because of the breadth and volume of policy work being pursued concurrently and as a result of the intricacies and challenges of a brownfield development strategy and the associated evidence requirements. Risk of slippage would increase if additional projects were added to the work programme.

10.2 The Government is also currently progressing with significant national planning policy reforms which are subject to a major consultation. Although the proposed timetable for the Exeter Plan has been devised in order to fit with the timings currently set out in the consultation material for the national planning reforms, there is a risk that Government amends the programme for publishing the new National Planning Policy Framework, the transitional arrangements for plan-making and the new housing numbers. If this were to be the case it would be extremely challenging to meet the Exeter Plan milestones in accordance with the national reforms. The Council will need to react to this potential eventuality if it transpires.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- Eliminate discrimination, harassment, victimisation, and any other prohibited conduct;
- Advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- Foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty, authorities must assess the impact on equality of decisions, policies, and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex and gender, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage, and civil partnership status in coming to a decision.

11.4 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because the preparation of a revised Local Development Scheme is a legislative requirement setting out a timetable of work and does not directly address any equalities issues. An Equalities Impact Assessment has been included in the background papers for Members' attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendation.

13. Are there any other options?

13.1 There are no other options because the maintenance of an up-to-date Local Development Scheme is a statutory requirement.

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-
Current Exeter Local Development Scheme.

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