

## **REPORT TO EXECUTIVE**

**Date of Meeting: 24 June 2014**

**Report of: Assistant Director City Development**

**Title: SW Exeter Development Brief**

### **Is this a Key Decision?**

No

### **Is this an Executive or Council Function?**

Executive Function

## **1 WHAT IS THE REPORT ABOUT?**

- 1.1 The report briefs Members on the results of public consultation on a draft development brief, considers responses to representations and recommends adoption of an amended development brief as a Supplementary Planning Document (SPD).

## **2 ADVICE SOUGHT/RECOMMENDATION**

- 2.1 Planning Member Working Group is asked to note the results of public consultation and support adoption of the proposed amended development brief as an SPD.
- 2.2 Executive is recommended to adopt as an SPD the proposed amended development brief at Appendix 2 (showing tracked changes) and delegate to the Assistant Director City Development authority to make any further necessary editorial corrections before publication.

## **3 REASONS FOR THE RECOMMENDATION**

- 3.1 Adoption of a development brief will provide more detailed planning guidance to inform the determination of planning applications and fulfils a commitment to the local community to involve it through this planning process.

## **4 WHAT ARE THE RESOURCE IMPLICATIONS INCLUDING NON FINANCIAL RESOURCES**

- 4.1 The adoption of a development brief as an SPD should provide more certainty on Council requirements at the planning application stage for the developer and public. This may reduce the time and resources needed to determine applications.

## **5 SECTION 151 OFFICER COMMENTS**

- 5.1 None.

## **6 WHAT ARE THE LEGAL ASPECTS?**

- 6.1 A development brief that is adopted as an SPD, is up to date and has been subject to public consultation and a formal adoption resolution of the Council can carry significant weight as a material planning consideration in the determination of planning applications.

## **7 MONITORING OFFICER COMMENTS**

- 7.1 None.

## **8 BACKGROUND**

- 8.1 The adopted Exeter Core Strategy proposes a strategic allocation of land to the south west of Alphington for up to 500 homes. The land subject to the allocation is in three main ownerships, including Devon County Council. It is understood that the land owners intend to submit an outline planning application for residential development during June 2014. The County Council is likely to then seek to dispose of its land to a house builder with the benefit of a resolution to grant planning permission.
- 8.2 The purpose of the development brief is to amplify the requirements of Policies CP17 and CP19 of the Core Strategy, to ensure the delivery of a high quality sustainable development at the strategic allocation.
- 8.3 The draft development brief for public consultation was agreed by PMWG and Executive on 4 February 2014. This followed extensive consultation with local residents and the Alphington Village Forum, including a series of workshops, a consultation leaflet and a staffed exhibition.

## **9 CONSULTATION ARRANGEMENTS**

- 9.1 Public consultation on the draft development brief took place over a period of 6 weeks, ending on 28 March 2014. The draft brief and consultation featured on the City Council and the Alphington Village Forum web sites and there were articles in the Express & Echo. The Council also published an accompanying SEA (Strategic Environmental Assessment) screening statement and Equalities Impact Assessment.

## **10 CONSULTATION RESPONSE**

- 10.1 Thirty two written representations were received. This relatively low number may be due to the significant local consultation already undertaken on these proposals over the last two years.
- 10.2 The representations comprise:
- |  |    |
|--|----|
| Land owners (inc DCC)                  | 3  |
| Adjoining land owners within SW Exeter | 2  |
| Organisations with an interest         | 12 |
| Local residents                        | 15 |
- 10.3 No representations were received during the consultation period from Teignbridge District Council (TDC) or the Alphington Village Forum.
- 10.4 A schedule summarising the representations received, a proposed City Council response and any resulting proposed amendments to the development brief is at Appendix 1.

## **11 MAIN ISSUES RAISED**

- 11.1 Some representations refer to the need for greater consideration of the wider context of the SW Exeter development area. The situation has continued to evolve since the draft development brief was prepared. Principally, the Examiner has found 'Plan Teignbridge' to be sound at public examination; the landowners/developers have produced some masterplan work; a planning application for about 230 homes has been submitted to TDC; and TDC has decided to produce and consult upon a further masterplan (report to PMWG 29 April 2014). It is proposed to amend and extend paragraph 4.3 of the brief to provide more detailed information on the SW Exeter context and to give it more prominence by moving it to section 1.

- 11.2 The proposed brief identifies an area of land within the strategic allocation for the provision of a doctor's surgery. Concerns are expressed that the surgery is only required to serve the wider development of SW Exeter. No change is proposed to the brief in response to this concern. The site is safeguarded in case no more appropriate site comes forward within the wider urban extension.
- 11.3 A number of representations note that the housing mix should be determined by context and this is agreed. Others question the validity of using a Housing Market Assessment which dates from 2010 to determine the housing mix. No change is proposed in response to this latter concern, as the brief accords with Policy CP5 of the Core Strategy. An updated Housing Market Assessment should be published later in 2014.
- 11.4 Positions of access points and open space are considered inflexible. The proposed brief will clarify that these details will be determined through planning applications.
- 11.5 The proposed brief identifies the need for Section 106 agreement contributions to three elements of off-site infrastructure. Concerns are expressed that these cannot and should not be specified in advance of the details of proposals. This view is not supported.
- 11.6 A late representation to the consultation was received from the Alphington Village Forum and tabled at Planning Member Working Group on 10 June by a ward councillor. The representation requests that the brief be amended to require a ban on construction traffic through Alphington, which is agreed. The representation also requests that the brief requires a financial contribution, via a Section 106 Agreement, towards the provision of a pedestrian and cycle path along Chudleigh Road. The means to fund and provide a path is being discussed by City Council and Devon County Highways Officers and the brief will be amended to reflect this.

## **12 RISKS & OPTIONS**

- 12.1 A development brief needs to seek to maximise the public benefit from development that is reasonable, viable and within the law. It may raise undue public expectations if it identifies requirements that it cannot deliver.
- 12.2 While the Council could decide not to proceed to adopt a development brief, that would not fulfil a commitment to involve local residents in the planning process for the site. The responses from landowners help identify requirements that they consider are a concern and some amendments have been proposed as a result, making the brief more robust.

**RICHARD SHORT**  
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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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