

## **REPORT TO EXECUTIVE**

Date of Meeting: 3 October 2023

Report of: Director City Development

Title: Exeter Plan: Full Draft Plan consultation

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

Yes

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

Executive

#### **1. What is the report about?**

1.1 The report explains the progress made on the Exeter Plan (Local Plan) and seeks approval for public consultation on a Full Draft of the plan. This would be the third public consultation on the Exeter Plan.

#### **2. Recommendations:**

2.1 That the Executive approves the Full Draft Exeter Plan (included in Appendix A) as the basis for public consultation commencing on 23 October 2023;

2.2 That the Executive gives delegated authority to the Director of City Development, in consultation with the Council Leader and Portfolio Holder for City Development, to agree minor changes to the Full Draft Plan content before it is published for consultation; and

2.3 That the Executive gives delegated authority to the Director of City Development, in consultation with the Council Leader and Portfolio Holder for City Development, to agree a change to the consultation start date if required.

#### **3. Reasons for the recommendation:**

3.1 As the Local Planning Authority for Exeter, the City Council has a statutory duty to prepare planning policy for the city. The Exeter Plan (the new Local Plan) will replace the two principal development plan documents for the city - the Core Strategy and the Local Plan First Review.

3.2 In autumn 2022, the City Council held a public consultation on an Outline Draft Plan. This included the vision for the city, a framework of planning policies and a series of potential development sites for consideration. Since this consultation, the consultation responses have been analysed and reported back to Executive and they have been used to inform the Full Draft plan. Further evidence has also been compiled to support the Plan.

3.3 The Full Draft plan (Appendix A) takes the plan process a step further from the outline draft and provides a draft of the full set of planning policies proposed for Exeter. It also

includes a set of site allocation policies to steer high quality large scale, brownfield development.

3.4 Consultation is an important part of the process for preparing the Exeter Plan. The consultation will enable the wider community to inform the plan as it evolves further towards a final 'Publication Draft Plan' for further consultation in 2024. The consultation will fulfil statutory requirements, will be in accordance with the adopted Statement of Community Involvement and will follow the Consultation Charter.

3.5 The timing of the proposed consultation accords with the timetable for preparing the Exeter Plan. This was included in the Local Development Scheme which was approved by Executive in June 2023. The Local Development Scheme identified the need for consultation on the plan in October 2023.

#### **4. What are the resource implications including non financial resources**

4.1 Staff and budgets required to prepare the Exeter Plan were agreed at Council on 21 July 2020. The recommendations made in this report result in no direct additional resource implications.

#### **5. Section 151 Officer comments:**

5.1 There are no additional financial implications for Council to consider arising from this report.

#### **6. What are the legal aspects?**

6.1 The preparation of planning policy, usually through a Local Plan, is a legal requirement under section 19 of the Planning and Compulsory Purchase Act 2004. This report seeks approval to hold a consultation on a 'Full Draft' of the Exeter Plan to comply with the provisions of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 requires the Local Planning Authority to undertake an early statutory consultation process.

6.2 The previous 'Issues' consultation (2021) and 'Outline Draft' consultation (2022) were also held to meet the requirements of Regulation 18, however it is considered important to give the community a further opportunity to influence the plan, again in accordance with Regulation 18.

#### **7. Monitoring Officer's comments:**

7.1 The Monitoring officer supports the recommendations set out in this report.

#### **8. Report details:**

##### Background

8.1 Since the Outline Draft Plan consultation was held between September and December 2022, further work has been undertaken to progress the Exeter Plan. This work has focused on reviewing the responses to the previous consultation, the production of various studies as part of the evidence base, further assessment of potential development sites and the drafting of the plan content itself.

## Summary of the Full Draft Plan content

8.2 The key material for consultation is the Full Draft Plan document as per Appendix A. This will be supported by the evolving evidence-base for the plan, some of which was available for consultation in autumn 2022 with the Outline Draft.

8.3 The Full Draft Plan includes:

- Exeter's Vision 2040. This was included in the Outline Draft Plan and has been widely adopted by organisations in the city;
- The spatial strategy setting out the pattern and high level characteristics of development. This has been reviewed following consultation in 2022;
- A full set of thematic planning policies. This work builds on the initial policies which were consulted on in 2022; and
- A revised list of potential development sites (mixed use, residential and employment) and six allocation policies for strategic brownfield sites.

This content builds on the framework which was provided by the Outline Draft Plan in 2022.

8.4 The Exeter Plan continues to be anchored by Liveable Exeter, the principles of which are included in draft policy. These principles have been extended with the addition of a seventh principle covering cultural activity. The proposed spatial strategy included for consultation retains the vast majority of the content of the strategy which was consulted on previously, particularly the emphasis on brownfield development, the focus on net zero and the need to meet development needs. Further strands have been added however, including reference to the importance of access to local services, the need to conserve and enhance the historic environment and the role which culture can play in driving regeneration.

8.5 A series of 24 mixed use and residential site allocations have been included for consultation. The vast majority of these are brownfield. The number of residential site allocations proposed is slightly fewer than the 28 at Outline Draft stage because various sites previously consulted on have since been permitted. There is still a focus on the large scale brownfield sites which were included in the Liveable Exeter initiative although only 6 of the original eight are now considered through the plan process; West Gate (around Exe Bridges) and Sandy Gate (around Sowton and junction 30 of the M5) have been omitted at this stage as a result of delivery constraints, although they do remain long-term aspirations as part of Liveable Exeter for potential delivery outside the plan period. The boundaries of the some of the sites have also been revised following further consideration. Six specific site allocation policies are included for these large scale, brownfield developments.

8.6 A list of four new employment allocations have also been included. Sites at St Luke's university campus, Toby Carvery at Middlemoor and sites at Newcourt are proposed. The Outline Draft Plan did not include any employment sites. Following commentary on this matter at the previous consultation it is considered appropriate to positively allocate sites for employment uses.

8.7 The consultation will also invite respondents to suggest additional potential development sites for future assessment and consideration through the plan-making process. This 'call for sites' process is an important part of plan-evidence and follows the previous process which was held in 2020.

8.8 Finally, a suite of approximately 60 thematic policies have been prepared. This compares to the 28 which were included in the Outline Draft Plan. The policy themes/chapters remain consistent as those consulted on previously but significantly more detail has been added, particularly in relation to housing, employment, climate change and the natural environment.

8.9 A number of evidence base documents have been prepared in support of the Exeter Plan. This includes a Sustainability Appraisal and a Habitats Regulation Assessment. These documents, and the wider evidence base, will be made available for comment during the consultation.

#### Consultation format

8.10 The consultation on the Outline Draft plan was organised so there was significant digital presence, particularly through the new Commonplace online platform, while 15 public exhibitions were held across the city. Significant efforts were made to raise the profile of the consultation which resulted in around 1500 respondents and more than 1000 people attending the events.

8.11 A similar approach will be used for the consultation planned this autumn; Commonplace will be used again and a number of events will be held across the city. Again, widespread advertisement will be used to promote the consultation.

8.12 The length of the consultation will be 12 weeks, twice the 6 week statutory requirement. The consultation will be undertaken in accordance with the City Council's Statement of Community Involvement and Consultation Charter.

#### Other planning policy consultations

8.13 There will be a number of consultations on planning policy running during the autumn. In addition to the Exeter Plan, the Water Lane Design Code and Householder's Guide: Design of Extensions and Alterations (a Supplementary Planning Document) will be subject to public consultation. Because these will be Supplementary Documents, there is a less stringent set of consultation requirements and therefore consultation periods will be shorter. All three consultations will however start on the same date in late October. The synergies between the subject matter of all the documents means it is appropriate to run the consultations together. There will also be a separate consultation specific to the potential aspirations for the South Gate site later in 2023, although this will be separate to the plan-making process.

#### Next steps

8.14 A report will be brought back to Executive exploring the comments made to the consultation and explaining how they will be taken into account in shaping the next stage of the Exeter Plan. This future 'Regulation 19' stage will be the final Draft of the Plan – the Publication version. Public consultation on this will be held in 2024.

## **9. How does the decision contribute to the Council's Corporate Plan?**

9.1 The Full Draft of the Exeter Plan specifically explains, in each chapter, how the plan will deliver on the priorities of the Corporate Plan and there is close alignment between the two documents.

9.2 The Full Draft Exeter Plan consultation will be important in ensuring the delivery of all of the City Council's Corporate Plan priorities:

- Prosperous local economy;
- Healthy and active city;
- Housing and building great neighbourhoods and communities;
- Net zero carbon city; and
- Thriving culture and heritage.

9.3 The Exeter Plan also links with, and helps to support, other key initiatives such Live and Move, the Exeter Transport Strategy and our net zero plan amongst others.

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

10.1 There is a statutory requirement for Local Planning Authorities to prepare a Local Plan (the Exeter Plan) and the Full Draft Plan meet the requirements of current planning legislation for the involvement of the community in the plan-making process.

10.2 Government is, however, proposing significant changes to the planning system through the Levelling Up and Regeneration Bill. This could affect the scope of the Exeter Plan and the speed at which plans need to be progressed. As the details of the Bill continue to emerge they will be taken into consideration in the emerging plan to ensure it accords with the prevailing legislation of the time – changes to plan-making procedures could be implemented in 2026. Irrespective, Government is clear about the importance of maintaining progress with preparing plans.

## **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 An Equalities Impact Assessment has been undertaken. In recommending the Full Draft Plan material for consultation, a variety of impacts have been identified on people with protected characteristics as determined by the Act. This is because of the breadth of topics covered by the Exeter Plan. The majority of the impacts are considered to be positive or neutral.

11.5 The associated public consultation will include a variety of engagement methods making consultation material widely available. The consultation will be undertaken in accordance with the emerging Consultation Charter and the draft Statement of Community Involvement.

## **12. Carbon Footprint (Environmental) Implications:**

12.1 There are no direct carbon/environmental impacts arising from the recommendations to hold a public consultation on the Full Draft Exeter Plan. However, the digital consultation methods will minimise the carbon footprint associated with holding the consultation. In addition, the Full Draft of the Exeter Plan has a key focus on climate change.

## **13. Are there any other options?**

13.1 Consultation is a key part of the process for preparing a plan as required by legislation. This consultation is required to maintain timely progress and provide the public and stakeholders with an opportunity to comment on a Full Draft of the Exeter Plan in advance of the Publication Draft – in essence the final draft. The only other option would see a later consultation which would delay formal engagement. This is not considered to be an appropriate option.

**Director of City Development, Ian Collinson:**

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

Background papers used in compiling this report:-

Adopted Exeter Core Strategy.  
Adopted Exeter Local Plan Review.  
Exeter Local Plan 'Issues Consultation Document'.  
Exeter Plan Outline Draft Plan.  
Exeter Plan: Outline Draft Plan Consultation Report.

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