

# Public Document Pack

## Mid Devon District Council

### Cabinet

Thursday, 21 November 2019 at 6.00 pm  
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting  
Thursday, 19 December 2019 at 6.00 pm

Those attending are advised that this meeting will be recorded

## Membership

Cllr R M Deed  
Cllr L D Taylor  
Cllr G Barnell  
Cllr S J Clist  
Cllr D J Knowles  
Cllr A White  
Cllr Mrs N Woollatt

## A G E N D A

*Members are reminded of the need to make declarations of interest prior to any discussion which may take place*

1. **Apologies**  
To receive any apologies for absence.
2. **Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**  
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
4. **Minutes of the Previous Meeting (Pages 5 - 14)**  
Members to consider whether to approve the minutes as a correct record of the meeting held on 17 October 2019.
5. **Motion 560 (Councillor R J Chesterton – 23 October 2019)**  
The following Motion has been referred to the Cabinet for consideration and report:

### **Review of Development Management Policies on Parking**

This Council requests that officers start work on undertaking a review of Mid Devon's development management policies regarding parking on our new estates. These should include the number of parking spaces per property as well as how development management can help ease the transition to electric or hybrid vehicles in the future.

In addition to this, this Council requests that at the earliest available opportunity, and no later than three months after this motion is agreed, a paper is brought to the Planning Policy Advisory Group and Cabinet highlighting some of the possible changes members might have to consider and the best mechanism to bring these about.

***Please note: Having considered the above Motion the Cabinet are asked to consider whether this Motion should either be supported or rejected. This decision will be referred back to full Council on 8 January 2020.***

6. **Single Equalities Policy and Equality Objective** (Pages 15 - 26)  
Arising from a report of the Group Manager for Performance, Governance and Data Security outlining the Council's statutory duties under the Equality Act 2010, the Community Policy Development group has made the following recommendation that the Equality Policy and Objectives for 2019-2021 be approved.
7. **Local Plan Examination - Main Modifications** (Pages 27 - 274)  
To consider a report of the Head of Planning, Economy and Regeneration seeking a recommendation from Cabinet to Council that Proposed Main Modifications and Additional (Minor) Modifications to the Mid Devon Local Plan Review, Addendum to the Sustainability Appraisal, Addendum to the Habitat Regulations Assessment, and Addendum to the Equalities Impact Assessment 2017 are approved for public consultation and, with the exception of the Additional (Minor) Modifications and consultation responses on these, these documents are submitted with consultation responses received on them to the Planning Inspectorate together.
8. **Local Development Scheme** (Pages 275 - 290)  
To consider a report of the Head of Planning, Economy and Regeneration updating the Local Development Scheme (LDS) to take account of the new Greater Exeter Strategic Plan timetable agreement.
9. **Draft Design Supplementary Planning Document** (Pages 291 - 456)  
To consider a report of the Head of Planning Economy and Regeneration requesting the Cabinet to approve the draft Mid Devon Design Guide Supplementary Planning Document for Public Consultation.
10. **Governance Review** (Pages 457 - 460)  
To consider a report of the Group Manager for Legal Services and



Monitoring Officer considering the current governance arrangements and some suggested changes which might, if Members agree, improve them.

11. **Financial Monitoring** (*Pages 461 - 482*)  
To receive a report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.
12. **Schedule of Meetings** (*Pages 483 - 484*)  
To consider the schedule of meetings for the municipal year 2020/21 and make recommendation to Council.
13. **Notification of Key Decisions** (*Pages 485 - 500*)  
To note the contents of the Forward Plan.

**Stephen Walford**

Chief Executive

Wednesday, 13 November 2019

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:

Tel: 01884 234229

E-Mail: [sgabriel@middevon.gov.uk](mailto:sgabriel@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **CABINET** held on 17 October 2019 at 6.00 pm

### **Present**

#### **Councillors**

R M Deed (Leader)  
L D Taylor, G Barnell, S J Clist, A White and  
Mrs N Woollatt

### **Apologies**

#### **Councillor(s)**

D J Knowles

### **Also Present**

#### **Councillor(s)**

R J Chesterton, R J Dolley, J M Downes, R Evans,  
B A Moore and B G J Warren

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Andrew Pritchard (Director of Operations), Jill May (Director of Corporate Affairs and Business Transformation), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Lisa Lewis (Group Manager for Business Transformation and Customer Engagement), Joanne Nacey (Group Manager for Financial Services), Adrian Welsh (Group Manager for Growth, Economy and Delivery), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Gemma Causey (Accountant) and Sally Gabriel (Member Services Manager)

## **57. APOLOGIES**

Apologies were received from Cllr D J Knowles.

## **58. PUBLIC QUESTION TIME**

There were no questions from members of the public present.

## **59. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

Members were reminded of the need to declare any interests when appropriate

## **60. MINUTES OF THE PREVIOUS MEETING (00-02-19)**

The minutes of the previous meeting were approved as a correct record and signed by the Chairman.

## **61. MEETING MANAGEMENT**

The Chairman indicated that he intended to take item 20 (Lords Meadow Leisure Centre – Filter Project) as the next item of business. This was agreed.

**62. LORDS MEADOW LEISURE CENTRE - FILTER PROJECT (00-03-15)**

The Cabinet had before it a \*report of the Group Manager for Corporate Property and Commercial Assets providing a review of the tender exercise for essential maintenance work at Lords Meadow Leisure Centre and to award the JCT Intermediate Building Contract with Contractors Design 2016 to two contractors.

The Cabinet Member for Housing and Property Services outlined the contents of the report explaining the work that needed to take place with regard to the replacement of the pool filters and the essential maintenance that was required. Both projects would take place simultaneously over the Christmas period.

Consideration was given to planned works and the timing of the closure of the pool area.

**RESOLVED** the JCT Intermediate Building Contract with Contractors Design 2016 building contracts for essential planned maintenance works to two pool filters and the repair and upgrade to the fabric of both swimming pools at Lords Meadow Leisure Centre be awarded to supplier C for Lot 1 and supplier B for Lot 2.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

**63. MOTION 558 (COUNCILLOR J M DOWNES - 29 JULY 2019) (00-07-42)**

The following motion had been referred by Council to the Cabinet for consideration:

‘That this council should lobby government to bring forward a revised council tax scheme that seeks to encourage a system linked to emissions. The scheme should be able to vary council tax to overtly incentivise the construction of properties that can demonstrate high levels of sustainability and energy efficiency, while acting as a penalty for those that don't. Methods to encourage investment in retrofitting to existing properties should also be explored, given the largest proportion of housing emissions will come from existing housing stock rather than new build’.

The Chairman invited Cllr Downes to speak to the motion.

Cllr Downes addressed the meeting stating that the Council had made the climate change declaration and that there was a need to act on the issues that we as an authority had control over which included the Council Tax scheme. High levels of sustainability and energy efficiency through development should be rewarded with a variation in Council Tax.

The Chief Executive informed the meeting that the Council had submitted an expression of interest with regard to financial modelling work which would consider the principle of a reduced Council Tax to reflect carbon reduction however the legislation with regard to Council Tax and Business Rates still had to be adhered to.

Consideration was given to:

- The financial modelling exercise
- The intention for new development was encouraging
- Retrospective schemes would be expensive
- The need to encourage low carbon building projects

Following discussions Cllr Downes informed the meeting that he would amend his motion to read:

That this council should lobby government **to change the council tax scheme to one** that seeks to encourage a system linked to emissions. The scheme should be able to vary council tax to overtly incentivise the construction of properties that can demonstrate high levels of sustainability and energy efficiency, while acting as a penalty for those that don't. Methods to encourage investment in retrofitting to existing properties should also be explored, given the largest proportion of housing emissions will come from existing housing stock rather than new build.

It was therefore:

**RECOMMENDED** to Council that Motion 558 as amended be supported

(Proposed by the Chairman)

**64. CABINET MEMBER FOR ENVIRONMENT AND CLIMATE CHANGE. (00-23-22)**

Arising from discussions at its recent meeting the Environment Policy Development Group made the following recommendation: that the Cabinet Member for Environment's title be changed to Cabinet Member for Environment and Climate Change.

The Leader informed the meeting that he already had the authority to appoint and determine the role and responsibilities of each Cabinet Member. This was acknowledged by the Cabinet.

**65. REVIEW OF THE HOUSING SERVICE HARASSMENT POLICY (00-23-56)**

Arising from a report of the Group Manager for Housing reviewing the Housing Service's Harassment Policy, the Homes Policy Development Group had recommended that the changes identified in the tracked changed Harassment Policy be approved.

The Cabinet Member for Housing and Property Services outlined the contents of the report.

Consideration was given to the consultation that had taken place and the feedback received.

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

66. **COUNCIL TENANCY RENT DEBIT FREQUENCY (00-27-22)**

Arising from a report of the Group Manager for Housing reviewing the weeks over which rent was charged on a yearly basis, the Homes Policy Development Group had recommended that Council tenants be charged rent over 52 weeks each year and not 48 as currently charged.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that this change would bring rent payments into line with Universal Credit.

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

67. **REVIEW OF THE HOUSING SERVICE HOARDING POLICY (00-28-57)**

Arising from a report of the Group Manager for Housing reviewing the Housing Service's Hoarding Policy, the Homes Policy Development Group had recommended that the tracked changes in the revised Hoarding Policy be approved.

The Cabinet Member for Housing and Property Services outlined the contents of the report.

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

68. **REVIEW OF THE HOUSING SERVICE PETS AND ANIMALS POLICY (00-30-07)**

Arising from a report of the Group Manager for Housing reviewing the Housing Service's policy in relation to pets and animals, the Homes Policy Development Group had recommended that the revised changes to the Pets and Animals Policy be approved.

The Cabinet Member for Housing and Property Services outlined the contents of the report.

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by Cllr S J Clist and seconded by Cllr G Barnell)

Note: \*Report previously circulated, copy attached to minutes.

**69. OVERPAYMENTS FOR CAR PARKING (00-31-27)**

On 22 August 2019, as part of their consideration of the Car Parking Working Group report, the Cabinet had made a recommendation that: “The Economy PDG be requested to consider the issue of overpayments for car parking and what should happen to the additional income.”

The Economy PDG at its meeting on 26 September discussed the matter and made the following recommendation “that any small monies overpaid from car parking are retained and utilised within the overarching car park budget”

The Chairman of the Economy Policy Development Group was present and stated that because of the revised car parking tariffs the amount of overpayment had reduced and that amending the process would not be cost effective due to officer time.

It was therefore:

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by the Chairman)

**70. COST RECOVERY & COMMERCIALISATION IN GROWTH, ECONOMY & DELIVERY (00-33-10)**

Arising from a report of the Head of Planning Economy and Regeneration presenting the steps necessary to introduce cost recovery into the Growth, Economy and Delivery Service, and providing an update with regard to potential next steps for further commercialisation within the service, the Economy PDG had made the following recommendation:

- a) The bill of charges for economic development related advice with regard to the planning process laid out in Section 2.0 be approved.
- b) Officers be tasked with seeking LGA funding to help investigate opportunities within the service for further commercialisation including the potential to develop a commercial arm for the delivery of some discretionary services.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the idea of recouping costs related to the discretionary services provided by the Planning Service and focussed on planning performance agreements and pre-application advice. The second part of the report focussed on commercialisation and how the Council could get involved strategically through property acquisition, commercial employment sites and business opportunities which would bring in an income for the authority. There was a need to tailor the department's strengths using the commercial corridors available in the area and therefore the recommendation to seek funding via the Local Government Association was encouraged.



Consideration was given to:

- Planning Performance Agreements and the delivery of permissions within agreed timescales
- The commercialisation project would be an exciting opportunity with a view to providing incubator space and start up areas owned by the council for local businesses.

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

**71. HEART OF THE SOUTH WEST JOINT COMMITTEE GOVERNANCE UPDATE (00-42-34)**

The Cabinet had before it a \*report of the Chief Executive providing an update for the Constituent Authorities on the Joint Committee's governance arrangements and budgetary position for 2019/20.

The Chief Executive outlined the contents of the report stating that the additional remit was identified within the extract from the Joint Committee's arrangements document available at appendix A and that the report had been circulated to all 16 constituent authorities. The minor changes were reported which identified an extended terms of reference for the joint committee and a small rise in the financial contribution.

Consideration was given to: any further changes to the remit of the committee (which may include any further devolution discussions) would require support from all 16 constituent authorities.

**RECOMMENDED** to Council that:

- a) the amendments (shown in red) to the Committee's list of functions in the Arrangements document – Appendix A attached be approved;
- b) Somerset County Council as the administering authority for the Joint Committee be approved; and
- c) The updated budget provision for 2019/20 be noted.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

**72. DRAFT 2020/21 GENERAL FUND AND CAPITAL BUDGETS (00-48-30)**

The Cabinet had before it and **NOTED** a \*report of the Deputy Chief Executive (S151) considering the initial draft 2020/21 budget and options available in order for

the Council to set a balanced budget and requesting agreement for a future strategy for further budget reductions for 2021/22 onwards.

The Cabinet Member for Finance outlined the contents of the report stating that this was the start of the process to form a balanced budget for 2020/21. Due to the pressure of Brexit, the Government had been unable to consider the Fair Funding Review and Business Rates reset and had confirmed that they would only issue a one-year settlement; this had an inevitable impact on the ability to forecast for future years. The initial aggregation of all service budgets which included assumptions currently indicated a General Fund budget gap of £346k and table 1 within the report showed the main budget variances affecting 2020/21. In compiling the 2020/21 draft budget, officers had also examined budget performance during 2019/20 and then made relevant budget corrections for staffing changes, levels of income, and changes in legislation and increases in inflation. A public budget consultation exercise would take place for a 6 week period which would provide valuable feedback to inform future spending plans. He referred to the Medium term Financial Plan and the proposed £1.4m budget gap.

Consideration was given to:

- The dates for the public consultation
- The budget gap proposed for 2021/22 and whether savings needed to be made earlier

Note: \*Report previously circulated, copy attached to minutes.

### 73. **MEDIUM TERM FINANCIAL PLAN (00-58-19)**

The Cabinet had before it a \*report of the Deputy Chief Executive (S151) producing an updated Medium Term Financial Plan (MTFP) which takes account of the Council's key strategies (i.e. The Corporate Plan, Business Plans, Treasury Management Plan, Asset Management Plan, Work Force Plan and Capital Strategy) and demonstrates that it has the financial resources to deliver the Corporate Plan.

The Cabinet Member for Finance outlined the contents of the report stating that the MTFP had been considered alongside the draft budget and that the plan had to consider assumptions for future funding, unavoidable costs, such as pay increases, inflation and service pressures associated with new legislation, investment receipts and fee/charges levels and also considered and made assumptions regarding future levels of council tax. He highlighted the proposed budget gap for 2023/24 and the need to retain and protect fundamental services.

**RESOLVED** that the updated Medium Term Financial Plan be noted and that the proposals as outlined in paragraph 8.2 of the report be endorsed.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

#### 74. **TREASURY MANAGEMENT STRATEGY AND MID YEAR REVIEW (1-02-19)**

The Cabinet had before it a \*report of the Deputy Chief Executive (S151) informing it of the treasury performance during the first six months of 2019/20 and requesting agreement on the ongoing deposit strategy for the remainder of 2019/20 also to review compliance with Treasury and Prudential Limits for 2019/20.

The Cabinet Member for Finance outlined the contents of the report stating that it fully considered 3 Rivers Development Limited and the slippage in the capital programme. He highlighted the forecast for year end and the additional income which would be split between the HRA and General Fund, along with the issues of Brexit and its impact on treasury uncertainty if interest rates reduced. There had been no additional borrowing in the current year. The Leader asked how the increase in the PWLB interest rate would impact on short term loans.

Consideration was given to recent investments and the rise in interest rates from the PWLB.

**RECOMMENDED** to Council that a continuation of the current policy outlined at paragraphs 6.0 - 6.5 of the report be agreed and that the changes to the Capital Financing Requirement, Operation Boundaries and Authorised Limits for the next 3 years at paragraphs 4.3 - 4.5 be approved

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

#### 75. **FINANCIAL MONITORING (1-07-26)**

The Deputy Chief Executive (S151) provided a verbal report on financial monitoring to date stating that the proposed end of year overspend of £389k had been reduced to circa £200k since the last meeting, this had been helped by a solar array planning application, clarification from Devon County Council with regard to the shared saving agreement, the treasury performance was £80k better than budget and there had been significant business rate growth in the year. The positive Housing Revenue Fund remained unaltered and that a detailed written report would be available for the next meeting.

#### 76. **PERFORMANCE AND RISK (1-10-35)**

The Cabinet had before it and **NOTED** a \* report of the Director of Corporate Affairs and Business Transformation providing Members with an update on the performance against the Corporate Plan and local service targets.

The Leader outlined the contents of the report.

Consideration was given to:

- Council house completions to the end of August and current data
- Empty shops in the main towns
- Businesses in transit in Cullompton
- National high-street figures

- Investment in the towns through funding opportunities
- The number of current vacancies in Market Walk
- Risk management for 3 Rivers Development Limited and the current audit taking place
- The revised sickness policy
- The number of business rate accounts

Note: \* Report previously circulated, copy attached to minutes.

**77. ANNUAL REPORT OF COMPLAINTS, COMMENTS AND COMPLIMENTS (1-24-39)**

The Cabinet had before it and **NOTED** a \*report of the Group Manager for Business Transformation and Customer Engagement providing the annual report of complaints, comments and compliments received as part of the 1.6 million contacts with customers in 2018/19.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report highlighting the annual number of contacts with customers and how that contact was made. The report also contained the annual Ombudsman report which outlined 18 complaints, 3 of which had resulted in investigation and 1 complaint had been upheld.

Consideration was given to:

- In order to give context, the number of complaints (0.0034%) with regard to waste collection against the number of waste pick ups per annum (3 million)
- The need to highlight trends through information rather than the provision of snapshots

Note: \*Report previously circulated copy attached to minutes.

**78. CABINET MEMBER DECISION/S (1-27-23)**

The following decisions made by Cabinet Members were **NOTED**:

**a) Cabinet Member for Planning and Economic Regeneration:**

Review of Market Tolls - the current Schedule of Tolls for Tiverton Pannier Market remains unchanged in year 2019/20 at the level set for the year 2018/19.

REASON FOR DECISION - Market Tolls, as set out in the Schedule of Tolls, are reviewed on an annual basis. No increases in tolls are proposed for the next financial year.

**b) Cabinet Member for Finance**

To give Crediton, Cullompton, Tiverton free car parking for three Saturdays in December leading up to Christmas (7<sup>th</sup>, 14<sup>th</sup> 21<sup>st</sup> ) plus a fourth day coinciding with the town's Christmas light switch-on event. (Saturday 23<sup>rd</sup> November

Crediton, Saturday 30<sup>th</sup> November Cullompton and Saturday 30<sup>th</sup> November Tiverton)

Long stay car parks:

Multi-Storey Car Park, Tiverton

Station Road Car Park, Cullompton

High Street Crediton (St Saviour's Way)

Free parking will apply all day; from 00:00 to 23:59 on the dates listed above (subject to car park opening hours).

**REASON FOR DECISION:**

To boost footfall and enhance trade in the market towns in the run up to Christmas and support local Christmas programs.

This decision directly supports the achievement of the Corporate Plan objective of Economy and improving and regenerating our town centers. Free parking for the Saturday's in the run up to Christmas with the aim of increasing footfall, dwell time and spend in our town centers. This will benefit local traders by supporting businesses in the town centers.

**79. NOTIFICATION OF KEY DECISIONS (1-27-47)**

The Cabinet had before it, and **NOTED**, its rolling plan\* for November 2019 containing future key decisions.

Note: \*Plan previously circulated, copy attached to minutes.

(The meeting ended at 7.29 pm)

**CHAIRMAN**

## COMMUNITY PDG

8 OCTOBER 2019

### EQUALITY POLICY

**Cabinet Members:** Cllrs Nikki Woollatt and Dennis Knowles

**Responsible Officer:** Catherine Yandle, Group Manager for Performance, Governance and Data Security

**Reason for Report:** To remind Members of the Council's statutory duties under the Equality Act 2010, and to seek Members' approval for the revised Equality Policy and Equality Objectives.

**RECOMMENDATION(S):** That Members recommend to Cabinet that they approve the Equality Policy together with the Equality Objectives for 2019-21.

**Relationship to Corporate Plan:** The Equality Objectives reflect the Corporate Plan aims under the Community and Corporate priorities.

**Financial Implications:** The Equality Policy does not have any financial implications itself beyond those identified in individual service's equality impact assessments.

**Legal Implications:** Not complying with the Council's statutory duties with regard to equality could open the Council to legal challenge.

**Risk Assessment:** Approving the Equality Policy and Equality Objectives reduces the risk of legal challenge.

**Equality Impact Assessment:** Equality issues are the subject of this report.

#### 1.0 Introduction

- 1.1 Under the Equality Act 2010 local authorities have a duty to have 'due regard' to:
  - Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 1.2 The way a local authority shows it has 'due regard' is by evidencing how Single Equality Policy indicates how this should be done. (Appendix A attached).
- 1.3 Case law over the last few years has clarified that considerations of equality should not only be placed at the centre of policy development but that bodies subject to the Public Sector Equality Duty, of which we are one, must apply this duty to the carrying out of any functions of a public body not just statutory functions.

- 1.4 Local authorities also have specific duties under the Act to publish Equality Information annually and 'Equality Objectives' at least every four years. The Equality Information is available on the Mid Devon District Council website Equality pages.

## **2.0 Equality Objectives**

- 2.1 The Council's 'Equality Objective' set last year was to review the work of, and work towards the revival of, the Corporate Equalities Group.
- 2.2 Since this objective was set we have attended Devon County Council's Equality Reference Group as an observer, incorporated the objective into the Communication Engagement Strategy approved by Cabinet in January 2019 and included it as an "action" in the Annual Governance Statement (AGS) 2018-19 Action Plan. Progress on the AGS Action Plan is reported to every Audit Committee meeting. We have also reviewed how we collect equalities feedback from customers.
- 2.4 With the Committee's approval one Equality Objective for 2019-21 will be to continue this work.
- 2.5 An additional proposed objective is to look in more depth at issues in relation to specific Protected Characteristics in turn, this will necessarily take more than one year. We propose to start with mental health issues which will not only contribute to the work to reduce staff sickness absence but also with work for the wider community such as Dementia awareness.

## **3.0 Conclusion**

- 3.1 That the Community PDG recommends to Cabinet that they approve the Equality Policy together with the Equality Objectives for 2019-21.

**Contact for more Information:** Catherine Yandle, Group Manager for Performance, Governance and Data Security

**Circulation of the Report:** Members of Community PDG, Cabinet Members, Leadership Team



## Equality Policy

Mid Devon District Council's Equality Policy sets out how we are working to implement the equality duties that are set out in the Equality Act 2010.

Section 149 of the Act imposes a duty on 'public authorities' and other bodies when exercising public functions to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These are the three aims of the general equality duty.

### 1.0 Our Vision

Mid Devon District Council is committed to providing quality services delivered in a fair and equitable way and to promoting good relations between different groups within the community. We value the positive contribution that all our residents bring to the district, and want to work with individuals and groups to continue to improve our services and to promote equality.

### 2.0 How will we achieve this?

In order to achieve our vision we will:

- Seek to understand the needs of our community
- Know our customers and their specific needs
- Involve the community in changes that might affect them
- Develop services that can respond to the requirements of different residents
- Develop an inclusive working environment
- Ensure equality in procurement and commissioning
- Promote equality through working with others
- Recognise the needs of specific equality groups

### 3.0 Understanding our community

In order to develop services that meet people's needs we must first of all understand our community. The following gives a brief profile of the district. The data comes from Devon County Council's Joint Strategic Needs Assessment published in June 2018.

#### **An equality profile of Mid Devon**

Mid Devon is a rural district lying equidistant between the north and south coasts. It has three principle towns, Tiverton, Cullompton and Crediton, serving an extensive rural hinterland.

## **Population**

The population of Mid Devon is around 80,600, 49% male and 51% female. Those over 65 make up 23.3% of the population compared to an English average of 18.0%. A significant proportion of young people move out of the area for education or work. 4.9% of school children do not speak English as their first language.

The key issues for the population of Mid Devon are:

## **Economy**

Mid Devon is an area of low unemployment, but jobs tend to be poorly paid and low skilled. There are a high proportion of part-time and self-employed workers. Over a third of the resident population commutes out of the District for work, particularly from the Cridton and Cullompton areas. In 2016 9.1% of the working-age population were receiving benefits compared to 11.1% for England as a whole. With 1.0% claiming out of work benefit in 2016/17.

## **Housing**

House prices have more than doubled in the last ten years, far outstripping local average wages. The average house price in 2015 was £233,123, representing nearly 10 times the average full time wage. The situation is considerably worse in the rural areas of the District. Mid Devon compares poorly for the index of deprivation concerning barriers to housing and services. There is also an increasingly aging population who require support to live in their own homes, and suitably adapted accommodation when they are unable to manage on their own.

## **Crime**

Mid Devon is an area of low crime. The incidence of all major crime (theft, burglary, violent crime) is well below national averages. However concerns about crime and anti-social behaviour remain high particularly amongst the most vulnerable.

## **Education**

Most Mid Devon schools perform well against national averages, in 2017 69.9% of pupils achieved 5 GCSE or equivalent at grades A\* - C including English and Maths 56.3% for England as a whole. However the index of deprivation for education for the population as a whole was worse than the English average.

## **Access**

In a rural district access to vital services can be a significant problem for some people, particularly those on low income. Over half of rural parishes do not have a post office, and access to scheduled public transport is a problem in many areas, including the edges of market towns. Despite regional programmes to increase speeds, broadband speeds remain low in many rural areas limiting the growth of home-based businesses and increasing the digital divide.

## **Health**

The residents of Mid Devon are generally healthier than the rest of the population. Life expectancy is higher than the national average both for men and women, and mortality rates for all major diseases are lower. However there is a growing proportion of over 75s who will put increasing demands on health and social care services, and a number of people with physical, sensory and learning disabilities whose needs, and those of their carers, must be met. 5.72% of the over 60s are estimated to suffer from dementia.

### **Multiple disadvantage**

Although Mid Devon generally rates well in national statistics, small parts of Tiverton, Cullompton and Crediton do disproportionately badly for income, education, skills and training when compared to other areas nationally. However Mid Devon had a lower than average index of multiple deprivation in 2015 at 17.548 compared to the overall score for England of 21.778.

Similarly, some people in Mid Devon, because of their condition or circumstances, are more vulnerable to disadvantage and poor health outcomes than the rest of the population. This may be due to their age, gender, physical, sensory or learning disability, mental illness, sexuality, race, religion or social circumstances. There are a variety of organisations that provide support to these individuals and their families, including education and training providers, health and social care agencies, employers, voluntary sector organisations.

### **Equality Priorities**

From this profile the Council recognises that there are three main equality priorities for the district:

1. Meeting the needs of an aging population
2. Overcoming the problems faced by vulnerable individuals caused by rural isolation
3. Overcoming the effects of multiple disadvantage in families with complex needs.

## **4.0 Knowing our customers – equality monitoring**

Mid Devon District Council believe that it is important to know who uses our services. By comparing this with what we know about the community as a whole, we can see if there are any groups who are under-represented, highlighting where there may be barriers to overcome.

We monitor the complaints we receive to identify whether any equality issues are believed to have contributed to the complaint or problem. This is done by asking the customer a few optional questions when they call in to make a complaint.

The equality information collected can be used to:

- review service delivery
- compare our performance over time
- assist in the development of services in line with people's needs
- monitor the impact of any service changes.

In line with current legislation we will publish relevant equality information, this information includes:

- an equality profile of the district and
- workforce information.

## 5.0 Involving the community

As part of our commitment to good consultation, the Communications and Engagement Strategy and Action Plan were reviewed and approved during 2018/19. The Council is keen to make sure that people from different equality groups take part in consultation, and will try to find the most appropriate way to consult with them according to their needs.

Mid Devon District Council will:

- work with groups representing the interests of people from different equality groups to get feedback on proposed service changes particularly relevant to them
- develop and support forms of consultation that are appropriate to the communication needs of different groups within the community
- monitor and assess the consultation methods used and where necessary adapt them to meet the needs of different participants
- publish the results of these consultations and feed them back into our decision-making processes in an open and responsible way.

### Customer feedback

Mid Devon District Council positively welcomes feedback. We want to ensure residents' views, whether positive or negative, are noted and their concerns are addressed. We are aware that the Council's formal feedback process may be inaccessible to those sections of the community who have difficulties in accessing services. The Council encourages helper organisations to act as advocates for a complainant if necessary.

## 6.0 Developing responsive services

A primary factor in making a service accessible is providing information and advice in a usable and convenient format.

We seek to ensure that all users:

- know about the relevant services they might need
- are given support where necessary i.e. with completing forms
- are confident about using and contacting a service and, if necessary, complaining about it.

We will do this by:

- communicating clearly both internally and externally
- providing information in plain English
- making as many services as internet accessible as possible
- offering information in different formats on request
- providing interpretation and translation services where possible
- ensuring that buildings that are open to the public, including leisure and community facilities, can be accessed and used by all residents
- making sure that our employees are trained and supported to deliver the highest possible levels of customer service in line with this policy.



## Changing services and policies

Mid Devon District Council has a responsibility to assess the likely impact on residents and employees of policies or services it is proposing to change or introduce before they are adopted. This is to make sure that any changes do not disproportionately affect any particular group, and any adverse impacts can be reduced as much as possible.

Policies, in particular, are frequently adapted or replaced to reflect changes in the legal, social and political environment. Our objective is to build equality and diversity into the policy making process and to make that process clear, open and inclusive.

The Council undertakes detailed Equality Impact Assessments on those changes most likely to impact on the wellbeing of certain individuals or groups. The impact assessment process asks how the service or policy affects the different groups in the community. Each Equality Impact Assessment includes an action plan for describing what actions can be taken to mitigate any negative impacts identified. The template includes the consideration of rurality which is identified as a specific problem in Mid Devon.

### 7.0 Developing an inclusive working environment

The Council considers equality and diversity in all aspects of employment, from advertising vacancies, recruitment and selection, terms and conditions of employment, training and personal development, to reasons for ending employment.

We will promote equality in recruitment by:

- advertising jobs as widely as possible
- providing job details and accepting job applications in alternative formats on request as appropriate to the needs of the applicant
- monitoring recruitment processes and taking action as a result of the findings
- acknowledging that recruitment and selection decisions should be based upon objective, measurable and reasonable selection criteria
- asking only for the skills and qualities actually needed to do the job
- commitment to equality in employment and in service delivery will be reinforced in staff induction programmes for new staff
- training managers on how to recruit in a non-discriminatory way, making sure that all job applicants, whether redeployment candidates, existing employees or people who do not currently work for the District Council, demonstrate that they are qualified, motivated and competent to do the job.

We will promote equality in disciplinary procedures by:

- regularly reviewing our disciplinary and grievance procedures to ensure an appropriate mechanism is in place to deal with bullying and harassment at work.

We will promote equality in pay and conditions by:

- using a pay structure that makes sure employees are rewarded fairly and equitably.

We publish information on our website about our pay policy and gender pay gap.

We will promote equality in training and development by:

- providing training programmes for staff to raise awareness of equality issues and assist them in applying equality principles to their role within the Council
- recognising and supporting the potential of all employees by offering opportunities for training and personal development
- monitoring employee development to make sure that training and development opportunities continue to be open to all employees.

## **8.0 Ensuring equality in procurement and commissioning**

Mid Devon District Council is a major purchaser of services. Every year we spend over £5 million with businesses so that we can deliver our services. We recognise that our spending power gives us the chance to influence how others work and to promote equality. We will:

- require any company or business that wishes to be one of our contractors or suppliers to demonstrate appropriate consideration in their policies on equality in relation to employment and service delivery
- seek to encourage any company, business or individual wishing to provide goods or services to Mid Devon District Council, to contribute to our policy by implementing fair practices in employment and training
- review our own policies and practices and where necessary make changes to them to ensure they do not discriminate or place unfair requirements on small businesses from Mid Devon
- cease issuing contracts to, purchasing from or commissioning any contractor, business or organisation, where we believe they fail to comply with our values in relation to equality and diversity
- follow good practice by having a procurement strategy that gives a clear commitment to equality of opportunity and to tackling discrimination and disadvantage.

## **9.0 Promoting equality through working with others**

The Council recognises that it cannot meet its equality responsibilities without working closely with other public bodies, community groups and individuals.

Mid Devon District Council will:

- use our standing in the area to help shape public opinion to promote understanding between different sections of the community
- work with other public, private, voluntary and community groups in Mid Devon to ensure that equality and diversity policies and plans similar to our own are adopted and implemented more widely
- share information, experience and examples of good practice on equality through links with other public, private, voluntary and community organisations in the region
- promote equality and diversity within partnership working and in our dealings with the media



- involve people from different equality groups in influencing our work and progress on equality
- learn from the equality and diversity policies and plans of other local authorities and organisations.

## **10.0 Meeting the needs of specific equality groups**

The Council is aware that certain groups within society are particularly vulnerable to discrimination because of age, disability, gender, marital status, race, belief or sexual orientation. In order to eliminate discrimination and promote equality we recognise the need to work with representatives who can advocate on behalf of particular equality groups in order to develop services that meet their specific requirements. We also recognise that people are individuals, and that although they may be included within a particular equality group they also have individual needs that may differ from the rest of the group. We are committed to dealing with every resident as an individual with their own particular needs.

## **11.0 Monitoring**

### **Monitoring Impact and Acting on Results**

Mid Devon District Council recognises that monitoring is an important way of assessing the effects of policies in practice and is a vital part of any strategy to promote equality.

Monitoring will help us check whether our policies, operations and organisational culture are discriminating against some groups and individuals. This will help us find out why and how discrimination takes place. Where we see that any of our policies or procedures have a negative impact we will investigate the reasons for this and revise them accordingly.

### **Publishing Results**

If Mid Devon District Council is to be successful and keep public confidence, we need not only to promote equality but also to be seen to be doing so. The Council will therefore publish the results of its monitoring, assessment and consultation activities.

## **12.0 Concerns**

If there are any concerns about any matter regarding equality of opportunity or discrimination is suspected, you are referred to the following related policies:

Whistleblowing Policy  
Dignity at Work and  
Grievance Policy

## Appendices

### Appendix 1      Summary of Equalities Legislation

Mid Devon District Council Equality Strategy complies with the following Equal Opportunities Legislation, Codes of Practice and recommendations:

- Equality Act 2010
- The Human Rights Act 1998
- The Protection from Harassment Act 1997
- Racial and Religious Hatred Act 2006
- Sex Discrimination (Gender Reassignment) Regulations 1999
- The Macpherson Recommendations, Stephen Lawrence Inquiry
- Special Educational Needs and Disability Regulations 2014
- Equal Opportunities Commission and Commission for Racial Equality Codes of Practices
- The Work and Families Act 2006

### Appendix 2      Protected Characteristics

We understand we have a duty to promote equality and eradicate discrimination in relation to the nine protected characteristics outlined in the Equality Act 2010.

- Age
- Disability (including people with learning disabilities, people with a mental illness, and people living with HIV and/or AIDS)
- Gender reassignment
- Marital status, family circumstances, or caring responsibilities
- Pregnant women and mothers with young children (under 5's)
- Race, including nationality, national or ethnic origin, being a traveller or gypsy
- Religion or belief
- Sex
- Sexual orientation

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## CABINET

21<sup>ST</sup> NOVEMBER 2019

### REPORT OF HEAD OF PLANNING, ECONOMY AND REGENERATION

#### MID DEVON LOCAL PLAN REVIEW EXAMINATION PROPOSED MAIN MODIFICATIONS

**Cabinet Member(s):** Councillor Graeme Barnell, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer:** Mrs Jenny Clifford, Head of Planning, Economy and Regeneration

**Reason for Report:** To consider the next steps in the examination process of the Mid Devon Local Plan Review following the receipt of the Inspector's post hearings advice note, and draft Proposed Main Modifications to address the issues raised. This report seeks a recommendation from Cabinet to Council that Proposed Main Modifications and Additional (Minor) Modifications to the Mid Devon Local Plan Review, Addendum to the Sustainability Appraisal, Addendum to the Habitat Regulations Assessment, and Addendum to the Equalities Impact Assessment 2017 are approved for public consultation and, with the exception of the Additional (Minor) Modifications and consultation responses on these, these documents are submitted with consultation responses received on them to the Planning Inspectorate together.

#### RECOMMENDATION:

That Cabinet recommends to Council that:

1. The Council requests the Inspector to recommend main modifications to the Mid Devon Local Plan Review, under section 20(7c) of the Planning and Compulsory Purchase Act 2004, in order for it to be made sound and legally compliant.
2. The following documents are published for a minimum 6 week period of public consultation:
  - i) Schedule of Proposed Main Modifications to the Mid Devon Local Plan Review (Appendix 1)
  - ii) Schedule of Additional (Minor) Modifications to the Mid Devon Local Plan Review (Appendix 2)
  - iii) Addendum to the Sustainability Appraisal (Appendix 3),

- iv) **Addendum to the Habitat Regulations Assessment (Appendix 4), and**
- v) **Addendum to the Equalities Impact Assessment 2017 (Appendix 5)**

**3. Following this consultation the documents listed in recommendation 2, excluding 2ii) are submitted to the Planning Inspectorate together with the consultation responses received on them.**

**Financial Implications:** No direct implications. However securing an up to date development plan is vital to support wider economic and housing development. It will be an important part of the framework that will enable Community Infrastructure Levy and the effective operation of s106 obligations. There is funding provision for the examination and main modifications stage of the Mid Devon Local Plan Review (Local Plan Review).

#### **Legal Implications:**

Regulation 4 (amendment of Regulation 10A) of the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, exercises the powers of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning Act 2017, and places a requirement for a review of the Local Plan to be completed every five years starting from the date of the adoption of the Local Plan. The Mid Devon Core Strategy was adopted in July 2007, with Local Plan Part 2 (Allocations and Infrastructure DPD) and Part 3 (Development Management Policies) adopted in October 2010 and November 2013 respectively. There is an urgent need to conclude the examination of the Local Plan Review so that it can be adopted. The Local Plan Review must also meet legal requirements including the need for a Sustainability Appraisal ("SA") which complies with the Planning and Compulsory Purchase Act 2004 and the Environmental Assessment of Plans and Programmes Regulations 2004 (the "SEA Regulations"), and a Habitat Regulations Assessment in accordance with the Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007, the Conservation of Habitats and Species Regulations 2010 and the Conservation of Habitats and Species (Amendment) Regulations 2012.

The Planning Inspectorate's Procedure Guide for Local Plan Examinations deals with consultation on main modifications ('MM's) as follows:

6.8. The precise arrangements for public consultation will vary from case to case but will follow these general principles:

- it will be made clear that the consultation is only about the proposed MMs and any policies map changes (and no other aspect of the plan), that they are put forward without prejudice to the Inspector's final conclusions, and that all representations made will be taken into account by the Inspector;
- the consultation document will include all the proposed MMs, making no distinction between those originally proposed by the LPA and those proposed by the Inspector or others;

- if the LPA wish to include additional modifications in the consultation document, they should be clearly distinguished from the MMs and it should be made clear that they are not before the Inspector for consideration;
- the scope and duration of the consultation will reflect those of the consultation held at Regulation 19 stage: this means it will last at least six weeks.

**Risk Assessment:** The Inspector examining the Local Plan Review has made clear in his post hearings advice note where main modifications are necessary in order for the plan to be made sound, and without which the plan will be unsound. A decision not to approve all of the Proposed Main Modifications for public consultation would further delay the plan's preparation during which time the Council is more vulnerable to speculative planning applications, the evidence supporting the plan becoming dated, the context of the plan altering through forthcoming new legislation and the plan becoming less capable to meet the requirements of future national planning policy and legislation. A decision to not approve all of the draft Main Modifications for public consultation would make the Council's position unclear during the current examination. It would undermine the credibility of the plan and potentially harm the Council's reputation as a plan making authority. It could result in further examination hearings being scheduled.

**Equality Impact Assessment:** The Mid Devon Local Plan Review has been screened through Equalities Impact Assessment. An addendum has been made to the Equalities Impact Assessment 2017. This includes an assessment of the impact of the proposed main modifications in terms of the five policy areas and the protected characteristics identified in the Equalities Impact Assessment. This Addendum forms part of the recommendations of this report.

**Relationship to Corporate Plan:** Expediting the Local Plan Review is a key corporate priority. The Local Plan Review will form the legal basis for determining planning proposals, once it has been adopted, and is a vehicle to realise a range of corporate priorities.

**Impact on Climate Change:** The Local Plan Review has been prepared within a legal framework and national planning policy that has at its heart the principle of sustainable development and policies to help address climate change through the development and use of land.

## 1.0 Introduction/Background

### *Submission of the Local Plan Review*

- 1.1 The Mid Devon Local Plan Review Submission Version (incorporating proposed modifications), hereafter referred to as the "Local Plan Review", was submitted on 31<sup>st</sup> March 2017 to the Planning Inspectorate for its examination. This was in accordance with the decision of the Council at its meeting on 1<sup>st</sup> December 2016 at which Council adopted the recommendations of the preceding Cabinet meeting held on 21<sup>st</sup> November 2016. The submitted Local Plan Review included a land allocation at Junction 27 and associated housing sites, these having previously also been considered at meetings of

Cabinet and Council on 15th September 2016 and 22nd September 2016 respectively.

*Council reaffirms its decisions of 22<sup>nd</sup> September 2016 and 1<sup>st</sup> December 2016*

- 1.2 On 21<sup>st</sup> February 2018 the Council (Minute 116) adopted recommendations of the Cabinet set out in Minute 127 as follows:
- a) Reaffirms its decisions of 22<sup>nd</sup> September 2016 and 1<sup>st</sup> December 2016 regarding the Mid Devon Local Plan Review (incorporating proposed modifications) and instructs officers to liaise with the Planning Inspector to restart the examination process as quickly as possible subject to [b] and [c] below.

The Council's decision of the 22<sup>nd</sup> September 2016 was to adopt the following recommendations of the Cabinet meeting held on 15<sup>th</sup> September 2016:

Minute 62 (a) that a 6 week consultation period take place prior to the submission of the Local Plan;

Minute 62 (b) that land at Junction 27 of the M5 be allocated for leisure, retail and tourism development; and

Minute 62 (c) that associated additional housing sites giving the extra provision of 260 additional homes be allocated at Blundells Road, Tiverton and Higher Town, Sampford Peverell.

The Council's decision of the 1<sup>st</sup> December was to adopt the following recommendations of the Cabinet meeting held on 21<sup>st</sup> November 2016:

Minute 96 (a) that delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes both before and after consultation to the text and maps including updating factual information such as the latest commercial land survey results;

Minute 96 (b) that approval be given to publish the proposed modifications to the Local Plan for consultation and that delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration for the plan's subsequent submission to the Planning Inspectorate for examination together with its supporting documentation; and

Minute 96 (c) that Policy DM6 (b) be amended removing the wording "The housing" and replacing it with "Each house" with [a] line to be added to paragraph 4.23 "to refer to Mid Devon District Council's cascade system".



The Council's decision of the 1<sup>st</sup> December also carried two further amendments:

That resolution (d) be added with Policy SP2 to be amended to read as follows:

“Higher Town, Sampford Peverell

A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, to come forward following the commencement of development of the M5 Junction 27 allocation, subject to the following:

- a) No more than 60 dwellings with 30% affordable housing;
- b) No development until the completion of improved access works to the A361;
- c) Landscaping and design which respect the setting and character of the area;
- d) Provision of a drainage strategy and Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- e) Mitigation of any wildlife impact including protection of hedgerows; and
- f) \_Archaeological investigation and appropriate mitigation; and
- g) 2 hectares of Green Infrastructure laid out and managed with landscaping and open space.

3.224a The site is on the edge of Sampford Peverell, outside the main built up part of the village. The site is elevated and will require careful landscaping and mitigation measures. Development of the highest ground should remain as undeveloped green infrastructure. Low density and good design will be required to respect the existing character of edge-of village housing and conservation area. The site is currently bounded by hedgerow. Some loss of hedgerow would be required to enable access however, careful design should be considered to minimise this impact including incorporating new hedgerow into the design of the development.

3.224b This site lies in an area of archaeological potential with the Historic Environment Record recording prehistoric activity. Any application will need to be accompanied by archaeological investigation and appropriate mitigation.

3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway.

Accordingly it shall only come forward following the commencement of development on that site.”

That resolution (e) be added as follows

“96 (e) Policy S1 Sustainable development priorities

(g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of accessible housing for older people and people with a disability, those wishing to build their own home, affordable housing and gypsy and traveller pitches”

- b) Approves the publication of the LUC SA Update Review (2018), the schedule of amendments made to the Sustainability Appraisal Update (2017), the Sustainability Appraisal Update (2018) and the Executive Summary of the SA Review process (2018);
- c) Approves a 6 week public consultation on the schedule of amendments made to the Sustainability Appraisal Update (2017)

*Delegated authority to follow instructions from the appointed Inspector*

- 1.3 On 5<sup>th</sup> July 2018 the Cabinet approved a recommendation (Minute 41) to Council that delegated authority be given to
- Officers to follow instructions from the appointed Inspector to assist with the examination of the Local Plan Review.
  - The Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to agree upon a set of proposed main modifications if arising during the examination process (most likely at the very end of the examination process) and if asked by the Inspector to do so, and seek approval from the Council to consult on these together with any updated Sustainability Appraisal.
  - The Head of Planning, Economy and Regeneration the ability to make any presentational improvements or other consequential minor changes (e.g. correcting typographical errors or factual inaccuracies and matters of clarification) to the Local Plan or its Policies Map prior to the consultation on proposed main modifications commencing.

- 1.4 On 29<sup>th</sup> August 2018 the Council adopted the recommendations of the Council as set out in Minute 41.

*Examination – Preliminary Hearings*

- 1.5 The appointed Inspector held preliminary hearings on the 20<sup>th</sup> and 21<sup>st</sup> September 2018 specifically in relation to Policy J27, Policy SP2 Higher Town, Sampford Peverell and Policy TIV16 Blundells School, Tiverton. The Inspector subsequently issued his letter to the Council dated 29<sup>th</sup> October

2018, in which he made preliminary conclusions that he:

- Saw no ‘in principle’ difficulty with the Policy J27 allocation;
- Did not share the view, expressed by some, that the process by which the site at Higher Town, Sampford Peverell (Policy SP2) was selected over others was flawed, and that he was content with the Council’s conclusion that development of the site proposed for allocation could take place with very little or no harmful impact on the setting or significance of the Grand Western Canal Conservation Area is not an unreasonable one;
- Considered the allocation of the Policy TIV16 site to be soundly based and there is no need for a tie within it to Policy J27.

The Inspector indicated that he wanted to return to the detailed wording of Policy J27 and Policy SP2 in Main Hearings.

### *Examination – Main Hearings*

- 1.6 The Inspector held main hearings on the 14<sup>th</sup>, 15<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> February 2019 at which he invited the Council and participants to respond to 49 questions. This included a hearing specifically in relation to Policies J27 and SP2 where the Inspector asked “is the wording of draft Policy 27 (land at the Junction 27 of the M5 motorway) too restrictive?” and “could the wording of Draft Policy SP2 (Higher Town, Sampford Peverell) be made more clear, and precise?”.

### *Inspector’s post hearings advice note*

- 1.7 The Inspector issued his post hearing advice note on 21<sup>st</sup> May 2019 in which (in summary) he:
- Was content that the objectively assessed need (OAN) figure of 7860 (393 new homes each year) is soundly derived;
  - Considered the vision, and general approach of the Plan, directing development, and housing in particular, to Cullompton, in the main, is reasonable, in principle;
  - Did not see the need for any changes to Policy J27 or Policy CB1;
  - Requested amendments to Policy SP2 Higher Town, Sampford Peverell, through the removal of the tie to Policy J27 and the removal of the limitation on development until the completion of improved access works to the A361;
  - Was concerned at the Plan’s approach to provision for Gypsies and Travellers in relation to Policies S14 and DM7;
  - Suggested revisions to some of the Development Management policies (Policies DM1, DM2, DM12, DM19, DM25, DM27) and had a concern with Policy DM28;
  - Acknowledged that a number of changes to the Plan had been agreed in various Statements of Common Ground submitted before and during the hearings and others accepted by the Council at the hearings, which would need to be considered to ascertain whether these changes would necessitate main modifications.

- 1.8 However, the Inspector expressed concern about the housing trajectory in the early years of the Plan in particular, and he suggested four remedies to maintain a five-year supply of deliverable housing sites (that may require potential Main Modifications to the Plan). These included:

- “1. Bringing forward other allocated sites that are currently restricted in terms of timing with no good reason, the Policy SP2 site for example; and/or*
- 2. Bringing forward the contingency sites; and/or*
- 3. Extending existing allocations to accommodate more dwellings (the Policy W11 site for example) or increasing densities to allow for more dwellings on allocated sites that are less constrained; and/or*
- 4. Allocating a new, large site not constrained by the link road (or motorway junctions) that can come on stream quickly and bolster supply in the early years of the Plan while infrastructure is provided elsewhere.”*

*Council’s Draft Housing Land Supply Update 2019, Sustainability Appraisal Implications Report, participants comments and Council’s response to these comments*

- 1.9 In accordance with delegated authority through the Council’s approval of Minute 41 on 29<sup>th</sup> August 2018, officers prepared and agreed with the Cabinet Member for Planning and Economic Regeneration a Draft Housing Land Supply Update June 2019 and a Sustainability Appraisal Implications Report.
- 1.10 The Draft Housing Land Supply Update June 2019 confirmed that the delivery of the first phase of the North West Cullompton allocation (600 dwellings) is not dependent on the delivery of the Town Centre Relief Road as long as it makes financial contributions towards it. It also set out proposed Main Modifications which took account of the Inspector’s suggested remedies to address his concerns about the housing trajectory. In particular it followed the Inspector’s suggested remedies “1” and “2” as follows:

To bring forward the existing allocated Policy SP2 site, where the Inspector has stated:

*“This was discussed in some detail at the Hearings. I would observe first of all that the Plan’s OAN of 7860 (393 pa) is an overall figure that reflects the inclusion of the Policy J27 allocation. Given that the Policy SP2 allocation is included so that the overall housing requirement can be addressed, the tie to Policy J27 serves no purpose. Reference to it should be removed.*

*Moreover, it was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of*

*improved access works to the A361 is unnecessary. Criterion b) needs to be removed.*

*These changes will require MMs.”*

To bring forward the contingency site at Colebrook, Cullompton (Policy CU21). This has followed Devon County Council's highway consultation response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane), where there is no longer a requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road – Willand Road link).

- 1.11 The Inspector's advice sought to bring forward *deliverable* sites to boost the delivery of housing in the early years of the Plan, and did not seek to increase the overall housing requirement for the district. In this specific context, sites that did not have a realistic prospect of yielding completions within five years could not be considered as reasonable alternatives to the measures proposed.
- 1.12 The Local Plan Review is being examined under transitional arrangements against the 2012 National Planning Policy Framework (paragraph 47, footnote 11, page 12) which states “To be considered *deliverable*, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable.” Planning applications submitted for SP2 Higher Town, Sampford Peverell and at CU21 Colebrook, Cullompton indicate there is developer interest in both sites.
- 1.13 In the case of the other contingency site in the Local Plan Review at Tidcombe Hall, Tiverton (Policy TIV13), officers understood this site is affected by land assembly issues.
- 1.14 The Draft Housing Land Supply Update June 2019 has not needed to include proposed Main Modifications which would follow the Inspector's remedies “3” and “4”. Neither remedy was considered to be necessary since the proposed modifications that followed the Inspector's remedies “1” and “2” would sufficiently boost housing supply in the first five years of the plan. At the time of preparing the Draft Housing Land Supply Update June 2019 planning permission had been refused for increased housing numbers at Willand (Policy WI1), but this was the subject of a planning appeal (19/000019/WR). Larger urban extensions, or additions to allocated urban extensions, were not considered to be deliverable in five years.
- 1.15 Officers prepared a Sustainability Appraisal Implications Report to assess the implications of the proposed Main Modifications in relation to the housing trajectory and the remedies suggested by the Inspector. All of the sites assessed in this Sustainability Appraisal implications report had previously been assessed as part of the Council's Sustainability Appraisal (SA) of the

Mid Devon Local Plan Review 2013 -2033<sup>1</sup> (i.e. they were not new sites that had not previously assessed by the Sustainability Appraisal). The purpose of the Sustainability Appraisal implications report was to assess whether the proposed Main Modifications affecting those previously assessed sites had significant implications for the Sustainability Appraisal.

- 1.16 In summary, the findings of the Sustainability Appraisal implications report were that the proposed Main Modifications would not have a material change on the previous assessment of those sites in the Sustainability Appraisal. Additionally, the findings of the Sustainability Appraisal implications report were that the assessment of further “reasonable alternatives” was not necessary. The proposed Main Modifications affecting the two sites at Policy SP2 Higher Town, Sampford Peverell and a Policy CU21 Land at Colebrook, Cullompton did not result in environmental or other effects that were of significance in relation to the objectives of the Sustainability Appraisal. However, some factual updating to the Sustainability Appraisal would be needed, particularly to reflect new information provided at the examination hearings from Highways England and Devon County Council in relation road improvements to the A361 and also at Cullompton.
- 1.17 For completeness, the Sustainability Appraisal Implications report also assessed the Inspector’s suggested options for remedies to maintain a five-year supply of deliverable housing sites that officers had not proposed as Main Modifications to the Plan. These options included bringing forward the contingency site at Tidcombe Hall, Tiverton (TIV13) and extending the site allocation WI1 at Willand. There were found to be no significant implications for the Sustainability Appraisal in terms of not proposing Main Modifications in relation to these two sites.
- 1.18 The Inspector invited participants at hearings related to housing land supply and Policy SP2 Higher Town, Sampford Peverell and Policy CU21 Land at Colebrook, Cullompton to comment on the Draft Housing Land Supply Update June 2019 and Sustainability Appraisal Implications Report. Ten representations were received from the hearing participants.
- 1.19 Officers carefully considered all comments made by hearing participants and concluded that the Draft Housing Land Supply Update June 2019, along with the modifications as suggested by the Inspector in relation to the proposed site allocations at Policy SP2 Higher Town, Sampford Peverell and at Policy CU21 Land at Colebrook, Cullompton represented a sound approach that demonstrated the Local Plan Review would be effective and deliverable over its period. In particular, appropriate provision had been made to meet the housing requirements in the early years of the Local Plan Review. Officers considered that no further modifications to the Local Plan Review would be

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<sup>1</sup> The Procedure Guide for Local Plan Examinations (June 2019) advises at paragraph 6.10 that if MMs are likely to involve the allocation of additional sites that did not appear in the submitted plan, the Inspector may ask the LPA to undertake SA and consultation on the additional sites as a separate process, before the schedule of MMs is agreed.  
([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/813316/Procedure\\_Guide\\_for\\_Local\\_Plan\\_Examinations\\_June\\_2019\\_-\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/813316/Procedure_Guide_for_Local_Plan_Examinations_June_2019_-_Final.pdf))

required in addition to the amendments that arose from the Draft Housing Land Supply Update June 2019 and those modifications already set out by the Inspector in his post hearings advice note.

- 1.20 The Draft Housing Land Supply Update June 2019 (Examination document reference ED20), Sustainability Appraisal Implications Report (ED21), Comments received during the consultation on ED20 and ED21 (ED23), and the Council's response to comments made on ED20 and ED21 (ED22) are published on the Council's website.
- 1.21 Officers submitted a response to comments received to the Draft Housing Land Supply Update June 2019 and Sustainability Appraisal Implications Report to the Planning Inspectorate on 6<sup>th</sup> September 2019.

*Recent decisions made on planning applications at SP2 Higher Town, Sampford Peverell and at WI1 Land East of M5, Willand*

- 1.22 The Inspector's post hearings advice note makes specific reference to the site allocations at Policy SP2 and at WI1 in suggested remedies to maintain a five-year supply of deliverable housing sites, which is referred to in paragraph 1.8 of this report. Paragraph 1.10 of this report explains why the site allocation at SP2 Higher Town, Sampford Peverell has been brought forward as a proposed Main Modification. Paragraph 1.14 of this report explains that at the time of preparing the Draft Housing Land Supply Update June 2019 planning permission had been refused for increased housing numbers at Willand (Policy WI1), but this was the subject of a planning appeal (19/000019/WR). The Inspector's suggested remedy to extend existing allocations to accommodate more dwellings (the Policy WI1 site for example) was not necessary.
- 1.23 Members will be aware of the recent decisions on planning applications for new housing at the site allocation Policy SP2 Higher Town, Sampford Peverell, and also the site allocation WI1 Land East of M5, Willand.
- 1.24 Both planning decisions were acknowledged by Officers in the response to comments received to the Draft Housing Land Supply Update June 2019 and Sustainability Appraisal Implications Report that was submitted to the Planning Inspectorate on 6<sup>th</sup> September 2019.
- 1.25 The decision to refuse planning permission for development at the site allocation Policy SP2 Higher Town, Sampford Peverell does not take away the fact that the site is technically capable of being developed in the early years of the Local Plan Review and that for plan making purposes the potential commencement of development and build out rate follows the Housing and Economic Land Availability Assessment (HELAA) methodology market conditions model. This approach is consistently applied across Greater Exeter area and has been endorsed by housing industry experts that have helped shape the HELAA methodology. The Inspector has remarked in his post hearings advice note there is no good reason for the site allocation at Policy SP2 Higher Town, Sampford Peverell to be restricted in terms of timing.

- 1.26 The Council has a duty to consider other planning applications that could be submitted for the development of this site, where potentially, the decision making process might have a different outcome.
- 1.27 Officers have noted the Appeal Decision issued by the Planning Inspectorate on 29 August 2019 that has granted planning permission for 125 dwellings on a larger site incorporating the site allocation at Policy WI1 Land East of M5, Willand (APP/Y1138/W/18/3214685). These additional dwellings will be included within the Council's housing commitments for the 2019/20 monitoring year. There is no need to amend Policy WI1 in light of this appeal decision.
- 1.28 A comment has been received in response to the consultation on the Draft Housing Land Supply Update June 2019 which has suggested there is "*no need to bring SP2 forward in the build-out sequence*". This is in light of the appeal decision, where the consultation response suggests "*in theory up to an extra 83 houses could be built on WI1*". The Inspector has been made aware of the appeal decision and the comment received, and he has not suggested any change to the advice in his post hearings advice note about bringing forward the Policy SP2 site and the reasons for this.

*Proposed Main Modifications to address the Inspector's concern at the Plan's approach to provision for Gypsies and Travellers in relation to Policies S14 and DM7*

- 1.29 The Inspector has expressed some concerns with the Plan's approach to provision for Gypsies and Travellers, where he has considered that allocations for Gypsy and Traveller sites as part of wider housing allocations might well lead to problems of delivery of either or both, and that Policy S14 would appear to rule out windfall sites coming forward in the countryside.
- 1.30 The Inspector has suggested that a more pragmatic approach is needed through two options. These include meeting the need [for Gypsy and Traveller sites] in full by allocating enough sites while ensuring those sites are decoupled from general housing allocations to form separate allocations, or, make Policy S14 permissive of Gypsy and Traveller sites in the countryside while decoupling allocated Gypsy and Traveller sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7.
- 1.31 Appendix 1 includes proposed Main Modifications to Local Plan Review paragraphs 2.31, 2.82 and Policies S14 and DM7 to address the Inspector's concerns. The requirement for the provision of pitches for Gypsies and Travellers is maintained on planned urban extensions at the Tiverton Eastern Urban Extension (Policy TIV1), North West Cullompton (Policy CU1), East Cullompton (Policy CU7) and at Pedlerspool in Crediton (Policy CRE5). However, off-site provision will, only, be accepted where it is demonstrated that a more favourable outcome for Gypsies and Travellers will be achieved. This will take into account pitch numbers; site facilities; accessibility to services, including health and education; early delivery of serviced pitches or plots which are available for occupation; and, the provision of an effective mechanism for delivery.



## **2.0 Proposed Main Modifications to the Local Plan Review**

- 2.1 The Inspector contacted the Council on 27<sup>th</sup> September and has advised that he has *“carefully considered the material contained in ED20, ED21, ED22 and ED23 and has no further questions at this stage. On that basis, the Inspector is content for the Council to publish its draft Main Modifications for consultation as soon as it is ready to do so.”*

### *Schedule of Proposed Main Modifications to the Local Plan Review*

- 2.2 Officers have prepared a schedule of Proposed Main Modifications to the Local Plan Review (Appendix 1 attached to this report). This has been guided by the Inspector’s advice in his post hearings advice note, and includes proposed main modifications to the housing trajectory that have previously been published and consulted on with relevant participants at the hearings.

### *Schedule of Additional (Minor) Modifications to the Local Plan Review*

- 2.3 Officers have also prepared, for the sake of completeness and transparency, a schedule of additional (minor) modifications to the Local Plan Review. These additional modifications are ‘minor’ since they are factual and grammatical corrections and do not materially affect the plan’s policies or go to the heart of the plan. These additional minor modifications will be made available for public comment alongside the proposed Main Modifications, but will not be submitted to the Planning Inspectorate. This is since they are not part of the examination or before the Inspector to consider as proposed Main Modifications. Comments received on the additional minor modifications can be used to help finalise the plan on adoption.

### *Amendments to the Sustainability Appraisal*

- 2.4 Consultant LUC has undertaken an assessment of the proposed Main Modifications to the Local Plan Review for the purpose of the Sustainability Appraisal. This is since the Planning and Compulsory Purchase Act 2004 and Environmental Assessment of Plans and Programmes Regulations (2004) (“The SEA Regulations”) place a legal requirement for the Local Plan Review to be supported by a sustainability appraisal (SA). This legal requirement is an important element of testing the “soundness” of local plans that is required by National Planning Policy Framework paragraph 182.
- 2.5 Appendix 3 to this report includes an Addendum to the Sustainability Appraisal with a schedule that records the implications of each Proposed Main Modification for the Sustainability Appraisal conclusions reported previously.
- 2.6 LUC has concluded that the Proposed Main Modifications would result in a small number of changes to the SA effects previously identified for the Local Plan Review (in the February 2015 SA Report and in the 2018 SA Update (See Appendix 3). The changes to SA effects do not fundamentally alter the cumulative effects of the Local Plan Review. Any effects that have been

changed have been made more positive as a result of the proposed modifications, and in most cases the changes are to the timescales over which likely effects already identified would occur. The overall scale of development proposed in the Local Plan Review, and the spatial strategy, are unaffected by the proposed modifications.

- 2.7 In LUC's professional judgement, the work carried out and presented in the SA Addendum is appropriate to meet the requirements of the SEA Regulations in relation to the Proposed Main Modifications. The SA Addendum will be published alongside the Proposed Main Modifications to the Local Plan Review during a six week consultation period in early 2020.

#### *Habitat Regulations Assessment (HRA)*

- 2.8 Consultant LUC has also screened the proposed Main Modifications for the purpose of Habitat Regulations Assessment.
- 2.9 Appendix 4 to this report includes an Addendum to the Habitat Regulations Assessment with a schedule that records the implications of each Proposed Main Modification for the Habitat Regulations Assessment findings reported previously.
- 2.10 LUC's key findings are that the Proposed Main Modifications have no implications for the conclusions reported previously in the HRA Report for the Publication Draft Local Plan (March 2015), and updated in the HRA Addendum (August 2016) and the J27 Appropriate Assessment Report (December 2016). Therefore, the conclusions of the HRA for the Mid Devon Local Plan Review remain that the local plan review (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites, either alone or in-combination with other plans or projects, providing that the mitigation set out in the Local Plan Review is implemented.

#### *Amendments to the Equalities Impact Assessment 2017*

- 2.11 Appendix 5 to this report includes an Addendum to the Equalities Impact Assessment 2017, which is necessary following the proposed Main Modifications. The Equalities Impact Assessment has not identified any fundamental impacts on protected characteristics arising from the Council's proposed Main Modifications to policies in the Local Plan Review that would require further modification to those policies. However, there are some probable positive and negative impacts on protected characteristics in relation to the five policy areas, for example where Main Modifications are proposed to policies for the provision of sites for Gypsies and Travellers.

### **3.0 Next steps**

- 3.1 Subject to Cabinet and Council approval, it will be necessary for the Council to request the Inspector, under section 20(7)(c) of the Planning and Compulsory Purchase Act 2004, to recommend main modifications to the Mid Devon Local Plan Review in order for it to be made sound and legally

compliant. This request must be made before public consultation on proposed main modifications begins.

- 3.2 It is also proposed, subject to Cabinet and Council approval that the schedule of proposed Main Modifications to the Mid Devon Local Plan Review (Appendix 1), schedule of Additional (Minor) Modifications (Appendix 2), Addendum to the Sustainability Appraisal (Appendix 3), Addendum to the Habitat Regulations Assessment (Appendix 4) and Addendum to the Equalities Impact Assessment 2017 (Appendix 5) are published for a minimum 6 week period of public consultation at the earliest practicable date following the Council's request to the Inspector under section 20(7)(c) of the Planning and Compulsory Purchase Act 2004.
- 3.3 It will be made clear within this process that the scope of this minimum 6 week period of public consultation is only about the proposed Main Modifications to the Mid Devon Local Plan Review (and no other aspect of the plan), the Additional (Minor) Modifications, the Addendum to the Sustainability Appraisal, the Addendum to the Habitat Regulations Assessment, and the Addendum to the Equalities Impact Assessment 2017. The scope of the public consultation will not include the unchanged contents of the submitted Local Plan Review, Sustainability Appraisal, Habitat Regulations Assessment or Equalities Impact Assessment (2017). The public consultation is therefore not an opportunity to revisit previous consultations of the Mid Devon Local Plan Review Submission Version (incorporating proposed modifications).
- 3.4 Following this consultation, with the exception of the Schedule of Additional (Minor) Modifications and consultation responses received on these (which are not before the Inspector for consideration), the schedule of proposed Main Modifications to the Mid Devon Local Plan Review, the Addendum to the Sustainability Appraisal, the Addendum to the Habitat Regulations Assessment, and the Addendum to the Equalities Impact Assessment 2017, and the consultation responses received on these will be submitted to the Planning Inspectorate, where they can be considered together with all previously submitted documentation and documents that have formed part of the examination and its hearings. The Council's submission of proposed Main Modifications to the Planning Inspectorate is without prejudice to the Inspector's final conclusions.
- 3.5 A proposed timetable is as follows:

6 week public consultation	January – February 2020
Submission of the schedule of proposed Main Modifications to the Mid Devon Local Plan Review (Appendix 1), Addendum to the Sustainability Appraisal (Appendix 3), Addendum to the Habitat Regulations Assessment (Appendix 4), Addendum to the Equalities Impact Assessment 2017 (Appendix 5) and consultation responses	March 2020

received on these to the Planning Inspectorate

- 3.6 To be clear, there is no requirement for the Council to consider the consultation responses itself. Instead, these are submitted to the Inspector with the Schedule of proposed Main Modifications following the conclusion of the consultation. The Inspector will then consider all the consultation responses received together with all previously submitted documentation in order to conclude the examination with his report and decide which Main Modifications to recommend the Council makes to the Local Plan Review in order for it to be sound and legally compliant. It is anticipated this will be received by the early spring 2020.
- 3.7 The Inspector's report will be subject to a fact-check procedure with the Council. The primary purpose of the fact-check process is for the Council to draw attention to any factual errors or inconsistencies in the report. The Council may not question the conclusions and recommendations in the report, although it may seek clarification on any that it considers to be unclear. Once the fact check has been completed and the Inspector has dealt with any points raised, he will send his final report to the Council. This will mark the completion of the examination. The Council is required to publish the report as soon as is reasonably practicable after it has been received.
- 3.8 Where the Inspector's report recommends that main modifications are needed to the plan the Council must make those recommended main modifications if it wishes to adopt the plan. The report is not binding on the Council, but the Council may not adopt an unsound plan.
- 3.9 The Mid Devon Local Plan Review with the Inspector's recommended main modifications, and a final updated Sustainability Appraisal and Habitat Regulations Assessment, will be reported back to the Cabinet and Council with a recommendation that the plan is formally adopted. Once the plan has been adopted it will replace the current adopted Core Strategy (2007), the Local Plan Part 2 Allocations and Infrastructure Development Plan Document (2010) and the Local Plan Part 3 Development Management Policies Development Plan Document (2013).

#### **4.0 Groups Consulted**

- 4.1 The Planning Policy Advisory Group (PPAG) considered the report of Local Plan Review Proposed Main Modifications and appendices, at its meeting on 31<sup>st</sup> October 2019 and recommended these are reported to the Cabinet.

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#### **Circulation of the Report: Cabinet Members**

Cabinet Member -Councillor Graeme Barnell, Cabinet Member for Planning and Economic Regeneration

Leadership Team

**List of Background Papers:**

Local Plan Review examination library including submission documents, evidence base, hearing statements and examination documents, including Inspector's post hearings advice note(s):

<https://www.middevon.gov.uk/residents/planning-policy/local-plan-review-examination/>

Report to Cabinet 27<sup>th</sup> November 2014

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=151&Ver=4>

Report to Cabinet 4<sup>th</sup> December 2014

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=155&Ver=4>

Report to Cabinet 11<sup>th</sup> December 2014

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=152&Ver=4>

Report Council 21<sup>st</sup> January 2015

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=410&Ver=4>

Report to Cabinet 15<sup>th</sup> September 2016

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=719&Ver=4>

Report to Cabinet 15<sup>th</sup> September 2016

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=719&Ver=4>

Report to Council 22<sup>nd</sup> September 2016

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=720&Ver=4>

Report to Cabinet 21<sup>st</sup> November 2016

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=751&Ver=4>

Report to Council 1<sup>st</sup> December 2016

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=752&Ver=4>

Report to Council 21<sup>st</sup> February 2018

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=849&Ver=4>

Report to Cabinet 5<sup>th</sup> July 2018

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=935&Ver=4>

Report to Council 29<sup>th</sup> August 2018

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=998&Ver=4>

Planning Inspectorate's Procedure Guide for Local Plan Examinations (June 2019)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/813316/Procedure\\_Guide\\_for\\_Local\\_Plan\\_Examinations\\_June\\_2019\\_-\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/813316/Procedure_Guide_for_Local_Plan_Examinations_June_2019_-_Final.pdf)

## **Mid Devon Local Plan Review 2013-33**

### **MDDC Schedule of Proposed Main Modifications following 2019 Examination Main Hearings and receipt of Inspector's Post Hearings Advice Note**

**Date: November 2019**

\*Proposed Main Modifications are identified in **bold** and follow the usual convention of ~~striketrough~~ for deletions from the text of the submitted plan and underlining for additions to the text.

This Schedule of Proposed Main Modifications (November 2019) should be read in conjunction with Submission Document [SD14 – Schedule of Minor Modifications following 2017 Modifications Consultation \(March 2017\)](#). Following publication of the Inspector’s post hearings advice note (ID12), the Council reviewed all modifications proposed within Submission Document SD14. Where it is considered that these modifications meaningfully change a policy, or in the case of supporting text, goes to the heart of the approach, they have been incorporated into this schedule as proposed Main Modifications.

No.	Policy/Paragraph	Local Plan Page	Proposed Changes	Reason
MM01	Overall Provision of housing and employment	26-27	Replace Table 6: Housing forecast 2013 – 2033 with the following update:	<p>To update the housing trajectory following the Inspector’s post hearings advice note.</p> <p>A detailed explanation of the replacement Table 6: Housing Forecast 2013 – 2033 is provided in the Council’s “Housing Land Supply Update – Addendum to January 2019 update in response to the Inspector’s Post Hearings Advice Note (June 2019)” which is appended to this schedule of Draft Main Modifications.</p>



		2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/23	Total
Location/Site	Policy																					
Tiverton																						
Eastern Urban Extension	TIV1-TIV5													25	100	100	100	100	100	25	550	
Howden Court	TIV9									10											10	
Roundhill	TIV10									12	8										20	
Phoenix Lane	TIV12								4			25	31								60	
Tidcombe Hall (contingency)	TIV13																				0	
Blundells School	TIV16									12	25	25	50	50	38						200	
Commitments							107	149	136	143	135	108	100	100	100	100	97				1275	
Completions		93	70	98	89	128															478	
Tiverton Total		93	70	98	89	128	107	149	152	180	178	183	181	138	125	200	197	100	100	100	25	2593
Cullompton																						
NW Cullompton	CU1-CU6								49	100	100	150	150	176	100	100	100	100	100	25	1350	
East Cullompton	CU7-CU12											50	125	175	200	200	200	200	200	200	1750	
Ware Park and Footlands	CU14													25	13						38	
Colebrook	CU21									12	25	25	38								100	
Commitments							91	71	53	25	12										252	
Completions		87	78	44	98	238															545	
Cullompton Total		87	78	44	98	238	91	71	114	150	137	238	275	376	313	300	300	300	300	225	4035	
Crediton																						
Red Hill Cross	CRE2										12	50	50	23							135	
Woods Group	CRE4											8									8	
Pedlarspool	CRE5								12	25	25	50	50	38							200	
Sports Fields	CRE6										12	50	50	8							120	
Stonewall Lane	CRE7											25	25								50	
Land at Barn Park	CRE8								12	8											20	
Alexandra Close	CRE9									12	3										15	
Commitments							103	99	54	29	10										295	
Completions		58	31	18	17	12															136	
Crediton Total		58	31	18	17	12	103	99	90	65	59	183	175	69	0	0	0	0	0	0	0	979
Rural sites																						
Newton Square	BA1										5										5	
Hollywell	BO1									12	8										20	
Hele Road	BR1								7												7	
Barton	CH1									12	8										20	
Land off Church Lane	CB1									12	8										20	
Barnhill Close	CF1								7												7	
Linhay Close	CL1								6												6	
Land adj Fishers Way	HA1								10												10	
Greenaway	MO1									12	8										20	
Former Tiverton Parkway Hotel	SP1								10												10	
Higher Town	SP2								12	25	23										60	
Fannys Lane	SA1									8											8	
Old Butterleigh Road	SI1							8													8	
The Garage	SI2							5													5	
South of Broadlands	TH1								12												12	
Land east of M5	WI1								12	25	5										42	
Commitments							273	242	255	26											796	
Completions		82	137	128	100	124															571	
Rural Sites Total		82	137	128	100	124	273	255	339	124	65	0	0	0	0	0	0	0	0	0	1627	
Total (Mid Devon - all areas)		320	316	288	304	502	574	574	695	519	439	604	631	583	438	500	497	400	400	400	250	9234
Five year totals				1730			2801					2756						1947				
Cumulative five year totals				1730			4531					7287						9234				

MM02	S1: Sustainable development priorities		Amend criterion i) as follows:  “... <u>recreational trails, and</u> accessible land, <u>and other green infrastructure</u> , and opportunities....”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to reflect representation made by Natural England during the 2017 modifications consultation.
MM03	S2: Amount and distribution of development	32	“The diverse development needs of the community will be met through the provision of <u>a minimum of approximately 7,860 7,200</u> dwellings and 147,000 <del>154,000</del> square metres of commercial floorspace between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033.”	In response to the Inspector’s post hearings advice note:  “...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”
MM04	S3: Meeting housing needs	34	Amend criterion a) as follows:  “The diverse needs of Mid Devon will be met through the provision of <u>a minimum of approximately 7,860 7,200</u> dwellings between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033.”	In response to the Inspector’s post hearings advice note:  “...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”
MM05	Paragraph 2.31	36	Amend paragraph 2.31 of the supporting text as follows:  “.... <u>The need for gypsy and traveller pitches will be accommodated by pitches within larger housing sites, for example at Tiverton Eastern Urban Extension, North West Cullompton, East Cullompton and Pedlerspool in Crediton. The Council’s preferred approach is for on-site provision as part of larger housing proposals TIV1, CU1, CU7 and CRE5. Provision off-site will only be accepted where it is demonstrated that provision on a different site would achieve a more favourable outcome for Gypsies and Travellers as described in Policy DM7. Where such a more favourable outcome can be demonstrated, off-site provision</u>	In response to the Inspector’s post hearings advice note and to ensure consistency with MM proposed for Policy DM7.

			<p><u>must meet the requirements of Policy DM7, and a mechanism must be put in place to ensure that the pitches are delivered. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where the off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of this Plan. The Council is working with the travelling showpeople community to approve a large site near Cullompton which would meet the need requirements set out in the GTAA. Policy DM7 (gypsy and traveller accommodation) manages the development of specific sites”</u></p>	
MM06	S8: Infrastructure	46	<p>Modification to include following text at the end of the policy text:</p> <p><u>“Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest infrastructure plan”.</u></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM07	S9: Environment	48	<p>Amend criterion e) as follows:</p> <p>“The preservation and enhancement of the distinctive qualities of Mid Devon’s natural landscape, supporting opportunities identified within the landscape character areas. Within <del>or adjoining</del> the Blackdown Hills Area of Outstanding Natural Beauty, <b><u>and within the setting of the Blackdown Hills Area of Outstanding Natural Beauty</u></b>, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special <del>environmental</del> qualities of that landscape and its setting.”</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.
MM08	S9: Environment	48	<p>Amend criterion f) as follows:</p> <p>“The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. <b><u>If significant harm resulting from development cannot be avoided providing impacts should be adequately mitigated mitigation and</u></b>. Compensation measures <b><u>will only be considered</u></b> where appropriate <b><u>as a last resort</u></b>; and”</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation and to reflect the hierarchy in NPPF para 118.
MM09	S11: Cullompton	52	<p>Amend criterion a) as follows:</p> <p>“Make any necessary <b><u>improvements to the M5 motorway including junction 28 strategic mitigations</u></b> to maintain highway capacity, <del>and</del> safety, <b><u>integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans</u></b>;</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM10	S12: Crediton	55	<p>Add to the end of clause e) “<del>”</del>, <b><u>including green infrastructure</u></b>”</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.

MM11	S14: Countryside and paragraph 2.82	59	<p>Amend criterion a) as follows:</p> <p>“a) Affordable and low cost housing to meet local needs, <b>gypsy and traveller accommodation</b>, <del>gypsy and traveller accommodation</del>, residential conversion of appropriate existing buildings...”</p> <p>Amend the last two sentences of supporting text in para 2.82 as follows:</p> <p>“National policy requires that new sites for travellers should be <b>very strictly</b> limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation).”</p>	<p>In response to the Inspector’s post hearing advice note:</p> <p>“Make Policy S14 permissive of G&amp;T sites in the countryside while decoupling allocated G&amp;T sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7”</p>
MM12	TIV3: Eastern Urban Extension Environmental Protection and Green Infrastructure	70	<p>Amend criterion e) as follows:</p> <p>“Appropriate provision of sewerage system to serve the development <del>and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance</del> ;”</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following the 2015 Proposed Submission consultation in response to request by the Environment Agency. Reference to Sustainable Urban Drainage is now included in criterion f).</p>
MM13	TIV4: Eastern Urban Extension Community Facilities	72	<p>Add additional policy criterion as follows:</p> <p><b><u>“f) Contributions towards a new recycling centre to serve Tiverton”</u></b></p>	<p>Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.</p>

MM14	TIV4: Eastern Urban Extension Community Facilities	72	<p>Replace criterion b) as follows:</p> <p><b><u>“Construction cost for one primary school of 410 places and early years provision Provision of a 420-place primary school with early years provision and a children’s centre service delivery base funded by appropriate contributions from developers;”</u></b></p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM15	TIV15: Tiverton Infrastructure	83	<p>Add additional policy criterion as follows:</p> <p><b><u>“l) Provision of a replacement recycling centre facility”.</u></b></p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM16	TIV16: Blundells School	84	<p>Add additional criterion as follows:</p> <p><b><u>“k) The creation of additional/compensatory floodplain should secure wider environmental and sustainability benefits.”</u></b></p> <p>Amend paragraph 3.60c to insert at the end of the sentence <b><u>“subject to the provision of wider environmental and sustainability benefits”.</u></b></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to reflect the representation made by the Environment Agency (6734) which notes that this is a key consideration of the Environment Agency when consulted on development within the floodplain.
MM17	Paragraph 3.70	89	<p>Amendment to proposed modified text within paragraph 3.70 as follows:</p> <p><b><u>“Traffic management measures on Willand Road and Tiverton Road will also be required. Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact on the junction’s capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under policy CU7 of the Cullompton Town Centre Relief Road.”</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM18	CU2: North West Cullompton Transport Provision	90	Amendment to criterion (h) as follows: <del>“Financial contributions towards capacity improvements at Junction 28 of the M5, to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.”</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM19	Paragraph 3.75	90	Amendment to proposed modified text within paragraph 3.75 as follows:  <del>“The Development will need to mitigate its impact upon capacity at junction 28 of the M5 by financial contributions towards junction improvements.”</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM20	CU4: North West Cullompton Community Facilities	93	Replace criterion b) as follows:  <del>“Construction costs for 300 places that arise from the development to contribute to a 420 place primary school with provision for early years; Provision of a 420-place school with early years provision and a children’s centre service delivery base funded by appropriate contributions from developers.”</del>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM21	CU4: North West Cullompton Community Facilities	93	Add additional policy criterion as follows:  <del>“e) Contributions towards a new recycling centre to serve Cullompton”</del>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM22	CU6: North West Cullompton Phasing	95	Replacement policy text for criterion (i) of the policy as follows:  <del>Provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development. Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM23	Paragraph 3.94	96	<p>Amendment to proposed modified text within paragraph 3.94 as follows:</p> <p><del>“Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact upon the junction’s capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under Policy CU7. No more than 600 dwellings should be occupied before the Cullompton Town Centre Relief Road is completed and open to traffic. The provision of the Town Centre Relief Road provides increased capacity at J28 M5.”</del></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM24	CU7: East Cullompton	97	<p>Amendment to criterion (f) as follows:</p> <p><del>“(f) Transport provision to ensure appropriate accessibility for all modes, including a new or improved access and egress onto the M5 motorway Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28</del> and pedestrian and cycle links across the motorway to the existing town;”</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM25	CU8: East Cullompton Transport Provision	99	<p>Replacement policy text for criterion (a) of the policy as follows:</p> <p><del>Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 as a result of traffic generated from the site Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</del></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.



MM26	CU10: East Cullompton Community Facilities	102	<p>Amend criterion a) as follows:</p> <p>a) <del>A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority</del> <b><u>A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;</u></b></p> <p>Amend criterion c) as follows:</p> <p><del>“Construction costs for a 650 place primary school or two 325 place primary schools, including provision for early years education. Construction costs for a primary school</del> <b><u>capacity of for at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;</u></b>”</p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM27	CU10: East Cullompton Community Facilities	102	<p>Add additional policy criterion as follows:</p> <p><b><u>“g) Contributions towards a new recycling centre to serve Cullompton”</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM28	CU12: East Cullompton Phasing	104	<p>Replacement policy text for criterion (f) as follows:</p> <p><del>f) Provision of the first phase of comprehensive M5 access improvements before any dwellings are occupied, followed by strategic highways infrastructure broadly in step with development</del> <b><u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u></b> and</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM29	Paragraph 3.116	105	<p>Delete penultimate sentence within paragraph 3.116 of the supporting text as follows:</p> <p><b><del>“The first phase referred to in criterion (f) above therefore only relates to the subsequent highway works set out in the Devon County Council Report.”</del></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM30	CU12: East Cullompton Phasing	106	<p>Paragraph 3.120, amend as follows: “Subject to viability, affordable housing will be provided at a rate of approximately <b>25% 28%</b>, in step with the market housing”.</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to correct typographical error and to ensure supporting text is consistent with policy.
MM31	CU17: Week Farm	110	<p>Replacement policy text for proposed criterion (g) as follows:</p> <p>(g) <b><del>“Provision of M5 access improvements before any commercial floorspace is brought into use</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u>”</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM32	CU18: Venn Farm	111	<p>Replacement policy text for proposed criterion (g) as follows:</p> <p>(g) <b><del>“Provision of M5 access improvements before any commercial floorspace is brought into use</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u>”</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM33	Paragraph 3.143a	114	Amend paragraph 3.143a as follows: “...the final scheme will need to incorporate design solutions which mitigate such impacts. <b>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including the provision of appropriate ecological and biodiversity enhancements.</b> ”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by the Environment Agency during the 2017 modifications consultation.
MM34	CU20: Cullompton Infrastructure	114	Add additional policy criterion as follows: “ <b>n) Provision of a replacement recycling centre facility</b> ”.	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM35	CU21: Land at Colebrook	115	Remove contingency status. Modifications proposed as follows:  Land at Colebrook <del>CONTINGENCY SITE</del>  A site of 4.8 hectares at Colebrook <del>is identified as a contingency site allocated</del> for residential development <del>to be released in accordance with Policy S4</del> , subject to the following:  a) 100 dwellings with 28% affordable housing; b) <del>The development shall not commence until the Town Centre Relief Road has been provided; completion of the North West Cullompton through route linking Tiverton Road to Willand Road and provision of the first phase of comprehensive M5 access improvements;</del> c) Provision of two points of access from Siskins Chase; d) Provisions of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision; e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the	Contingency status removed in response to the Inspector's post hearing advice note.  Devon County Council has advised the timing of the development of the site is not dependent on the Cullompton Town Centre Relief Road coming forward as long as financial contributions are made towards the delivery of the relief road. Please refer to the updated housing land supply statement.  Criterion b) deleted following Devon County Council's highway consultation response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane). Devon County Council has updated its previous highways advice and there is no longer a requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road to Willand Road link).

			<p>character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;</p> <p>f) Archaeological investigation and appropriate mitigation; and</p> <p>g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.</p> <p>Delete paragraph 3.148 from the supporting text.</p> <p>Delete penultimate sentence from paragraph 3.149 as follows:  <del>“Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation.”</del></p> <p><i>Modify the Policies Map as shown on Plan MM35.</i></p>	
MM36	Paragraph 3.149	116	<p>Amend paragraph 3.149 of the supporting text as follows:</p> <p>3.149 <del>If this site comes forward for development, it must contribute to the provision of offsite highways infrastructure.</del>  Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. <del>Devon County Council has therefore stipulated that development should only take place providing there is sufficient network capacity. If released, the site will need to be phased to come forward after further M5 access improvements are implemented.</del> Any application for development must undertake an assessment of the impact of the proposal on both the capacity of the local road network and Junction 28 of the M5 and permission will only be granted where there are no significant adverse impacts <del>which cannot be mitigated</del>. Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation. The site is expected to contribute to the provision of off-site highways infrastructure.</p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.</p> <p>Further amendment to remove the words “...which cannot be mitigated” to improve clarity.</p>

			<p><del>Development in this location would increase traffic through the town centre, so would not be permissible until the Town Centre Relief Road has been provided, offering an alternative route.</del></p> <p>The development would also be expected to provide two points of access from Siskins Chase.</p>	
MM37	CRE5: Pedlerspool, Exhibition Road	121	<p>Amendment to criterion (b) to include reference to <b><u>“with early years provision and children’s centre service delivery base”</u></b>.</p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM38	J27: Land at Junction 27 of the M5 Motorway	128	<p>Replace criterion b) as follows:</p> <p><b><u>“Provision of transport improvements to ensure appropriate accessibility for all modes, including new or improved access and egress onto the M5 motorway and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station. Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 27 and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station”</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM39	J27: Land at Junction 27 of the M5 Motorway and paragraph 3.184d	128	<p>Delete criterion e):</p> <p><b><u>“Prior to the approval of any planning permission for the site any required mitigation measures for the Culm Grasslands Special Area of Conservation shall be identified and agreed together with a time scale for their provision and a mechanism for their maintenance.”</u></b></p> <p>Para3.184d, amend as follows:</p> <p><b><u>“The proposals for a major facility of this nature needs to be considered carefully in terms of its impacts and the policy makes provision for detailed transport assessments, environmental protection and green infrastructure, energy conservation,</u></b></p>	<p>Taken from Submission Document SD14.</p> <p>Included as a main modification in accordance with the Inspector’s post hearing advice note.</p> <p>Deletion of the reference to mitigation measures with regard to the Culm Grasslands Special Area of Conservation to reflect the latest evidence in the J27 proposals: Habitat Regulations Assessment Appropriate Assessment Report (2016) and representation made by Natural England (6242). Reference to floodplain in response to representation made by the Environment Agency (6734) to the 2017 modifications consultation.</p>

			provision of improved public transport, pollution and drainage considerations, phasing and importantly, master planning with full public consultation prior to any planning applications being approved. <b><u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including provision of appropriate ecological and biodiversity enhancement.</u></b> Controls using legal agreements will be required to control the extent and types of use that take place on the site, particularly in respect of retailing which will be tightly controlled. Section 106 planning obligations will also make provision for any necessary infrastructure and public transport improvements <del>and would need to ensure appropriate mechanisms are in place to ensure that the integrity of the Culm Grasslands SAC will not be adversely affected."</del>	
MM40	J27: Land at Junction 27 of the M5 Motorway	128	Include additional criterion in policy as follows:  <b><u>"a) Any planning application which includes a 'designer outlet shopping centre' should be accompanied by a full Retail and Leisure Impact Assessment"</u></b> .	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to ensure the potential impact is appropriately and adequately assessed at the planning application stage. Amendment also reflects comments made by The Crown Estate and TH Real Estate c/o Montagu Evans (6234).
MM41	Paragraph 3.184d	129	Include the following text at the end of the paragraph 3.184d:  <b><u>"Priority habitats exist within the site and in line with criterion c) of Policy J27 should be protected and enhanced."</u></b>	Amendment as agreed with Natural England (see Statement of Common Ground SCG-6 MDDC and Natural England)

MM42	SP2: Higher Town Sampford Peverell	146	<p>Amend Policy SP2 as follows:</p> <p><del>"A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, to come forward following the commencement of development of the M5 Junction 27 allocation, subject to the following:"</del></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be removed."</p>
MM43	SP2: Higher Town Sampford Peverell and paragraph 3.224c	146	<p>Delete criterion b) and re-label the remaining criteria accordingly.</p> <p><del>b) No development until the completion of improved access works to the A361;</del></p> <p>Delete paragraph 3.224c of the supporting text.</p> <p><del><b>3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction at Sampford Peverell have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.</b></del></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"It was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of improved access works to the A361 is unnecessary. Criterion b) needs to be removed."</p>
MM44	SP2: Higher Town Sampford Peverell	146	<p>Include new criterion:</p> <p><b><u>"Improved access to the village for pedestrians and cyclists"</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to provide greater clarity in response to a number of representations from individuals and through agreement of inclusion of criterion by Devon County Council.</p>

MM45	SP2: Higher Town Sampford Peverell	146	<p>Amend criterion g) as follows:</p> <p><b><u>“2 2.5 hectares of Green Infrastructure laid out and managed with landscaping and open space.”</u></b></p> <p><i>Modify the Policies Map as shown on Plan MM45.</i></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p>
MM46	DM1: High Quality Design and new paragraph 4.5b	153-154	<p>Insert additional criteria as follows:</p> <p><b><u>“g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</u></b></p> <p><b><u>h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and</u></b></p> <p><b><u>i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M ‘access to and use of dwellings.’</u></b></p> <p>Insert additional supporting text as follows:</p> <p><b><u>“4.5b National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is particularly important for the design of the homes that people live in and the spaces that surround those homes. The aim in Mid Devon is to deliver high quality buildings and spaces that meet the needs of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses. Though compliance is delivered through buildings regulations, criterion i) will be implemented through a condition attached to the planning permission.”</u></b></p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“Criteria a) and c) [of DM12] seem to me to be more about design and might find a more comfortable home as part of Policy DM1. I take a similar view in relation to criterion b).”</p> <p>“the general size and configuration of a dwelling, and the proper handling of recycling, refuse and cycle storage, are design-based considerations and the reference to the Nationally Described Space Standard seems to be unnecessary.’ If these criteria are adjusted to make plain that they refer to the design of new housing, and relocated in Policy DM1, then that would be a more efficient way of dealing with the matter.”</p> <p>“I am not convinced that the requirement for 30% of houses on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M has been made out. I believe 20, as a carry forward from the existing policy that refers to Lifetime Homes standards is reasonable but again, this requirement could be moved into Policy DM1.”</p> <p>Reference to the Nationally Described Space Standard is retained in the policy. This is since MDDC’s experience of applying minimum size standards for decision making purposes on</p>



				development proposals requires that the Nationally Described Space Standards are explicit in local plan policy.
MM47	DM2: Renewable and low carbon energy	154	<p>Amend the third sentence in Policy DM2 as follows:</p> <p>“Proposals must demonstrate that impacts are or can be made acceptable <b><u>in relation to: and that the development will preserve:</u></b>”</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“I have some concerns about the wording of Policy DM2 because the first part seeks to avoid any significant adverse impacts, but the second part requires renewable and low carbon energy to preserve (which I take to mean cause no harm to) landscape character, the setting of heritage assets, living conditions, and so on. The former is the correct approach and the second part needs to be adjusted to remove the contradiction. This will require a MM.”</p>
MM48	DM7: Traveller sites and paragraph 4.29	164-165	<p>Amend Policy DM7 as follows:</p> <p><b>1) <u>Planning applications for Pitches and Plots</u></b></p> <p>Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where:</p> <p><del>a) The need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches;</del></p> <p><del>b) Local services can be accessed without the use of a car;</del></p> <p>a) Suitable onsite facilities will be provided including space for children’s play;</p> <p>b) The proposal will have suitable environmental quality for residents including non-isolating boundary treatments;</p> <p><b><u>c) The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;</u></b></p> <p><b><u>d) Occupation will be limited to those who meet the Government’s published definition of gypsies and</u></b></p>	<p>In response to the Inspector’s post hearings advice note on the provision for Gypsies and Travellers.</p>

			<p>travellers, including travelling showpeople <u>or their dependents; and</u>  <u>e) Safe and convenient access to local facilities is provided</u></p> <p><del>Where development proposals are considered under S13 “Villages”, local services can be accessed without the use of a car.</del></p> <p><del>Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.</del></p> <p>Sites with associated employment or storage elements <b>may will</b> be permitted where there is specific justification and the location, <b>scale, and nature of the proposed development</b> will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.</p> <p><b><u>2. Provision on allocated sites</u></b></p> <p><b><u>Gypsy and Traveller pitches on allocated sites (sought by Policies TIV1, CU1, CU7 or CRE5) should be provided on site unless it is demonstrated that off-site provision will achieve a more favourable outcome for Gypsies and Travellers taking into account:</u></b></p> <ul style="list-style-type: none"> <li>i) <b><u>Pitch numbers;</u></b></li> <li>ii) <b><u>Site facilities;</u></b></li> <li>iii) <b><u>Accessibility to services, including health and education;</u></b></li> <li>iv) <b><u>Early delivery of serviced pitches or plots which are available for occupation; and</u></b></li> <li>v) <b><u>The provision of an effective mechanism for delivery.</u></b></li> </ul>	
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			<p><u>Such sites must also meet the requirements of part 1 of Policy DM7 above.</u></p> <p>Amend supporting text in paragraph 4.29 as follows:</p> <p><del>“4.29 There is a need for 35 new pitches for gypsies and travellers for the period 2014-34, and 11 plots for travelling showpeople for the period 2014-34. The majority of this This need is proposed to be met on the largest strategic allocations. The travelling showpeople community is predominately based in one large site at Cullompton, which is at capacity. A need for 11 plots has been identified and the Council is in discussions with a landowner to grant permission for one additional site near to the town which will meet the outstanding requirement. The need for gypsy and traveller accommodation is identified to be in the region of 25 pitches across the plan period. These are to be included within</del></p> <p><u>allocated developments at Tiverton Eastern Urban Extension, North West Cullompton, and Pedlerspool in Crediton. Pitches must be provided on-site unless the more favourable outcome described by Policy DM7 is demonstrated. Any proposals for more favourable off-site provision must identify and provide serviced sites in accordance with Policy DM7. A clear mechanism to ensure that pitches or plots are delivered in such a way as to achieve a more favourable outcome for the travelling community must be identified.</u></p> <p><u>This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before</u></p>	
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			<p><b><u>the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5.</u></b> Where gypsy and traveller pitches are provided <b><u>on-site</u></b> on housing allocations, these are to be counted against the affordable housing targets for that site. <b><del>There are also existing consented sites in Mid Devon. Proposals for gypsy and traveller accommodation will not be permitted in other locations, unless it is demonstrated that the existing consented or allocated sites will not be available to the prospective occupiers in a reasonable timescale."</del></b></p>	
MM49	DM12: Housing Standards	170	<p>Delete Policy DM12 Housing Standards (incorporating proposed modifications in the 2017 consultation) and move its content, with amendments in accordance with the Inspector's post hearings advice note, to Policy DM1.</p> <p><b><del>Policy DM12</del></b></p> <p><b><del>Housing Standards</del></b></p> <p><b><del>New housing development should be designed to deliver:</del></b></p> <p><b><del>a) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</del></b></p> <p><b><del>b) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage;</del></b></p> <p><b><del>c) Private amenity space that reflects the size, location, floorspace and orientation of the property; and</del></b></p>	In response to the Inspector's post hearings advice note. Please refer to MM46.

			<p><del>d) On sites of 10 houses or more the provision of 30% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'</del></p>	
MM50	DM19: Protection of employment land and paragraph 4.60	179	<p>Delete Policy DM19 criterion c)</p> <p><del>c) A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing:</del></p> <p><del>i) Mixed use of the site that incorporates an employment-generating use, then</del></p> <p><del>ii) Non-employment use.</del></p> <p>Amend para 4.60 of the supporting text as follows:</p> <p><del>...“If there is no interest in the site as a result of marketing, the potential of the site for mixed use development including employment must be considered in preference to the total loss of employment. This will involve determining whether the site still has the potential to be developed viably for mixed use development or can only be viable if the whole site is developed for non-employment uses. In all cases, the proposed use must not significantly harm any other existing uses in the area, or be harmed by those uses. For example, housing development may not be acceptable in close proximity to general industry, depending on the nature and scale of the industrial use.”</del></p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“There was some discussion about criterion c) of Policy DM19 which deals with the protection of employment land. In my view, if criterion b is satisfied, and suitable marketing (which might include for mixed use purposes) has taken place at an appropriate price, for at least 18 months without any interest, then an alternative use (which may take the form of a mixed use) should be allowed to come forward. Criterion c) which requires an additional sequential viability test is far too onerous a requirement and should be removed through a MM.”</p> <p>Supporting text deleted to accord with proposed MM.</p>

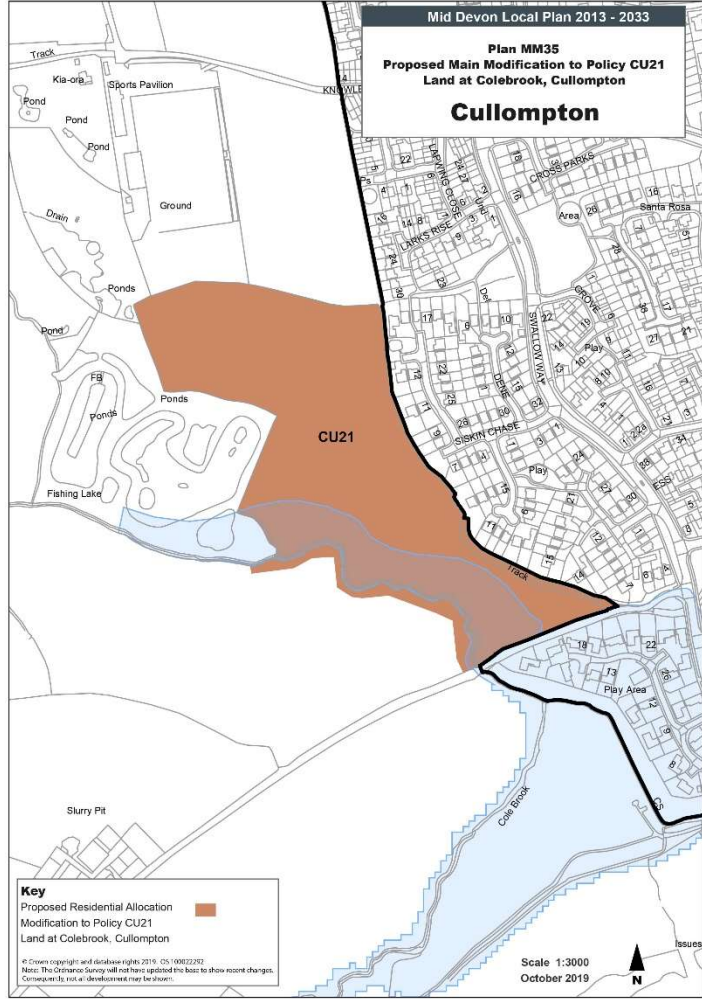
MM51	DM25: Development affecting heritage assets	186	<p>Amend Policy DM25 as follows:</p> <p>“a) Apply a presumption in favour of <b><u>preserving or enhancing all designated preservation in situ in respect of the most important</u></b> heritage assets <b><u>and their settings</u></b>;</p> <p>b) Require development proposals likely to <b><u>affect the significance of</u></b> heritage assets <b><u>and their settings</u></b>, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;</p> <p>c) Only approve proposals that would <b><u>lead to substantial harm to or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm</u></b> or the requirements <del>of paragraph 133</del> of the National Planning Policy Framework are met;</p> <p>d) Where a development proposal <del>would will</del> lead to less than substantial harm <b><u>to the significance of a designated heritage asset, this that</u></b> harm <del>will should</del> be weighed against <b><u>the public benefits of the proposal any public benefit</u></b>, including securing <b><u>its</u></b> optimum viable use; and</p> <p>e) Require developers to make a proportionate but systematic assessment of <del>the any</del> impact on <b><u>the setting and thereby the significance of heritage asset(s) down in the guidance from English Heritage: “The Setting of Heritage Assets” Historic England: “The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3.”</u></b></p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“To comply with statute, criterion a) should apply a presumption in favour of preserving or enhancing all designated heritage assets, not just the most important ones. A reference to their setting would assist too”.</p> <p>“Criterion b) needs to refer to the significance of heritage assets rather than heritage assets and their settings.”</p> <p>“Criterion c) needs to properly reflect the wording of paragraph 133 of the (2012 version of the) Framework by referring to significance. The direct reference to paragraph 133 should be removed because planning applications will be determined using the latest version of the Framework.”</p> <p>“Criterion d) should properly reflect paragraph 134 of the (2012) Framework and refer to significance.”</p> <p>“Criterion e) could confine itself to ‘require developers to make a proportionate and systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)’ Pointing to HE guidance in the manner proposed seems to me to run the risk of that guidance changing.”</p>
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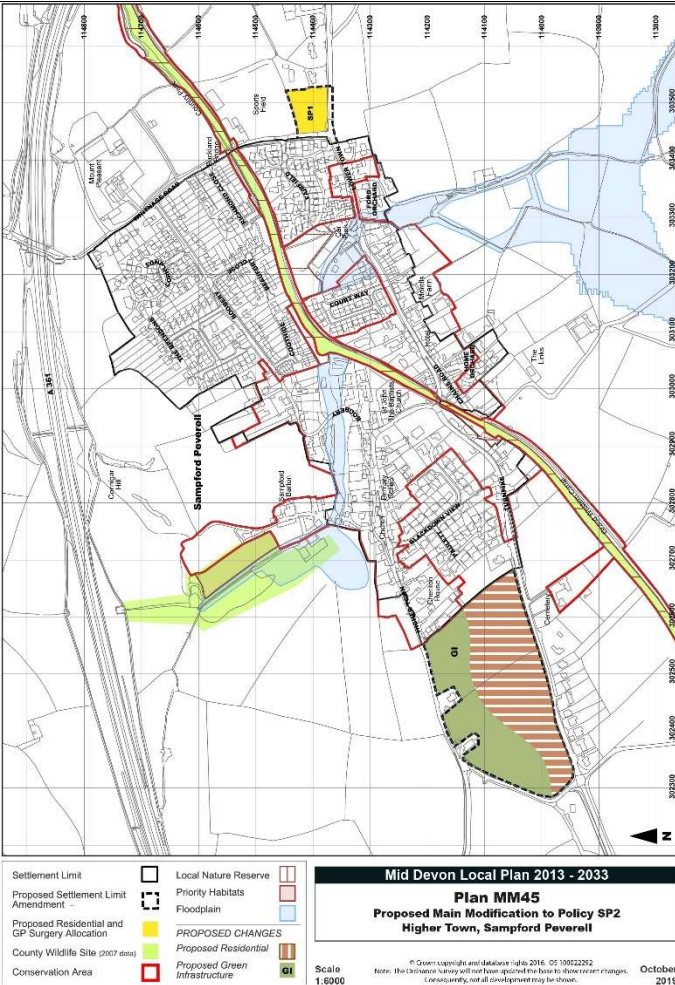
MM52	Paragraph 4.88	189	<p>Amend paragraph 4.88 as follows:</p> <p>... “Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <b><u>although developments should recognise that floodplain cannot necessarily provide year-round amenity access.</u></b>”</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following representation made by the Environment Agency (673) which provides greater clarity of the ability of floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.</p>
MM53	Paragraph 4.88	189	<p>At the end of paragraph 4.88 include the following sentence:</p> <p><b><u>“Development incorporating green infrastructure will be required to submit management and maintenance details for the proposed green infrastructure.”</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following the representation made by the Environment Agency to ensure green infrastructure is protected and managed beyond the initial construction/development.</p>
MM54	DM27: Protected landscapes, and paragraph 4.94	190	<p>Amend Policy DM27 as follows:</p> <p>“Development proposals <del>within or</del> affecting the Blackdown Hills, Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:..”</p> <p>Amend paragraph 4.94 as follows: “Where major developments are proposed within <del>or adjoining</del> protected landscapes <b><u>or within the setting of or adjoining the protected landscapes or the National Parks,</u></b> ”</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“The phrase ‘development proposals within or affecting’ at the beginning of Policy DM27 is a little confusing. A development proposal within a protected landscape will obviously affect it. If the intention is to offer some protection to views into or out of the protected landscape, which seems reasonable, then it may be clearer to make a specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text.”</p>

				<p>The Council has considered the Inspector's post hearings advice note and proposes a modification accordingly.</p> <p>The retention of the word "affecting" in the opening sentence of amended Policy DM27 is consistent with Section 62 of the Environment Act 1995, section 11A (2 in respect of National Parks, and also Section 85 (1) of the Countryside and Rights of Way Act 2000 in respect of Areas of Outstanding Natural Beauty.</p> <p>Section 62 of the Environment Act 1995 places a duty on the Council to have regard to the purposes of National Parks in exercising any functions in relation to or <u>affecting</u> land in a National Park. Similarly, Section 85 of Countryside and Rights of Way Act imposes a duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty within an AONB in exercising any functions in relation to or <u>affecting</u> land in an AONB.</p> <p>Modification proposed following representation made by Natural England (6242) to reflect the fact that the special character of protected landscapes includes the setting rather than only the adjoining land and follows National Planning Policy Guidance.</p>
MM55	DM28: Other protected sites and paragraphs 4.102 and 4.95		<p>Amend Policy DM28 as follows:</p> <p>Delete the final paragraph:</p> <p><b><del>"Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental</del></b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"I have a concern that Policy DM28, and in particular the way it approaches mitigation and compensation in criterion c), fails to comply with 'People over Wind' and subsequent judgements.</p>



		<p><del>integrity of the features of the Natura 2000 site would not be affected</del></p> <p>Replace the deleted final paragraph with:</p> <p><b><u>“Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.”</u></b></p> <p>Amend supporting paragraph 4.102 as follows:</p> <p>Delete the sentence:</p> <p><del>“... In the case of Natura 2000 sites, compensatory measures may only be considered if the proposal is deemed to be of overriding public interest and would involve engagement with both Central Government and European Commission.”</del></p> <p>Replace the deleted sentence with:</p> <p><b><u>“... In the case of European sites, where the risk of harm to the integrity of a site has not been ruled out in an appropriate assessment planning permission may be granted for the development only if there is no alternative solution and the development must be carried out for imperative reasons of overriding public interest. In such cases, any necessary compensatory measures must be secured.”</u></b></p> <p>Amend the paragraph 4.95 through the deletion of the words <b>“Natura 2000 sites”</b> and <b>“Natura 2000 site”</b> and the</p>	<p>I suggest at this stage that the Council checks this point with their expert advisors.”</p> <p>MDDC has taken expert legal advice that has considered the wording of Policy DM28 and its supporting text at paragraph 4.102 require modification.</p> <p>Two modifications will be required to paragraph 4.95 to make this consistent with the modifications to Policy DM28 and paragraph 4.102.</p> <p>Modification to paragraph 4.94 taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note.</p>
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			replacement of these words with the words “ <b>European Sites</b> ” and “ <b>European Site</b> ”.	
Plan MM35	CU21: Land at Colebrook	Policies Map	 <p>Mid Devon Local Plan 2013 - 2033</p> <p>Plan MM35 Proposed Main Modification to Policy CU21 Land at Colebrook, Cullompton</p> <p><b>Cullompton</b></p> <p>CU21</p> <p>Key Proposed Residential Allocation Modification to Policy CU21 Land at Colebrook, Cullompton</p> <p>© Crown copyright and database right 2018. OS 100022703 Note: This document is a copy and not a legal document. It is for information only and does not constitute a contract. Consequently, no liability or responsibility may be taken.</p> <p>Scale 1:3000 October 2019</p>	<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>The notation on the Policies Map has been modified to show site allocation CU21 as a proposed residential allocation. This modification is necessary to reflect the proposed Main Modification to the wording of site allocation Policy CU21.</p> <p>Please refer to proposed Main Modification MM35.</p>

<p>Plan MM45</p>	<p>SP2: Higher Town, Sampford Peverell</p>	<p>Policies Map</p>		<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p> <p>The notation on the Policies Map has been modified to show the increased area of Green Infrastructure to reflect the proposed Main Modification to criterion g) in the site allocation Policy SP2 Higher Town, Sampford Peverell</p> <p>Please refer to proposed Main Modification MM45.</p>
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## **Mid Devon Local Plan Review 2013-33**

### **Schedule of Additional Modifications and Policies Map changes following 2019 Examination Main Hearings**

**Date: November 2019**

Additional modification are identified in *italics* and are shown as either ~~strikethrough~~ for deletions or underlined for additions to the text of the Local Plan Review Proposed Submission (incorporating modifications) January 2017.

No.	Policy/ paragraph	Page	Change	Reason
1.	General		Minor formatting/typographic corrections throughout the Plan. These have not been identified individually in this schedule.	To aid clarity and consistency throughout the Plan and to reflect other MMs and AMs that are proposed.
2.	Preparation of the Local Plan	6	Paragraph 1.6, amend as follows:  “The National Planning Policy Framework (NPPF) was <u>originally</u> introduced in March 2012 and replaced multiple national policy statements and guidance with an overarching planning policy document.”	To provide clarity. There have been subsequent revisions of the NPPF (latest Feb 2019), however the plan does not reference this update as it has been examined under the original 2012 version of the framework.
3.	Preparation of the Local Plan	7	Paragraph 1.8, amend as follows:  <u>“Under ‘transitional arrangements’ introduced alongside recent revisions to the NPPF, the Local Plan Review has been examined under the original 2012 version of the NPPF.”</u>	To provide clarity. Clarifies that plan is examined under 2012 version of the NPPF.
4.	Preparation of the Local Plan	7/8	Paragraph 1.11, amend as follows:  “The HRA concludes that the development proposed in the Local Plan alone, <u>and in combination with other plans and projects</u> , will not result in adverse effects on the integrity of European Sites around Mid Devon. <del>However uncertainties exist regarding the potential for North Devon and Torridge Local Plan to have significant effects on the integrity of the Culm Grasslands SAC as a result of increased air pollution. Therefore it is not yet possible to conclude that there will be no likely significant effects as a result of implementing the new Mid Devon Local Plan in combination with the North Devon</del>	To provide clarity. The updated HRA concludes that there are no adverse effects of the Plan, either on its own or in combination with other plans (including the North Devon and Torridge Plan).

			<del>and Torridge Local Plan. Further work has been commissioned to determine this impact; the HRA will be updated to reflect the latest evidence."</del>							
5.	Preparation of the Local Plan	8	Text under paragraph 1.13 (fourth bullet point), amend as follows:  "A population of <del>78,600</del> <u>79,800</u> ( <del>2013 Mid Year Estimate</del> <u>2016 Devon County Council PPSA Estimates</u> )"	Update population estimate based on latest available figure from DCC						
6.	Vision and Spatial Strategy	9	Paragraph 1.15, amend as follows:  "The vision ( <del>in conjunction with the and</del> spatial strategy) describes how the sustainable development of Mid Devon will bring positive benefits to local communities through promoting community well-being, supporting economic success, conserving and enhancing the area and respecting environmental limits:	To provide clarity and correct grammatical error.						
7.	Neighbourhood Planning	13	Paragraph 1.19, amend as follows:  "The Council will support local communities wishing to pursue neighbourhood planning. Cullompton, Crediton, <del>and</del> Silverton <u>and Tiverton</u> <del>/Halberton</del> were the first to initiate neighbourhood planning in Mid Devon."	To provide clarity. Halberton is no longer part of the Tiverton Neighbourhood Plan area.						
8.	Superseded Policies	18/19	Table 2, update as follows: <table><tr><td>AL/CU/15</td><td>Cullompton Air Quality</td><td>Replaced in part by: S11 Cullompton Also, each site allocation within Cullompton is required in their policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts</td></tr><tr><td>AL/BO/2</td><td>Bow, South of Iter Cross</td><td>Deleted: No evidence of demand for employment allocation. Long-term protection of the allocation would be contrary to <del>paragraph 22 of</del> the National Planning Policy Framework.</td></tr></table>	AL/CU/15	Cullompton Air Quality	Replaced in part by: S11 Cullompton Also, each site allocation within Cullompton is required in their policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts	AL/BO/2	Bow, South of Iter Cross	Deleted: No evidence of demand for employment allocation. Long-term protection of the allocation would be contrary to <del>paragraph 22 of</del> the National Planning Policy Framework.	Correct of typographical error. References to NPPF paragraphs removed to avoid confusion with post-2012 updates to the framework.
AL/CU/15	Cullompton Air Quality	Replaced in part by: S11 Cullompton Also, each site allocation within Cullompton is required in their policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts								
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9.	Superseded Policies	20	<p>Table 3, update as follows:</p> <table><tr><td>DM14</td><td>Design of housing</td><td><del>Replaced in part by: DM1 High quality design</del> <del>Replaced by: DM12 Housing Standards</del> <del>Design of housing</del></td></tr><tr><td>DM15</td><td>Dwelling sizes</td><td><del>Replaced by: DM13 Dwelling sizes</del> <del>Replaced by: DM12 Housing Standards</del> <del>Replaced in part by: DM1 High quality design</del></td></tr></table>	DM14	Design of housing	<del>Replaced in part by: DM1 High quality design</del> <del>Replaced by: DM12 Housing Standards</del> <del>Design of housing</del>	DM15	Dwelling sizes	<del>Replaced by: DM13 Dwelling sizes</del> <del>Replaced by: DM12 Housing Standards</del> <del>Replaced in part by: DM1 High quality design</del>	To reflect proposed main modification resulting in removal of policy DM12. Parts of this policy are now included in DM1.
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DM15	Dwelling sizes	<del>Replaced by: DM13 Dwelling sizes</del> <del>Replaced by: DM12 Housing Standards</del> <del>Replaced in part by: DM1 High quality design</del>								
10.	Sustainable development principles	22	<p>Second paragraph, amend as follows:</p> <p><del>The NPPF (2012), Paragraph 7</del> states that: “There are three distinct dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:</p>	References to NPPF paragraphs removed to avoid confusion with post-2012 updates to the framework.						
11.	Sustainable development principles	22	<p>Third paragraph, amend as follows:</p> <p><del>The NPPF (2012), Paragraphs 8 and 9</del> clarify that “These roles should not be undertaken in isolation because they are mutually dependent” and:</p>	References to NPPF paragraphs removed to avoid confusion with post-2012 updates to the framework.						



12.	Overall provision of housing and employment	23	Paragraph 2.1b, amend as follows:  The <u>SHMA</u> concludes that there is no need for further upward adjustment to reflect market signals or other such factors.	To correct typographical error.										
13.	Overall provision of housing and employment	23	Paragraph 2.2, amend as follows:  “ <u>7,860</u> <del>7,200</del> dwellings are required over the plan period, equating to <u>393</u> <del>360</del> dwellings per year. The following table sets out the situation at 31st March <u>2018-2016</u> <del>2014</del> , indicating a remaining need for about <u>3,512</u> <del>4,924</del> <u>5,511</u> dwellings to be allocated.”	To reflect most recently available housing land monitoring data (March 2018).										
14.	Overall provision of housing and employment	23	Table 4, update as follows: <table><tr><td>Local Plan requirement</td><td><u>7,860</u><del>7,200</del></td></tr><tr><td>Completions since 2013</td><td><u>1,730</u><del>924</del><del>320</del></td></tr><tr><td>Commitments (dwellings under construction or with planning permission)</td><td><u>2,618</u><del>2,012</del><del>1,369</del></td></tr><tr><td>Uncommitted requirement</td><td><u>3,512</u><del>4,924</del><u>5,511</u></td></tr></table>	Local Plan requirement	<u>7,860</u> <del>7,200</del>	Completions since 2013	<u>1,730</u> <del>924</del> <del>320</del>	Commitments (dwellings under construction or with planning permission)	<u>2,618</u> <del>2,012</del> <del>1,369</del>	Uncommitted requirement	<u>3,512</u> <del>4,924</del> <u>5,511</u>	To reflect most recently available housing land monitoring data (March 2018).		
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15.	Overall provision of housing and employment	23	Table 5, update as follows: <table><tr><td>Location</td><td>Requirement</td><td>Completions (from 1 April 2013 – 31 March <u>2018-2016</u><del>2014</del>)</td><td>Commitments (at 1 April <u>2018-2016</u><del>2014</del>)</td><td>Remainder</td></tr><tr><td>Tiverton</td><td><u>2,358</u><del>2,160</del> (30%)</td><td><u>478</u><del>261</del><del>93</del></td><td><u>1,275</u><del>745</del><del>522</del></td><td><u>605</u><del>1,352</del><del>1,545</del></td></tr></table>	Location	Requirement	Completions (from 1 April 2013 – 31 March <u>2018-2016</u> <del>2014</del> )	Commitments (at 1 April <u>2018-2016</u> <del>2014</del> )	Remainder	Tiverton	<u>2,358</u> <del>2,160</del> (30%)	<u>478</u> <del>261</del> <del>93</del>	<u>1,275</u> <del>745</del> <del>522</del>	<u>605</u> <del>1,352</del> <del>1,545</del>	To reflect most recently available housing land monitoring data (March 2018).
Location	Requirement	Completions (from 1 April 2013 – 31 March <u>2018-2016</u> <del>2014</del> )	Commitments (at 1 April <u>2018-2016</u> <del>2014</del> )	Remainder										
Tiverton	<u>2,358</u> <del>2,160</del> (30%)	<u>478</u> <del>261</del> <del>93</del>	<u>1,275</u> <del>745</del> <del>522</del>	<u>605</u> <del>1,352</del> <del>1,545</del>										

			<table> <tr> <td>Cullompton</td><td>3,9303,600 (50%)</td><td>54520987</td><td>252487199</td><td>3,1333,2343,3 14</td></tr> <tr> <td>Crediton</td><td>786720 (10%)</td><td>13610758</td><td>295245216</td><td>355434446</td></tr> <tr> <td>Rural</td><td>786720 (10%)</td><td>57134782</td><td>796535432</td><td>-581-96206</td></tr> <tr> <td>Total</td><td>7,8607,200 (100%)</td><td>1,730924320</td><td>2,6182,0121,3 69</td><td>3,5124,9245,5 14</td></tr> </table>	Cullompton	3,9303,600 (50%)	54520987	252487199	3,1333,2343,3 14	Crediton	786720 (10%)	13610758	295245216	355434446	Rural	786720 (10%)	57134782	796535432	-581-96206	Total	7,8607,200 (100%)	1,730924320	2,6182,0121,3 69	3,5124,9245,5 14	
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Total	7,8607,200 (100%)	1,730924320	2,6182,0121,3 69	3,5124,9245,5 14																				
16.	Overall provision of housing and employment	24	<p>Paragraph 2.4, amend as follows:</p> <p>"The Local Plan <del>allocates 10%</del> <u>makes provision for 17%</u> more housing than is required, to provide flexibility and account for unforeseen circumstances that might prevent some sites from coming forward as expected <u>such as not all commitments translating into completions</u>. The availability of land for housing, taking account of existing commitments and allocations is set out in the following trajectory. <del>The development of existing commitments is forecast to take three years, spread evenly across that period.</del></p>	To reflect most recently available housing land monitoring data (March 2018) and more accurately state that % housing delivered over requirement is total Local Plan provision rather than only what is allocated. Reference to existing commitments forecast to deliver over three years no longer accurate. An updated housing trajectory is set out in the Council's Local Plan Review Housing Land Supply Update (June 2019).																				
17.	Overall provision of housing and employment	24	<p>Chart 1, update as follows:</p>	To reflect most recently available housing land monitoring data (March 2018) and the updated housing trajectory set out in the Council's Local Plan Review Housing Land Supply Update (June 2019).																				

			<p><b>Overall Housing Trajectory 2013-2033</b></p> <p>■ Tiverton ■ Cullompton ■ Crediton ■ Rural</p>	
18.	Overall provision of housing and employment	25/26	<p>Table 6, replace with new version as follows:</p>	<p>To reflect most recently available housing land monitoring data (March 2018) and the updated housing trajectory set out in the Council's Local Plan Review Housing Land Supply Update (June 2019).</p>

Location/Site	Policy	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total
<b>Tiverton</b>																						
Eastern Urban Extension	TIV1-TIV5														25	100	100	100	100	100	25	550
Howden Court	TIV9										10											10
Roundhill	TIV10									12	8											20
Phoenix Lane	TIV12								4			25	31									60
Tidcombe Hall (contingency)	TIV13																					0
Blundells School	TIV16									12	25	25	50	50	38							200
Commitments							107	149	136	143	135	108	100	100	100	100	97					1275
Completions		93	70	98	89	128																478
Tiverton Total		93	70	98	89	128	107	149	152	180	178	183	181	138	125	200	197	100	100	100	25	2593
<b>Cullompton</b>																						
NW Cullompton	CU1-CU6								49	100	100	150	150	176	100	100	100	100	100	100	25	1350
East Cullompton	CU7-CU12											50	125	175	200	200	200	200	200	200	200	1750
Ware Park and Footlands	CU14													25	13							38
Colebrook	CU21								12	25	25	38										100
Commitments							91	71	53	25	12											252
Completions		87	78	44	98	238																545
Cullompton Total		87	78	44	98	238	91	71	114	150	137	238	275	376	313	300	300	300	300	300	225	4035
<b>Crediton</b>																						
Red Hill Cross	CRE2										12	50	50	23								135
Woods Group	CRE4											8										8
Pedlerspool	CRE5								12	25	25	50	50	38								200
Sports Fields	CRE6										12	50	50	8								120
Stonewall Lane	CRE7											25	25									50
Land at Barn Park	CRE8								12	8												20
Alexandra Close	CRE9								12	3												15
Commitments							103	99	54	29	10											295
Completions		58	31	18	17	12																136
Crediton Total		58	31	18	17	12	103	99	90	65	59	183	175	69	0	0	0	0	0	0	0	979
<b>Rural sites</b>																						
Newton Square	BA1										5											5
Hollywell	BO1									12	8											20
Hele Road	BR1								7													7
Barton	CH1									12	8											20
Land off Church Lane	CB1									12	8											20
Barnshill Close	CF1								7													7
Linhay Close	CL1								6													6
Land adj Fishers Way	HA1								10													10
Greenaway	MO1									12	8											20
Former Tiverton Parkway Hotel	SP1								10													10
Higher Town	SP2								12	25	23											60
Fannys Lane	SA1								8													8
Old Butterleigh Road	SI1							8														8
The Garage	SI2							5														5
South of Broadlands	TH1								12													12
Land east of M5	WI1								12	25	5											42
Commitments							273	242	255	26												796
Completions		82	137	128	100	124																571
Rural Sites Total		82	137	128	100	124	273	255	339	124	65	0	0	0	0	0	0	0	0	0	0	1627
<b>Total (Mid Devon - all areas)</b>		320	316	288	304	502	574	574	695	519	439	604	631	583	438	500	497	400	400	400	250	<b>9234</b>
<b>Five year totals</b>				1730				2801				2756					1947					
<b>Cumulative five year totals</b>				1730				4531				7287					9234					

19.	Overall provision of housing and employment	26	Delivery of housing will be monitored <del>annually</del> <u>continuously</u> with information published <u>annually</u> in the Authority's Monitoring Report <del>each December</del> .	To more accurately reflect the Council's monitoring procedures.																								
20.	Overall provision of housing and employment	27	<table><tr><td colspan="3">Table 7, update as follows:</td></tr><tr><td>A</td><td>Local Plan requirement 2013-2033</td><td><del>7,200</del> 7,860</td></tr><tr><td>B</td><td>Implied annual rate 2013-2033 (A ÷ 20)</td><td><del>360</del> 393</td></tr><tr><td>C</td><td><del>Local Plan requirement to date, 2013-2014 (B * 1)</del> <del>Local Plan requirement to date, 2013-2016 (B * 3)</del> <del>Local Plan requirement to date, 2013-2018 (B * 5)</del></td><td><del>360</del> <del>1,179</del> <del>1,965</del></td></tr><tr><td>D</td><td>Completions April 2013-March 20<del>14</del><del>16</del><u>18</u></td><td><del>320</del> <del>924</del> <u>1,730</u></td></tr><tr><td>E</td><td>Shortfall to date, 2013-20<del>14</del><del>16</del><u>18</u> (C – D)</td><td><del>40</del> <del>255</del> <u>235</u></td></tr><tr><td>F</td><td><del>Local Plan requirement 2015-2020 (B * 5)</del> <del>Local Plan requirement 2016-2021 (B * 5)</del> <del>Local Plan requirement 2018-2023 (B * 5)</del></td><td><del>1,800</del> <del>1,965</del> <u>1,965</u></td></tr><tr><td>G</td><td>5 year supply requirement (E + F)</td><td><del>1,840</del> <del>2,220</del> <u>2,200</u></td></tr></table>	Table 7, update as follows:			A	Local Plan requirement 2013-2033	<del>7,200</del> 7,860	B	Implied annual rate 2013-2033 (A ÷ 20)	<del>360</del> 393	C	<del>Local Plan requirement to date, 2013-2014 (B * 1)</del> <del>Local Plan requirement to date, 2013-2016 (B * 3)</del> <del>Local Plan requirement to date, 2013-2018 (B * 5)</del>	<del>360</del> <del>1,179</del> <del>1,965</del>	D	Completions April 2013-March 20 <del>14</del> <del>16</del> <u>18</u>	<del>320</del> <del>924</del> <u>1,730</u>	E	Shortfall to date, 2013-20 <del>14</del> <del>16</del> <u>18</u> (C – D)	<del>40</del> <del>255</del> <u>235</u>	F	<del>Local Plan requirement 2015-2020 (B * 5)</del> <del>Local Plan requirement 2016-2021 (B * 5)</del> <del>Local Plan requirement 2018-2023 (B * 5)</del>	<del>1,800</del> <del>1,965</del> <u>1,965</u>	G	5 year supply requirement (E + F)	<del>1,840</del> <del>2,220</del> <u>2,200</u>	To reflect most recently available housing land monitoring data (March 2018) and the updated five year housing land supply calculation (based on 'Sedgefield' method) set out in the Council's Local Plan Review Housing Land Supply Update (June 2019)
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21.	Overall provision of housing and employment	27	<p>Paragraph 2.7, amend as follows:</p> <p>“Over the entire plan period (2013-2033) there is provision for <del>17%</del> <u>10%</u> more housing than required, as explained in paragraph 2.4. <u>Within certain year brackets, such as</u></p>	To reflect most recently available housing land monitoring data (March 2018) and the updated five year																								

			<del>2021/22-2025/26-2023/24-2027/28</del> and <del>2026/27-2030/31-2028/29-2032/33</del> , this is substantially higher, as shown in the table below. The table indicates that even applying <del>the a</del> 20% buffer in the short term, there is flexibility in the plan to ensure sufficient housing will come forward for the Council to demonstrate a five year supply in accordance with national policy.”	housing land supply calculation (based on ‘Sedgefield’ method) set out in the Council’s Local Plan Review Housing Land Supply Update (June 2019)																
22.	Overall provision of housing and employment	27	<div>Table 8, update as follows:</div> <table><tr><td></td><td><del>2015-2020</del> <del>2016/17-2020/21</del> <del>2018/19-2022/23</del></td><td><del>2020-2025</del> <del>2021/22-2025/26</del> <del>2023/24-2027/28</del></td><td><del>2025-2030</del> <del>2026/27-2030/31</del> <del>2028/29-2032/33</del></td></tr><tr><td>Requirement</td><td><del>2,200</del>2,220<del>1,840</del></td><td><del>1,364</del>1,965<del>1,800</del></td><td><del>573</del>1,136<del>1,800</del></td></tr><tr><td>Trajectory</td><td><del>2,801</del>2,651<del>2,169</del></td><td><del>2,756</del>2,560<del>2,487</del></td><td><del>1,947</del>1,994<del>1,746</del></td></tr><tr><td>Surplus</td><td><del>272</del>0<del>15</del>%</td><td><del>102</del>30<del>38</del>%</td><td><del>240</del>7<del>60</del>%</td></tr></table>		<del>2015-2020</del> <del>2016/17-2020/21</del> <del>2018/19-2022/23</del>	<del>2020-2025</del> <del>2021/22-2025/26</del> <del>2023/24-2027/28</del>	<del>2025-2030</del> <del>2026/27-2030/31</del> <del>2028/29-2032/33</del>	Requirement	<del>2,200</del> 2,220 <del>1,840</del>	<del>1,364</del> 1,965 <del>1,800</del>	<del>573</del> 1,136 <del>1,800</del>	Trajectory	<del>2,801</del> 2,651 <del>2,169</del>	<del>2,756</del> 2,560 <del>2,487</del>	<del>1,947</del> 1,994 <del>1,746</del>	Surplus	<del>272</del> 0 <del>15</del> %	<del>102</del> 30 <del>38</del> %	<del>240</del> 7 <del>60</del> %	To reflect most recently available housing land monitoring data (March 2018) and the updated five year housing land supply calculation (based on ‘Sedgefield’ method) set out in the Council’s Local Plan Review Housing Land Supply Update (June 2019)
	<del>2015-2020</del> <del>2016/17-2020/21</del> <del>2018/19-2022/23</del>	<del>2020-2025</del> <del>2021/22-2025/26</del> <del>2023/24-2027/28</del>	<del>2025-2030</del> <del>2026/27-2030/31</del> <del>2028/29-2032/33</del>																	
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Surplus	<del>272</del> 0 <del>15</del> %	<del>102</del> 30 <del>38</del> %	<del>240</del> 7 <del>60</del> %																	
23.	Overall provision of housing and employment	27	<div>Paragraph 2.9, amend as follows:</div> <p>“The Local Plan makes provision for <del>1,374</del> <del>774</del>628 dwellings over and above the identified requirement.”</p>	To reflect most recently available housing land monitoring data (March 2018) and updated housing trajectory set out in the Council’s Local Plan Review Housing Land Supply Update (June 2019)																
24.	Overall provision of housing and employment	28	<div>Paragraph 2.10, amend as follows:</div> <p>“When including windfalls, the Council will assume a minimum of <del>104</del>129 dwellings per year, which <i>is calculated in line with the most recently published version of the Exeter housing market area Housing and Economic Land Availability Assessment (HELAA) methodology (April 2017)</i> <del>was accepted by the Strategic Housing Land Availability Assessment Panel (SHLAA Panel) in the Mid Devon SHLAA Report (2013).</del>”</p>	The site assessment process previously known as the Strategic Housing Land Availability Assessment (SHLAA) has been renamed as the Housing and Economic Land Availability Assessment (HELAA). This minor amendment reflects the change in terminology and also ensures that the assumed windfall figure reflects the most recent version																

				of the HELAA methodology (2017).																								
25.	Overall provision of housing and employment	28	<p>Paragraph 2.11, amend as follows:</p> <p>“The Local Plan allocates <del>three two one</del> ‘contingency sites’ for housing. <del>These</del> <u>This</u> developments will only be permitted if housing delivery across the district falls below defined ‘action levels’ or the Council is unable to demonstrate a five year housing supply in accordance with national policy. The release of <u>the</u> contingency sites will be the Council’s preference if the supply of housing is insufficient, but proposals on other sites will also be considered on their merits according to the presumption in favour of sustainable development set out in national policy.”</p>	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook. The LPR now provides one remaining contingency site (Tidcombe Hall TIV13).																								
26.	Overall provision of housing and employment	28	<p>Table 9, update as follows:</p> <table><tr><th>Location</th><th>Completions (<u>sqm</u>)</th><th>Commitments (<u>sqm</u>)</th><th>Local Plan <u>allocations (of which remains unconsented) provision (sqm)</u></th></tr><tr><td>Tiverton</td><td><u>4,218</u>,550</td><td><u>43,216</u>805</td><td>37,000 (<u>8,981</u>)<del>38,000</del></td></tr><tr><td>Cullompton</td><td><u>9,273</u>3,598</td><td><u>29,808</u>19,669</td><td>57,000 (<u>30,702</u>)<del>65,000</del></td></tr><tr><td>Crediton</td><td><u>2,045</u>520</td><td><u>6,863</u>2052</td><td>9,820 (<u>5,429</u>)</td></tr><tr><td>Junction 27</td><td>0</td><td>0</td><td>42,550 (<u>42,550</u>)</td></tr><tr><td>Rural</td><td><u>30,977</u>4,119</td><td><u>48,476</u>20,733</td><td>22,355 (<u>0</u>)<del>13,000</del>8,800</td></tr></table>	Location	Completions ( <u>sqm</u> )	Commitments ( <u>sqm</u> )	Local Plan <u>allocations (of which remains unconsented) provision (sqm)</u>	Tiverton	<u>4,218</u> ,550	<u>43,216</u> 805	37,000 ( <u>8,981</u> ) <del>38,000</del>	Cullompton	<u>9,273</u> 3,598	<u>29,808</u> 19,669	57,000 ( <u>30,702</u> ) <del>65,000</del>	Crediton	<u>2,045</u> 520	<u>6,863</u> 2052	9,820 ( <u>5,429</u> )	Junction 27	0	0	42,550 ( <u>42,550</u> )	Rural	<u>30,977</u> 4,119	<u>48,476</u> 20,733	22,355 ( <u>0</u> ) <del>13,000</del> 8,800	To reflect most recently available commercial land monitoring data (March 2018). As a significant amount of allocated commercial land now has planning permission or is being/has been developed (so included in the completions and commitments figures), a separate figure is included in the final column to show the remaining total for allocations that do not yet have planning consent. The previous table did not make clear whether the figure given was the total allocation or only the remaining unconsented allocation. This minor modification therefore provides clarity by making this distinction clear. Also provides
Location	Completions ( <u>sqm</u> )	Commitments ( <u>sqm</u> )	Local Plan <u>allocations (of which remains unconsented) provision (sqm)</u>																									
Tiverton	<u>4,218</u> ,550	<u>43,216</u> 805	37,000 ( <u>8,981</u> ) <del>38,000</del>																									
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Rural	<u>30,977</u> 4,119	<u>48,476</u> 20,733	22,355 ( <u>0</u> ) <del>13,000</del> 8,800																									

			<b>Totals</b> <div> <div>46,513,787</div> <div>128,363,43,259</div> <div>168,725 (87,662) <del>159,370</del>121,620</div> </div>	clarification that totals are in square metres (sqm).
27.	Overall provision of housing and employment	29	<p>Paragraph 2.15, amend as follows:</p> <p>"To provide flexibility of provision and allow for growth, the Local Plan makes provision for <del>about 19.20%</del> more commercial floorspace than is required <del>across the district's settlements.</del>"</p>	It is unclear where the previously quoted figure comes from. It is clearer to simply state that there is more provision for commercial floorspace than required; the text is amended therefore to reflect this fact.
28.	S2 Amount and distribution of development	33	<p>Paragraph 2.24, amend as follows:</p> <p>"Air quality should improve <del>when</del> <u>following the opening of</u> the Crediton Link Road <del>opens and as</del> a proportion of HGV and other traffic is drawn away from Exeter Road to the Lords Meadow Industrial Estate; <del>however but</del> the housing target for Crediton only amounts to 10% of the district total due to the traffic and topographical constraints that exist."</p>	Update to reflect that Crediton Link Road has been completed.
29.	S3 Meeting Housing Needs	35	<p>Paragraph 2.26, amend as follows:</p> <p>"As recognised in the National Planning Policy Framework (NPPF) (2012) "every effort should be made objectively to identify and then meet the housing needs....of an area"."</p>	Clarifies that quote relates to the 2012 version of the framework.
30.	S3 Meeting Housing Needs	35	<p>Paragraph 2.27 (first, fourth and final sentence), amend as follows:</p> <p><del>"The Council's Corporate Plan aims to "facilitate the housing growth that Mid Devon needs, including affordable housing" and "ensure good design and quality of new housing and associated environment". has 'Better Homes' as one of its five main objectives and the long term vision is "To ensure that the housing needs of our residents are met through the provision of affordable homes and good quality housing in both the public and private sector"..."</del>The SHMA concluded that 12496 units of affordable housing are needed per year to meet <del>existing "backlog" need and</del> future needs arising in the district."<del>..."</del><u>"Additional affordable housing will also continue to come forward as windfalls resulting from Homes England Homes and Communities Agency investment, exception sites and delivery of housing on Council-owned land."</u></p>	<p>First sentence amended to reflect updated Corporate Plan (2016).</p> <p>Fourth sentence amended to accurately reflect the findings of the SHMA, following the PAS Technical Advice Note (Objectively Assessed Need and Housing Targets June 2014): only newly formed households should be taken into account in the calculation, as the backlog and existing</p>



				<p>households already live in housing units which would be freed up when housed and do not create any new need in terms of future total requirements. Reference to backlog in sentence was made in error.</p> <p>Final sentence amended to reflect Homes England replacing HCA.</p>
31.	S3 Meeting Housing Needs	36	<p>Paragraph 2.29, amend as follows:</p> <p><del>“Policy DM12 (Design of Housing) requires all new housing development to be designed in a way that allows adaptation according to the changing needs of occupiers.”</del></p>	<p>The removal of this requirement (criterion d) from Policy DM12 was originally in response to Home Builders Federation comment that the policy did not reflect the ministerial statement. This change was included in the 2017 Proposed Submission version of the Local Plan Review. In response to the Inspector’s Post hearing advice note, Policy DM12 is proposed to be deleted with amended policy criteria incorporated into Policy DM1 (See Main Modification MM49).</p>
32.	S4 Ensuring Housing Delivery	38	<p>Policy S4, amend as follows:</p> <p>“If this is insufficient to deliver the necessary level of housing, <u>an</u> identified contingency sites will be permitted to boost housing supply.”</p>	<p>In line with proposed main modification MM35 (removal of contingency status of Policy CU21 Land at Colebrook), the LPR now includes a single contingency site. Policy text is amended to reflect this.</p>

33.	S4 Ensuring Housing Delivery	38	Paragraph 2.32, amend as follows:  “...If housing delivery falls below the action level this will be addressed through proactive development management to bring forward allocated and permitted sites, and then through the release of <u>a</u> deliverable contingency sites. However, there will be variation of delivery across the years so it is important that the action level when the designated contingency sites will come forward will not trigger <del>their</del> <u>its</u> release in response to normal variations in completions...”	In line with proposed main modification MM35 (removal of contingency status of Policy CU21 Land at Colebrook), the LPR now includes a single contingency site. Supporting text is amended to reflect this.
34.	S4 Ensuring Housing Delivery	39	Paragraph 2.33, amend as follows:  “The National Planning Policy Framework requires local planning authorities ensure that there is a supply of specific deliverable housing sites with a capacity equivalent to 105% <del>or of</del> five years’ worth of the annual housing target”... “If that is insufficient or will not deal with the issue quickly enough, the Council will permit the development of <del>one or more of the</del> <u>a</u> contingency sites in order to boost short term housing supply.”	To reflect the NPPF (2012) requirement for a 5% buffer and to correct a typographical error.  To reflect proposed main modification MM35 (removal of contingency status of Policy CU21 Land at Colebrook); the LPR now includes a single contingency site.
35.	S5 Public Open Space	41	Paragraph 2.27, amend as follows:  <del>“To comply with legislation, no more than five such planning obligations will be required for a single project.”</del>	To reflect 2019 amendments to CIL regulations.
36.	S7 Town Centres	44	Paragraph 2.48, amend as follows:  “A masterplan will <del>sets</del> out the principles to be followed in subsequent planning applications.”	Amendment to remove ‘s’ from ‘sets’ which is due to a typographical error.
37.	S8 Infrastructure	47	Paragraph 2.55 (second sentence), amend as follows:  “More information about the means of funding infrastructure can be found in the <u>most recent</u> Infrastructure Plan <del>(2014)</del> and the ‘Regulation 123’ list for CIL, available on the <u>Council’s</u> website.”	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, DCC and HE to future proof the supporting text of the policy, reflecting the fact that Infrastructure Plans are living documents and are updated on a regular basis. Also, minor

				additional amendment to clarify information is available on the MDDC website.															
38.	S10 Tiverton	51	Paragraph 2.60, amend as follows:  "Recent completions and current commitments total over <del>1,750</del> <del>1,000</del> <del>600</del> dwellings."	To reflect current commitments and past completions in Tiverton as per March 2018 housing monitoring data.															
39.	S11 Cullompton	54	Paragraph 2.68, amend as follows:  <del>One contingency site is allocated in the town, providing a level of flexibility to address any potential shortfall in completions as set out in Policy S4.</del>	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook.															
40.	S11 Cullompton	54	Table under paragraph 2.69, update as follows: <table border="1"> <thead> <tr> <th>Site</th><th>Policy</th><th>Site area (ha)</th><th>Use</th><th>Local Plan page(s)</th></tr> </thead> <tbody> <tr> <td>North West Cullompton</td><td>CU1-6</td><td>103</td><td><del>1350</del> <del>1200</del> dwellings and <del>10,000</del> <del>21,000</del> sqm. commercial floorspace</td><td>88-96</td></tr> <tr> <td>East Cullompton</td><td>CU7-12</td><td>160</td><td><del>1750</del> <del>2,100</del> dwellings (within the plan period) and 20,000 sqm.</td><td>97-106</td></tr> </tbody> </table>	Site	Policy	Site area (ha)	Use	Local Plan page(s)	North West Cullompton	CU1-6	103	<del>1350</del> <del>1200</del> dwellings and <del>10,000</del> <del>21,000</del> sqm. commercial floorspace	88-96	East Cullompton	CU7-12	160	<del>1750</del> <del>2,100</del> dwellings (within the plan period) and 20,000 sqm.	97-106	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook.
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						commercial floorspace		
			Knowle Lane	CU13	9.8	296 <del>345</del> dwellings	106-107	
			Ware Park & Footlands	CU14	2.1	38 dwellings	107-108	
			Land at Exeter Road	CU15	1.4	24 <del>45</del> dwellings	108-109	
			Cummings Nursery	CU16	5.3	100 <del>120</del> dwellings	109-110	
			Week Farm	CU17	10.7	15,000 sqm. commercial floorspace	110-111	
			Venn Farm	CU18	4.4	12,000 <del>9,000</del> sqm. commercial floorspace	111-112	
			Colebrook (contingency)	CU21	4.8	100 dwellings	115-116	
41.	S12 Crediton	56	Paragraph 2.73, amend as follows:  “The total housing target for Crediton ( <del>786</del> <del>783</del> <del>720</del> dwellings) represents 10% of the district’s total requirement.”					Correct typographical error.

42.	S13 Rural areas	58	Paragraph 2.78, amend as follows:  “ <del>483330</del> dwellings have been allocated and are considered available, suitable and achievable, capable of coming forward within the first 10 years of the plan.”	To correct previous error. Now shows correct allocation total for rural areas.															
43.	Site allocations	63	<p>Table 10, update as follows:</p> <table> <tr> <th>Use</th><th>Completions 1 April 2013 – 31 March <del>2016</del>2014</th><th>Commitments at 31 March <del>2016</del>2014</th><th>Net requirement</th><th>Uncommitted Allocations to 2033</th></tr> <tr> <td>Housing (dwellings)</td><td><del>1,730,924</del>320</td><td><del>2,618,012</del> 1,369</td><td><del>3,512,924</del> 5,511</td><td><del>4,886,648</del>6,139</td></tr> <tr> <td>Commercial (employment, retail and leisure) square metres floorspace <i>*(Note at time of publication latest commercial monitoring not yet available—figures presented remain position at 31st March 2014)</i></td><td><del>46,513,787</del></td><td><del>128,363,432</del>59</td><td><del>-27,876</del> 100,954</td><td><del>87,662,121</del>620</td></tr> </table>	Use	Completions 1 April 2013 – 31 March <del>2016</del> 2014	Commitments at 31 March <del>2016</del> 2014	Net requirement	Uncommitted Allocations to 2033	Housing (dwellings)	<del>1,730,924</del> 320	<del>2,618,012</del> 1,369	<del>3,512,924</del> 5,511	<del>4,886,648</del> 6,139	Commercial (employment, retail and leisure) square metres floorspace <i>*(Note at time of publication latest commercial monitoring not yet available—figures presented remain position at 31st March 2014)</i>	<del>46,513,787</del>	<del>128,363,432</del> 59	<del>-27,876</del> 100,954	<del>87,662,121</del> 620	To reflect most recently available housing and commercial land monitoring data (March 2018).
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44.	Tiverton	64	<p>Table 11, update as follows:</p> <table> <tr> <th>Use</th><th>Commitments at 31 March <del>2016</del>2014</th><th>Completions since 2013 from 1 April 2013</th><th>Uncommitted Allocations</th><th>Total</th></tr> </table>	Use	Commitments at 31 March <del>2016</del> 2014	Completions since 2013 from 1 April 2013	Uncommitted Allocations	Total	To reflect most recently available housing and commercial land monitoring data for Tiverton (March 2018). Also clarifies period over which completions have been recorded; ensures consistency										
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45.	Tiverton	64	<p>Paragraph 3.4, amend as follows:</p> <p><del>“Nine</del><del>Seven</del><del>Six</del> sites are allocated for housing in Tiverton, excluding <del>one</del><del>two</del> contingency sites at Tidcombe Hall <del>and Wynnard’s Mead</del> that will be permitted to come forward if the Council’s housing supply proves insufficient, as set out in Policy S4... Although the housing growth of the town is therefore dependent on this site coming forward, there is limited risk associated with this because there is a good track record of joint working between the Council and the site promoters, with half of the site covered by an adopted masterplan, and <del>applications for in excess of approximately</del>1,000 dwellings <del>pending determination now with planning permission or resolution to grant subject to a section 106 agreement.</del>”</p>	Now refers to 9 sites to accurately reflect the number of allocated housing sites, including those already with planning approval. Removal of reference to Wynnard’s Mead reflects the modification to delete this contingency site following the 2015 Proposed Submission consultation. Reference to current status of Tiverton EUE allocation (TIV1-5) amended to reflect current situation.															
46.	Tiverton	64	Table 12, update as follows:	To accurately show current total of unconsented allocations. Reflects most recently available housing land monitoring data (March 2018).															

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47.	Tiverton	65	Paragraph 3.5, amend as follows:  “A number of housing sites were allocated in the previous Local Plan and already have planning approval, but are <b>either</b> not yet under construction <b>or only recently implemented</b> . These sites are retained as Local Plan allocations to ensure that policy criteria still apply in the event that revised schemes are submitted or planning permission lapses. <u>The table below shows allocated sites with existing planning permission. Development at Moorhayes Park (TIV8) has recently been completed so is not shown in this table.</u> ”				Provides clarity by making reference in text to Table 13. Also reflects updates to this table (see below).																																										
48.	Tiverton	65	Table 13 and table title, update as follows: <table><tr><th>Site with planning permission</th><th>Policy</th><th>Site area</th><th>Dwellings with planning permission</th></tr></table>				Site with planning permission	Policy	Site area	Dwellings with planning permission	Updated to reflect most recently available housing land monitoring data (March 2018). The Moorhayes Park (TIV8) allocation has been developed so is not included in the table																																						
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50.	Tiverton	69	<p>Paragraph 3.18 (final sentence), amend as follows:</p> <p>“The aim will be to integrate these sustainable transport provisions into the wider Tiverton <u>area</u> and surrounding <u>provision countryside</u> as far as possible.”</p>	Correct typographical error and more accurately reflect adopted EUE masterplan.																														
51.	TIV15 Tiverton Infrastructure	83	<p>Paragraph 3.59, amend as follows:</p> <p>“The Council’s Regulation 123 list and accompanying policy on the use of Section 106 agreements, sets out the mechanism <u>willto</u> be used to fund infrastructure.”</p>	Correct typographical error.																														



52.	TIV15 Tiverton Infrastructure	83	Paragraph 3.60, amend as follows:  “Devon County Council's Waste Plan ( <i>adopted December 2014</i> ), <del>which had hearings as part of its examination in July 2014</del> , allocates a site in Tiverton for the delivery of an Energy from Waste plant.”	Update to reflect adoption of DCC Waste Plan.															
53.	TIV16 Blundells School	84	Policy TIV16 (criteria f), amend as follows:  “Site contamination assessment and remediation <u>measures</u> to mitigate risks associated with former and current land-uses including the scrapyards and former poultry factory <del>measures</del> .”	Correct typographical error (word ‘measures’ in wrong place)															
54.	Cullompton	86	Table 15, update as follows:  <table border="1"> <thead> <tr> <th>Use</th><th>Commitments at 31 March <del>2018</del><del>2016</del><del>2014</del></th><th>Completions from 1 April 2013 – 31 March <del>2018</del><del>2016</del><del>2014</del></th><th>Uncommitted Allocations (within the plan period)</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Housing (dwellings)</td><td><del>252,209</del><del>199</del></td><td><del>54,548</del><del>787</del></td><td><del>3,238</del><del>3,118</del> <del>3,533</del></td><td><del>4,035</del> <del>3,814</del> <del>3,819</del></td></tr> <tr> <td>Commercial (employment, retail and leisure) square metres floorspace</td><td><del>29,808</del><del>19,669</del></td><td><del>9,273</del><del>3,598</del></td><td><del>30,702</del> <del>57,000</del><del>66,000</del></td><td><del>69,783</del> <del>80,267</del> <del>89,267</del></td></tr> </tbody> </table>	Use	Commitments at 31 March <del>2018</del> <del>2016</del> <del>2014</del>	Completions from 1 April 2013 – 31 March <del>2018</del> <del>2016</del> <del>2014</del>	Uncommitted Allocations (within the plan period)	Total	Housing (dwellings)	<del>252,209</del> <del>199</del>	<del>54,548</del> <del>787</del>	<del>3,238</del> <del>3,118</del> <del>3,533</del>	<del>4,035</del> <del>3,814</del> <del>3,819</del>	Commercial (employment, retail and leisure) square metres floorspace	<del>29,808</del> <del>19,669</del>	<del>9,273</del> <del>3,598</del>	<del>30,702</del> <del>57,000</del> <del>66,000</del>	<del>69,783</del> <del>80,267</del> <del>89,267</del>	To reflect most recently available housing and commercial land monitoring data for Cullompton (March 2018).
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55.	Cullompton	86	Paragraph 3.64, amend as follows:  “ <del>Seven</del> Six sites are allocated for housing in Cullompton, <del>excluding one contingency site at Colebrook that will be permitted to come forward if the Council's housing supply proves insufficient, as set out in Policy S4</del> . All housing sites are considered achievable in principle, corresponding to a Cullompton map that accompanies this document.	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook. Revised total of allocated sites in Cullompton includes the CU21 allocation.															

			Four sites are wholly or partially without planning permission and these are shown below.”																																														
56.	Cullompton	86	<p>Table 16, update as follows:</p> <table border="1"> <thead> <tr> <th>Site</th><th>Policy</th><th>Gross Site Area (ha)</th><th>Net site area (ha)</th><th>Allocated dwellings</th></tr> </thead> <tbody> <tr> <td>North West Cullompton</td><td>CU1-6</td><td><del>95</del>100</td><td><del>60</del>65</td><td><del>4200</del>1,350</td></tr> <tr> <td>East Cullompton</td><td>CU7-12</td><td>160</td><td>96</td><td><del>2100</del>1,700 <u>1,750</u></td></tr> <tr> <td><del>Knowle Lane</del></td><td><del>CU13</del></td><td><del>9.8</del></td><td><del>5.9</del></td><td><del>30</del></td></tr> <tr> <td>Ware Park &amp; Footlands</td><td>CU14</td><td>2.1</td><td>1.3</td><td>38</td></tr> <tr> <td><u>Land at Colebrook</u></td><td><u>CU21</u></td><td><u>4.8</u></td><td><u>2.9</u></td><td><u>100</u></td></tr> <tr> <td><del>Exeter Road</del></td><td><del>CU15</del></td><td><del>1.4</del></td><td><del>1.1</del></td><td><del>45</del></td></tr> <tr> <td><del>Cummings Nursery</del></td><td><del>CU16</del></td><td><del>5.3</del></td><td><del>3.2</del></td><td><del>120</del></td></tr> <tr> <td>Total</td><td></td><td></td><td></td><td><del>3533</del>3,118 <u>3,238</u></td></tr> </tbody> </table>	Site	Policy	Gross Site Area (ha)	Net site area (ha)	Allocated dwellings	North West Cullompton	CU1-6	<del>95</del> 100	<del>60</del> 65	<del>4200</del> 1,350	East Cullompton	CU7-12	160	96	<del>2100</del> 1,700 <u>1,750</u>	<del>Knowle Lane</del>	<del>CU13</del>	<del>9.8</del>	<del>5.9</del>	<del>30</del>	Ware Park & Footlands	CU14	2.1	1.3	38	<u>Land at Colebrook</u>	<u>CU21</u>	<u>4.8</u>	<u>2.9</u>	<u>100</u>	<del>Exeter Road</del>	<del>CU15</del>	<del>1.4</del>	<del>1.1</del>	<del>45</del>	<del>Cummings Nursery</del>	<del>CU16</del>	<del>5.3</del>	<del>3.2</del>	<del>120</del>	Total				<del>3533</del> 3,118 <u>3,238</u>	Updated to reflect March 2018 monitoring data and removal of contingency status of Policy CU21 Land at Colebrook by proposed main modification MM35. Also corrects error in previous total for East Cullompton.
Site	Policy	Gross Site Area (ha)	Net site area (ha)	Allocated dwellings																																													
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57.	Cullompton	87	<p>Paragraph 3.65, amend as follows:</p> <p><del>“Knowle Lane (Policy CU13) has planning permission for 285266 dwellings. Part of the site remains undeveloped and this is represented in Table 16. Similarly Exeter Road (Policy CU15) has permission for 24 dwellings with the remainder shown above; there is uncertainty about the remainder of the site (it was originally allocated for 45 dwellings) and the balance is no longer shown above. Cummings Nursery (Policy</del></p>	To reflect changes to the current development status of allocated sites in line with the most recently available housing land monitoring data (March 2018).																																													

			<i><del>CU16) now has commenced construction with permission for 100 dwellings. The remaining housing sites have been granted planning approval and are now wholly or partially implemented. These sites are: Knowle Lane (CU13), Land at Exeter Road (CU15) and Cummings Nursery (CU16).</del></i>	
58.	Cullompton	87	Paragraph 3.66, amend as follows:  “Land for commercial development is allocated within the north-west and east Cullompton urban extensions. <u>Allocated sites</u> <del>and also</del> at Week Farm and Venn Farm in the Kingsmill area <u>now have planning permission.</u> ”	To reflect changes to the current development status of allocated sites in line with the most recently available commercial land monitoring data (March 2018).
59.	CU3 North West Cullompton Environmental Protection and Green Infrastructure	92	Paragraph 3.80, amend as follows:  “The requirement to extend the town cemetery, which adjoins this site, <del>will need to be</del> <u>has</u> been recognised in the proposals <u>and has been extended.</u> ”	To reflect the latest position regarding the already extended town cemetery.
60.	CU3 North West Cullompton Environmental Protection and Green Infrastructure	92	Paragraph 3.81, amend as follows:  “The role of landscaping and tree-planting in flood prevention <del>and carbon reduction</del> should also be recognised in the development.”	In order to provide greater clarity over the extent of carbon reduction that can be delivered through this means.
61.	CU5 North West Cullompton Carbon Reduction and Air Quality	94	Paragraph 3.89, amend as follows:  <del>“The Government has made a commitment to achieving zero carbon housing by 2016, with all emissions from regulated sources such as heating, hot water and lighting to be reduced to zero by this time. While changes to construction are to be introduced through the Building Regulations,</del> Policy CU5 ensures that <del>other</del> methods of carbon reduction are <del>also</del> considered and incorporated into the development where appropriate, such as carbon offsetting, travel plans and design which encourages sustainable ways of living.”	To reflect updated national policy position and targets.

62.	CU9 East Cullompton Environmental Protection and Green Infrastructure	101	Paragraph 3.108, amend as follows:  <del>“Tree planting will also act to collect carbon dioxide, helping to reduce the overall carbon footprint of the scheme.”</del>	In order to provide greater clarity over the extent of carbon reduction that can be delivered through this means.										
63.	CU11 East Cullompton Carbon Reduction and Air Quality	103	Paragraph 3.113, amend as follows:  <del>“The Government has made a commitment to achieving zero carbon housing by 2016, with all emissions from regulated sources such as heating, hot water and lighting to be reduced to zero by this time. While changes to construction are to be introduced through the Building Regulations, Policy CU11 ensures that other methods of carbon reduction are also considered and incorporated into the development where appropriate, such as carbon offsetting, travel plans and design which encourages sustainable ways of living.”</del>	To reflect updated national policy position and targets.										
64.	CU19 Town Centre Relief Road	113	Paragraph 3.143, amend as follows:  “Additional housing development has now taken place at Knowle Lane and Tiverton Road, contributing to <u>the delivered</u> Junction 28 improvements and funding for the Town Centre Relief Road, but work on the road has not yet commenced.”	In line with Statement of Common Ground (SCG10) agreed between Mid Devon District Council, Devon County Council and Highways England. Clarifies that this sentence refers to the implemented Junction 28 improvements.										
65.	Crediton	117	Table 18, update as follows:  <table border="1"> <thead> <tr> <th>Use</th><th>Commitment s at 31 March <del>2018</del><del>2016</del><del>2014</del> 4</th><th>Completions from 1 April 2013 – 31 March <del>2018</del><del>2016</del><del>2014</del></th><th>Uncommitt ed Allocation s</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Housing (dwellings)</td><td><del>295</del><del>245</del><del>216</del></td><td><del>136</del><del>107</del><del>58</del></td><td><del>548</del><del>583</del><del>633</del></td><td><del>979</del> <del>935</del> 7</td></tr> </tbody> </table>	Use	Commitment s at 31 March <del>2018</del> <del>2016</del> <del>2014</del> 4	Completions from 1 April 2013 – 31 March <del>2018</del> <del>2016</del> <del>2014</del>	Uncommitt ed Allocation s	Total	Housing (dwellings)	<del>295</del> <del>245</del> <del>216</del>	<del>136</del> <del>107</del> <del>58</del>	<del>548</del> <del>583</del> <del>633</del>	<del>979</del> <del>935</del> 7	To reflect most recently available housing and commercial land monitoring data for Crediton (March 2018).
Use	Commitment s at 31 March <del>2018</del> <del>2016</del> <del>2014</del> 4	Completions from 1 April 2013 – 31 March <del>2018</del> <del>2016</del> <del>2014</del>	Uncommitt ed Allocation s	Total										
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			Commercial (employment, retail and leisure) square metres floorspace <i>*(Note at time of publication latest commercial monitoring not yet available—figures presented remain position at 31st March 2014)</i>	<u>6,863,551</u>	<u>2,0453,598</u>	<u>5,4299,820</u>	<u>14,33</u> <u>713,9</u> <u>69</u>																																				
66.	Crediton	117	Paragraph 3.153, amend as follows:  “Nine housing sites are allocated in Crediton, including Wellparks <u>and Cromwells Meadow</u> <del>and Red Hill Cross</del> which <del>have</del> <u>has</u> have planning permission. All housing sites are considered achievable in principle, corresponding to a Crediton map that accompanies this document. <u>Sites without planning permission are shown in Table 19 below.</u> ”					To reflect changes to the current development status of allocated sites in line with the most recently available housing land monitoring data (March 2018).																																			
67.	Crediton	117	Table 19, update as follows: <table><tr><th>Site</th><th>Policy</th><th>Gross Site Area (ha)</th><th>Net site area (ha)</th><th>Local Plan allocations</th></tr><tr><td><del>Wellparks</del></td><td><del>CRE1</del></td><td><del>7.9</del></td><td><del>4.74</del></td><td><del>185</del></td></tr><tr><td>Red Hill Cross</td><td>CRE2</td><td>3.1</td><td>1.86</td><td>135</td></tr><tr><td><del>Cromwells Meadow</del></td><td><del>CRE3</del></td><td><del>2.4</del></td><td><del>1.44</del></td><td><del>35</del></td></tr><tr><td>The Woods Group</td><td>CRE4</td><td>0.17</td><td>0.17</td><td>8</td></tr><tr><td>Pedlerspool</td><td>CRE5</td><td>23.5</td><td>14.1</td><td>200</td></tr><tr><td>Sports Fields</td><td>CRE6</td><td>5.5</td><td>3.3</td><td>120</td></tr></table>					Site	Policy	Gross Site Area (ha)	Net site area (ha)	Local Plan allocations	<del>Wellparks</del>	<del>CRE1</del>	<del>7.9</del>	<del>4.74</del>	<del>185</del>	Red Hill Cross	CRE2	3.1	1.86	135	<del>Cromwells Meadow</del>	<del>CRE3</del>	<del>2.4</del>	<del>1.44</del>	<del>35</del>	The Woods Group	CRE4	0.17	0.17	8	Pedlerspool	CRE5	23.5	14.1	200	Sports Fields	CRE6	5.5	3.3	120	Updated to reflect most recently available housing land monitoring data (March 2018). Cromwells Meadow now has planning approval.
Site	Policy	Gross Site Area (ha)	Net site area (ha)	Local Plan allocations																																							
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Total				<del>548583</del> 768																				
68.	CRE4 Woods Group, Exeter Road	120	<p>Paragraph 3.165, amend as follows:</p> <p>The design of the site is important as the site lies in part within the Conservation Area and adjoins listed buildings. <del>buildings</del>, whilst the site contains a number of unlisted buildings of strong traditional local character. The retention and conversion of these buildings would enhance the character of the conservation area. The loss of these buildings would be considered unacceptable without special justification.</p>	To correct typographical error.																				
69.	Rural Areas	130	<p>Table 21, update as follows:</p> <table> <tr> <th>Use</th><th>Commitments at 31 March <del>2018</del>2014</th><th>Completions from 1 April 2013 to 31 March <del>2018</del>2014</th><th>Uncommitt ed Allocations</th><th>Total</th></tr> <tr> <td>Housing (dwellings)</td><td><del>432</del>535796</td><td><del>82</del>347571</td><td><del>330</del>407260</td><td><del>844</del>1,289-1,627</td></tr> <tr> <td>Commercial (employment, retail and leisure) square metres floorspace <i>*(Note at time of publication latest commercial monitoring not yet available—figures presented remain position at 31st March 2014)</i></td><td>20,73348,476</td><td>4,11930,977</td><td>8,8000</td><td>33,65279,453</td></tr> </table>	Use	Commitments at 31 March <del>2018</del> 2014	Completions from 1 April 2013 to 31 March <del>2018</del> 2014	Uncommitt ed Allocations	Total	Housing (dwellings)	<del>432</del> 535796	<del>82</del> 347571	<del>330</del> 407260	<del>844</del> 1,289-1,627	Commercial (employment, retail and leisure) square metres floorspace <i>*(Note at time of publication latest commercial monitoring not yet available—figures presented remain position at 31st March 2014)</i>	20,73348,476	4,11930,977	8,8000	33,65279,453	To reflect most recently available housing and commercial land monitoring data for rural areas (March 2018).					
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70.	Rural Areas	130	Paragraph 3.186, amend as follows:  “Twenty- <del>one</del> <u>five</u> housing sites are allocated in rural areas and are considered achievable in principle, corresponding to rural settlement maps that accompany this document.”	To accurately reflect the total number of allocated housing sites (including those already with planning approval).																																																						
71.	Rural Areas	130	Table 22, update as follows: <table><tr><th>Parish/location</th><th>Policy</th><th>Site</th><th>Gross Site Area (ha)</th><th>Net site area (ha)</th><th>Uncommitted Local Plan allocations</th></tr><tr><td>Bampton</td><td>BA1</td><td>Newton Square</td><td>0.25</td><td>0.25</td><td>5</td></tr><tr><td>Bow</td><td>BO1</td><td>Hollywell</td><td>1.2</td><td>0.96</td><td>20</td></tr><tr><td><del>Bow</del></td><td><del>BO2</del></td><td><del>West of Godfreys Gardens</del></td><td><del>0.23</del></td><td><del>0.23</del></td><td><del>6</del></td></tr><tr><td>Bradninch</td><td>BR1</td><td>Hele Road</td><td>0.3</td><td>0.3</td><td>7</td></tr><tr><td>Chawleigh</td><td>CH1</td><td>Barton</td><td>1.25</td><td>1</td><td>20</td></tr><tr><td>Cheriton Bishop</td><td>CB1</td><td>Land off Church Lane</td><td><del>1.49</del></td><td><del>1.52</del></td><td><del>2030</del></td></tr><tr><td>Cheriton Fitzpaine</td><td>CF1</td><td>Barnshill Close</td><td>0.3</td><td>0.3</td><td>7</td></tr><tr><td><del>Cheriton Fitzpaine</del></td><td><del>CF2</del></td><td><del>Land adj school</del></td><td><del>1.1</del></td><td><del>0.88</del></td><td><del>22</del></td></tr></table>	Parish/location	Policy	Site	Gross Site Area (ha)	Net site area (ha)	Uncommitted Local Plan allocations	Bampton	BA1	Newton Square	0.25	0.25	5	Bow	BO1	Hollywell	1.2	0.96	20	<del>Bow</del>	<del>BO2</del>	<del>West of Godfreys Gardens</del>	<del>0.23</del>	<del>0.23</del>	<del>6</del>	Bradninch	BR1	Hele Road	0.3	0.3	7	Chawleigh	CH1	Barton	1.25	1	20	Cheriton Bishop	CB1	Land off Church Lane	<del>1.49</del>	<del>1.52</del>	<del>2030</del>	Cheriton Fitzpaine	CF1	Barnshill Close	0.3	0.3	7	<del>Cheriton Fitzpaine</del>	<del>CF2</del>	<del>Land adj school</del>	<del>1.1</del>	<del>0.88</del>	<del>22</del>	To reflect changes to the current development status of allocated sites in line with the most recently available housing land monitoring data (March 2018).
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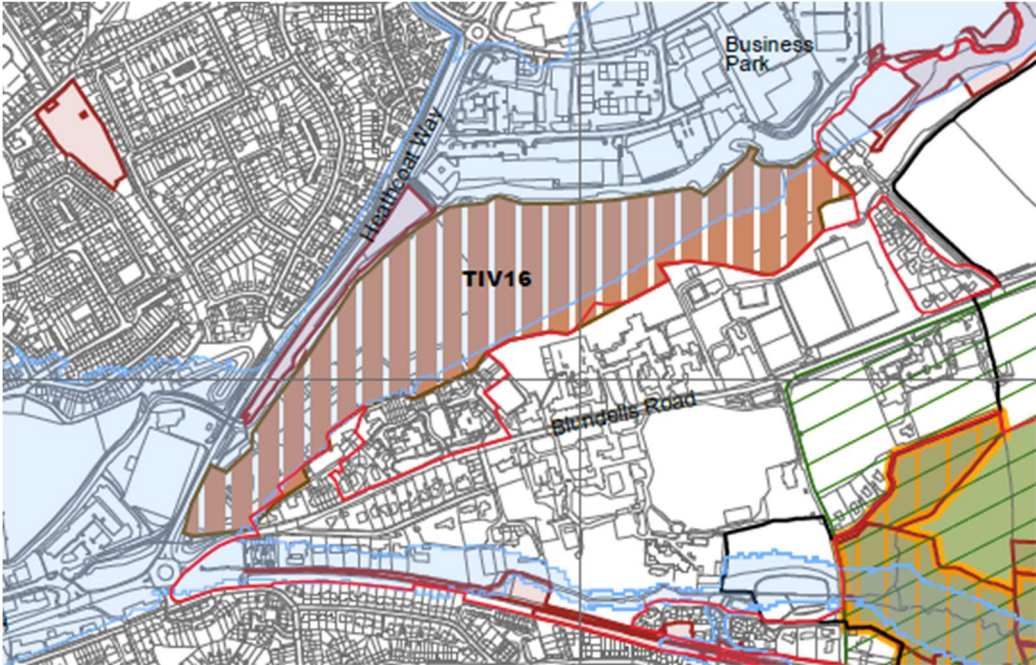
			<del>Copplestone</del>	<del>CO1</del>	<del>Old Abbatoir</del>	<del>1.5</del>	<del>1.2</del>	<del>30</del>	
			Culmstock	CL1	Linhay Close	0.23	0.23	6	
			<del>Culmstock</del>	<del>CL2</del>	<del>Hunter's Hill</del>	<del>0.4</del>	<del>0.4</del>	<del>10</del>	
			Halberton	HA1	Land adj Fishers Way	0.6	0.48	10	
			Hemyock	HE1	Depot	0.55	0.44	10	
			Morchard Bishop	MO1	Greenaway	1.2	0.96	20	
			<del>Newton St Cyres</del>	<del>NE1</del>	<del>Court Orchard</del>	<del>2.7</del>	<del>1.62</del>	<del>25</del>	
			Sampford Peverell	SP1	Former Tiverton Parkway Hotel	0.45	0.36	10	
			Sampford Peverell	SP2	Higher Town	6	3.6	60	
			Sandford	SA1	Fanny's Lane	1.5	1.2	278	
			Silverton	SI1	Old Butterleigh Road	0.35	0.35	8	
			Silverton	SI2	The Garage	0.11	0.11	5	
			Thorverton	TH1	South of Broadlands	0.7	0.56	12	
			<del>Uffculme</del>	<del>UF1</del>	<del>West of Uffculme</del>	<del>3.49</del>	<del>2.1</del>	<del>60</del>	
			Willand	WI1	Land east of M5	2.9	1.74	420	
			Total					<del>330</del> 347260	

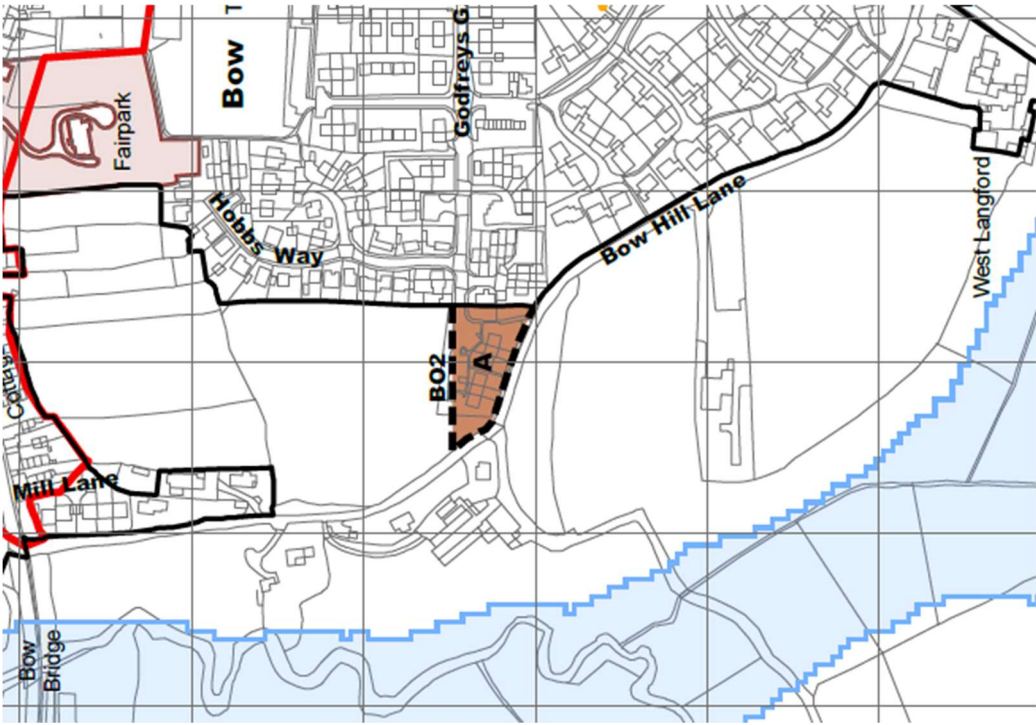


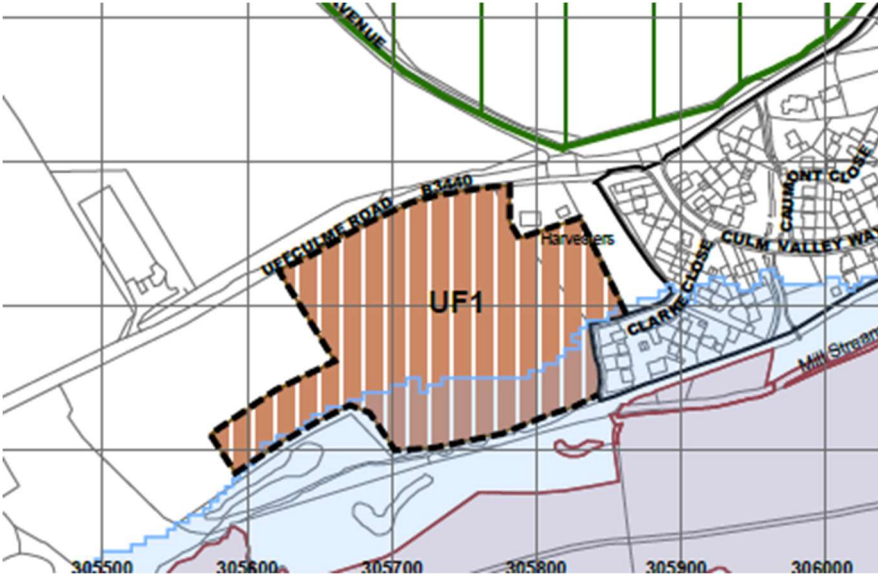
72.	Rural Areas	131	<p>Paragraph 3.187, amend as follows:</p> <p><del>“Three</del><u>Five</u><del>The nine</del> allocated housing sites <u>not listed in the table above</u> already have planning approval <u>or have recently been implemented, and these are set out below.</u> <u>Seven of these sites have existing planning permissions and are set out in the table below.</u> The figures for these sites are based on the position as at 31st March <del>2014</del><u>2016</u><del>2018</del>. <u>Development of the remaining two sites (Ashleigh Park BA3 and West of Godfreys Gardens BO2) has recently been completed so these sites are not included in the table below. In addition, the site at Fanny’s Lane, Sandford (SA1) has been partially completed; the remainder of the allocation is shown in table 22 above. The site, ‘West of Uffculme’ was granted permission on appeal, but fell outside the monitoring year and hence is included in table 22.”</u></p>	To reflect changes to the current development status of allocated sites in line with the most recently available housing land monitoring data (March 2018).																																								
73.	Rural Areas	131	<p>Table 23, update as follows:</p> <table><tr><th>Site</th><th>Policy</th><th>Site area</th><th>Dwellings with planning permission</th></tr><tr><td>Stone crushing works (Scott’s Quarry), Bampton</td><td>BA2</td><td><del>3.41</del> <u>0.45</u></td><td>18</td></tr><tr><td><del>Ashleigh Park, Bampton</del></td><td><del>BA3</del></td><td><del>0.3</del></td><td><del>7</del></td></tr><tr><td><u>School Close, Bampton</u></td><td><u>BA4</u></td><td><u>0.7</u></td><td><u>26</u></td></tr><tr><td><del>West of Godfreys Gardens, Bow</del></td><td><del>BO2</del></td><td><del>0.23</del></td><td><del>6</del></td></tr><tr><td><del>Fanny’s Lane, Sandford</del></td><td><del>SA1</del></td><td><del>1.12</del></td><td><del>19</del></td></tr><tr><td><u>Land adjacent school, Cheriton Fitzpaine</u></td><td><u>CF2</u></td><td><u>1.1</u></td><td><u>28</u></td></tr><tr><td><u>The Old Abattoir, Copplestone</u></td><td><u>CO1</u></td><td><u>1.5</u></td><td><u>40</u></td></tr><tr><td><u>Hunter’s Hill, Culmstock</u></td><td><u>CL2</u></td><td><u>0.4</u></td><td><u>13</u></td></tr><tr><td><u>Court Orchard, Newton St Cyres</u></td><td><u>NE1</u></td><td><u>2.7</u></td><td><u>25</u></td></tr></table>	Site	Policy	Site area	Dwellings with planning permission	Stone crushing works (Scott’s Quarry), Bampton	BA2	<del>3.41</del> <u>0.45</u>	18	<del>Ashleigh Park, Bampton</del>	<del>BA3</del>	<del>0.3</del>	<del>7</del>	<u>School Close, Bampton</u>	<u>BA4</u>	<u>0.7</u>	<u>26</u>	<del>West of Godfreys Gardens, Bow</del>	<del>BO2</del>	<del>0.23</del>	<del>6</del>	<del>Fanny’s Lane, Sandford</del>	<del>SA1</del>	<del>1.12</del>	<del>19</del>	<u>Land adjacent school, Cheriton Fitzpaine</u>	<u>CF2</u>	<u>1.1</u>	<u>28</u>	<u>The Old Abattoir, Copplestone</u>	<u>CO1</u>	<u>1.5</u>	<u>40</u>	<u>Hunter’s Hill, Culmstock</u>	<u>CL2</u>	<u>0.4</u>	<u>13</u>	<u>Court Orchard, Newton St Cyres</u>	<u>NE1</u>	<u>2.7</u>	<u>25</u>	To reflect changes to the current development status of allocated sites in line with the most recently available housing land monitoring data (March 2018). Also corrects error in site area for BA2.
Site	Policy	Site area	Dwellings with planning permission																																									
Stone crushing works (Scott’s Quarry), Bampton	BA2	<del>3.41</del> <u>0.45</u>	18																																									
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			<u>West of Uffculme, Uffculme</u>	<u>UF1</u>	<u>3.49</u>	<u>60</u>	
			Total			<del>44</del> 76 <del>210</del>	
74.	Rural Areas	131	Paragraph 3.189, amend as follows:  "The remaining land <u>(Phase 2) now has outline planning permission and is subject to a reserved matters application.</u> <del>is available, suitable and achievable.</del> "				To reflect changes to the current development status of allocated site WI2 in line with the most recently available commercial land monitoring data (March 2018).
75.	BA4 School Close, Bampton	134	Policy BA4 (criteria a), amend as follows:  "26 dwellings with <del>30</del> 8% affordable housing;				To correct error in affordable housing requirement. This policy and criteria was based on outline permission 10/00510/MOUT, however an incorrect figure was used based on a draft S106 agreement.
76.	BA4 School Close, Bampton	134	Paragraph 3.194b, amend as follows:  "An application for 26 dwellings and associated vehicular and pedestrian accesses was granted outline permission by the Council in April 2013 subject to conditions. The permission includes <del>107</del> affordable units and consequently, the policy provides the criteria to be applied as a starting point, should any revised scheme be submitted."				Planning permission is for 7 affordable units (see above change to policy text).
77.	DM2 Renewable and Low Carbon Energy	155	Paragraph 4.6, amend as follows:  "Any wind turbine proposals will be considered in the context of <del>the 18 June 2015 Written Ministerial Statement</del> <u>national policy</u> which requires planning applications for such development <del>should to</del> only be granted <u>if the development site is in an area identified of as</u> suitable for wind energy development <del>are identified</del> in Local or Neighbourhood Plans."				To better reflect the wording of the Written Ministerial Statement (18 June 2015) and to recognise that this requirement is now incorporated into the National Planning Policy Framework. Also in response to Willand Parish Council (44) representation which identified a typographical error with the inclusion of the word 'of' in the sentence.

78.	DM5 Parking	159	<p>Policy DM5, amend as follows:</p> <p>"The Council will seek parking provision and <del>infrastructure for</del> electric vehicles <u>infrastructure</u> according to the following standards, the variation of which must be justified on a case-by-case basis."</p>	To make clear that separate standards apply to both parking provision and infrastructure for electric vehicles.
79.	DM11 Residential extensions and ancillary development	169	<p>Policy DM11 (criterion a), amend as follows:</p> <p>"a) Respect the character, scale, setting and design of existing dwellings"</p>	To make clear that the policy criterion applies to the consideration of the building subject to an extension as well as other existing dwellings in the area. This is reflected in criterion c in any case so is therefore a matter of ensuring consistency throughout the policy.
80.	DM28 Other Protected Sites	193	<p>Paragraph 4.102, amend as follows:</p> <p>"Policy DM29<u>28</u> affords protection to sites of significant wildlife or geological importance."</p>	Factual correction. Text relates to DM28 not DM29
81.	DM28 Other Protected Sites	193	<p>Paragraph 4.103, amend as follows:</p> <p>"The protected sites listed in Policy DM29<u>28</u> are identified on the Policies Map where they are within or adjoining a defined settlement."</p>	Factual correction. Text relates to DM28 not DM29
82.	DM29 Enforcement	194	<p>Paragraph 4.106, amend as follows:</p> <p>"To ensure that enforcement is managed proactively and in a way that is appropriate to Mid Devon the Council <del>will</del> <u>has</u> published <u>a</u> Local Enforcement Plan. This document <del>will</del> <u>sets</u> out the Council's approach to enforcement, including timescales for action and <del>stating</del> <u>states</u> in detail how the Council will respond to suspected breaches of planning control."</p>	To reflect the publication of the Local Enforcement Plan.

83.	Tiverton Policies Map		<p>Replace policy code AL/TIV/9 with TIV16</p> 	<p>Amendment for greater clarity. AL/TIV/9 instead of TIV16 was added in error.</p>
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84.	Bow Policies Map	<p data-bbox="589 199 1167 225">Settlement limited to be extended to include BO2</p> 	<p data-bbox="1644 199 2002 288">Amendment for greater clarity and consistency between policies.</p>
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85.	Uffculme Policies Map		<p>Policy code UF1 to be placed on the map and settlement limit extended to include UF1 proposal.</p> 	<p>Amendment for greater clarity and consistency between policies. UF1 policy code was not noted on the policies map in error.</p>
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86.	Sampford Peverell Policies Map		Policy code SP2 to be placed on the map and amendment to Green Infrastructure area proposed.	SP2 policy code was not noted on the policies map in error. The area of the Green Infrastructure has been extended to further limit the impact on the setting of the listed building (Map appended). See proposed main modification MM45.
87.	Policies Map General		Update policies map with new Mineral Consultation Area boundaries.	Amendment following the new Mineral Consultation Area boundaries adopted in the Devon Minerals Plan (February 2017).

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# **Mid Devon Local Plan Review: Proposed Main Modifications**

## **Sustainability Appraisal Addendum**

Prepared by LUC  
October 2019

**Project Title:** Sustainability Appraisal of the Proposed Main Modifications to the Mid Devon Local Plan Review

**Client:** Mid Devon District Council

Version	Date	Version Details	Prepared by	Checked by	Approved by
1	24/10/19	Draft Sustainability Appraisal Addendum for the Proposed Main Modifications to the Mid Devon Local Plan Review	Kate Nicholls	Taran Livingston	Taran Livingston
2	28/10/19	Updated draft Sustainability Appraisal Addendum for the Proposed Main Modifications to the Mid Devon Local Plan Review	Kate Nicholls		
3	31/10/19	Final Sustainability Appraisal Addendum for the Proposed Main Modifications to the Mid Devon Local Plan Review	Kate Nicholls	Taran Livingston	Taran Livingston



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# Mid Devon Local Plan Review: Proposed Main Modifications

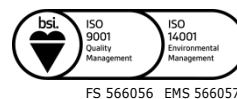
## Sustainability Appraisal Addendum

Prepared by LUC  
October 2019

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## Introduction

- 1.1 In March 2017, Mid Devon District Council submitted the Mid Devon Local Plan Review for independent examination by a Planning Inspector appointed by the Secretary of State. An integrated Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) Report relating to the Proposed Submission Consultation version of the Local Plan Review (February 2015<sup>1</sup>) was submitted alongside the Plan, along with an SA Update document (January 2017)<sup>2</sup>, which Mid Devon District Council had prepared to take into account comments made during the 2015 Proposed Submission consultation and the proposed modifications to the Local Plan Review.
- 1.2 In January 2018, LUC prepared an independent review<sup>3</sup> of Mid Devon District Council's SA Update (2017) and as a result of that review the Council undertook some further work on the SA Update and published a revised version in January 2018<sup>4</sup>.
- 1.3 Preliminary public examination hearings were held in September 2018, followed by the main hearings which took place between 14<sup>th</sup> and 20<sup>th</sup> February 2019. Following the hearings the Inspector issued a post-hearing advice note (Examination document ID12<sup>5</sup>) in May 2019.
- 1.4 In that note the Inspector suggested a number of potential remedies to maintain a five-year supply of deliverable housing sites. The Council then prepared a document entitled 'Sustainability Appraisal of the implications of the Council's proposed draft Main Modifications in relation to the housing trajectory and the remedies suggested by the Inspector' (Examination document ED21<sup>6</sup>). That document (ED21) set out some proposed Main Modifications based on the Inspector's suggested remedies for the housing supply issue and considered their SA implications.
- 1.5 Mid Devon District Council has now prepared a full Schedule of Proposed Main Modifications to the Local Plan Review which will be published for a six-week consultation period in early 2020. The proposed modifications take into account matters raised during the examination by the Inspector and participating representors. These include modifications relating to the housing supply which were previously considered in document ED21. A number of the other proposed modifications had been previously published in the March 2017 schedule of Proposed Minor Modifications which was submitted with the Local Plan Review (see document SD14<sup>7</sup>). On the advice of the Inspector, some of these have now been reclassified as Main Modifications and so are included in the current schedule which this SA Addendum relates to.
- 1.6 This SA Addendum presents an appraisal of the Proposed Main Modifications and considers their implications for the SA findings reported previously. In relation to the housing supply issue, it builds on and supersedes the appraisal work previously presented in document ED21. In combination with the SA Report that was submitted alongside the Local Plan Review for examination and the SA Update, this SA Addendum represents an appraisal of the Local Plan Review as proposed to be modified, updating the findings presented in the February 2015 SA Report and the January 2018 SA Update. It should be noted that this is an addendum to those SA documents and that they should therefore be read together.
- 1.7 This SA Addendum focusses on the 'Main Modifications' to the Local Plan Review only. Additional Modifications have also been prepared to address non-substantive matters such as typographical,

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<sup>1</sup> Local Plan Review: Proposed Submission Consultation – Sustainability Appraisal (Mid Devon District Council, February 2015) [https://www.middevon.gov.uk/media/342890/1\\_sustainability\\_appraisal.pdf](https://www.middevon.gov.uk/media/342890/1_sustainability_appraisal.pdf)

<sup>2</sup> Local Plan Review: Proposed Submission Consultation (Incorporating Proposed Modifications) – Sustainability Appraisal Update (Mid Devon District Council, January 2017) <https://www.middevon.gov.uk/media/342723/sustainability-appraisal-update-2017.pdf>

<sup>3</sup> Review of Sustainability Appraisal Update in relation to the main Modifications made to the Mid Devon Local Plan Review - Review of Legal Compliance (LUC, January 2018) <https://www.middevon.gov.uk/media/345035/luc-sa-update-review-2018.pdf>

<sup>4</sup> Local Plan Review: Proposed Submission Consultation (Incorporating Proposed Modifications) – Sustainability Appraisal Update (Incorporating Consultant LUC Recommendations) (Mid Devon District Council, January 2018) <https://www.middevon.gov.uk/media/345036/sa-update-2018.pdf>

<sup>5</sup> <https://www.middevon.gov.uk/media/347312/id12-inspectors-mdlpr-post-hearings-advice-note.pdf>

<sup>6</sup> Sustainability Appraisal (SA) of the implications of the Council's proposed draft Main Modifications in relation to the housing trajectory and the remedies suggested by the Inspector (Mid Devon District Council, July 2019) <https://www.middevon.gov.uk/media/347814/ed21-mddc-sa-implications-of-mddc-proposed-draft-mms-in-the-hls-update-june-2019.pdf>

<sup>7</sup> Mid Devon Local Plan Review 2013-33: Schedule of Minor Modifications following 2017 modifications consultation (Mid Devon District Council, March 2017) <https://www.middevon.gov.uk/media/343278/sd14-schedule-of-proposed-minor-modifications-march-2017-v2.pdf>

factual and grammatical errors. These additional modifications are not subject to SA as they do not have the potential to lead to significant sustainability effects.

## Sustainability Appraisal and Strategic Environmental Assessment

- 1.8 The purpose of Sustainability Appraisal is to promote sustainable development by integrating sustainability considerations into the preparation and adoption of plans. Sustainability Appraisal (SA) is a statutory requirement of the Planning and Compulsory Purchase Act 2004. It is designed to ensure that the Plan-making process maximises the contribution that a plan makes to sustainable development and minimises any potential adverse impacts. The SA process appraises the likely social, environmental and economic effects of the strategies and policies within a Development Plan Document (DPD) - in this case the Mid Devon Local Plan Review - from the outset of its development.
- 1.9 Strategic Environmental Assessment (SEA) is also a statutory assessment process, required under the SEA Directive<sup>8</sup>, transposed in the UK by the SEA Regulations<sup>9</sup>. The SEA Regulations require the formal assessment of plans and programmes which are likely to have significant effects on the environment, and set the framework for future consent of projects requiring Environmental Impact Assessment (EIA)<sup>10</sup>. The purpose of SEA, as defined in Article 1 of the SEA Directive is *'to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans....with a view to promoting sustainable development'*.
- 1.10 SEA and SA are separate processes but have similar aims and objectives. Simply put, SEA focuses only on the likely environmental effects of a plan whilst SA includes a wider range of sustainability considerations, extending to social and economic impacts. The Government's Sustainability Appraisal guidance<sup>11</sup> outlines how it is possible to satisfy both requirements by undertaking a joint SA/SEA process, and to present an SA report that incorporates the requirements of the SEA Regulations. This integrated approach has been taken to the SA/SEA of the Mid Devon Local Plan Review and throughout the SA documents, the term 'SA' should be taken to mean 'SA incorporating the requirements of the SEA Regulations'.
- 1.11 Details about how the SA process has informed the preparation of the Local Plan Review at each stage can be found in the February 2015 SA Report which accompanied the examined Local Plan Review and in the January 2018 SA Update.

## Reasonable Alternatives and reasons for selecting the proposed Main Modifications

- 1.12 The February 2015 SA Report which accompanied the examined Local Plan Review, along with the January 2018 Update document, set out how reasonable alternatives were considered and selected as part of the SA and plan-making processes up until Submission, as required by the Environmental Assessment of Plans and Programmes Regulations (2004).

### Alternative options for maintaining the housing supply

- 1.13 As described above, following the Examination hearings the Inspector issued a post hearing advice note (Examination document ID12) in which he proposed four alternative options for maintaining a five-year supply of deliverable housing sites, as follows:
- 1 Bringing forward other allocated sites that are currently restricted in terms of timing with no good reason, the Policy SP2 site for example.

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<sup>8</sup> SEA Directive 2001/42/EC

<sup>9</sup> Statutory Instrument 2004, No 1633

<sup>10</sup> Under EU Directives 85/337/EEC and 97/11/EC concerning EIA.

<sup>11</sup> DCLG (2014) Planning Practice Guidance. Available at: <http://planningguidance.planningportal.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/strategic-environmental-assessment-and-sustainability-appraisal-and-how-does-it-relate-to-strategic-environmental-assessment/>

- 2 Bringing forward the contingency sites.
  - 3 Extending existing allocations to accommodate more dwellings (the Policy WI1 site for example) or increasing densities to allow for more dwellings on allocated sites that are less constrained.
  - 4 Allocating a new, large site not constrained by the link road (or motorway junctions) that can come on stream quickly and bolster supply in the early years of the Plan while infrastructure is provided elsewhere.
- 1.14 Mid Devon District Council identified some proposed draft Main Modifications based on its preferred options from these suggested remedies and prepared an SA document relating to these proposed modifications (document ED21) in July 2019. The Council's preferred approach involved:
- Bringing forward the delivery of the allocated site SP2 (Higher Town, Sampford Peverell) which was restricted in the submitted Local Plan Review in terms of timing. As detailed in **Table 1** this delay is no longer necessary.
  - Bringing forward the delivery of the site at Colebrook, Cullompton (policy CU21) and removing its contingency status.
  - Bringing forward the delivery of the allocated Cullompton East site (policies CU7-12).
- 1.15 For completeness, the Council's July 2019 SA document (ED21) also sought to assess the SA implications of the Inspector's four suggested options that were not proposed as draft modifications at the time, i.e. the options that the Council had rejected.
- 1.16 LUC has reviewed the July 2019 SA document as part of the preparation of this SA Addendum and it has been concluded that some supplementary work on the SA of the Inspector's options is required, in order to ensure that the appraisal adequately considers the likely significant sustainability effects of each option were it to be taken forward. In document ED21, the sustainability implications of implementing the preferred options were described, but the implications of the rejected options were only considered in terms of the likely effects of rejecting the options, i.e. that there would not be any sustainability implications. The likely significant sustainability effects of taking those options forward, had they not been rejected, were not clearly described.
- 1.17 Therefore, **Table 1** below presents a summary of the SA implications of each of the Inspector's four suggested remedies, including variations within them:
- 1. Bringing forward other allocated sites that are currently restricted in terms of timing with no good reason: SP2 Higher Town, Sampford Peverell.
  - 2. Bringing forward the contingency site: CU21 Colebrook, Cullompton.
  - 2. Bringing forward the contingency sites: TIV13 Tidcombe Hall, Tiverton.
  - 2. Bringing forward the contingency site: CU7-12 Cullompton East.
  - 3. Extending existing allocations to accommodate more dwellings (the policy WI1 Willand for example).
  - 3. Increasing densities to allow for more dwellings on allocated sites that are less constrained.
  - 4. Allocating a new, large site not constrained by the link road (or motorway junctions) that can come on stream quickly and bolster supply in the early years of the Plan while infrastructure is provided elsewhere.
- 1.18 **Table 1** builds on the appraisal work set out in ED21, expanding and revising it where appropriate. There is some uncertainty around whether all of these options are in fact 'reasonable' for the purposes of SA; however, in line with the precautionary approach all have been considered in terms of their SA implications.
- 1.19 The Council's proposed modifications relating to the housing supply are now included in the complete schedule of Proposed Main Modifications to the Local Plan Review (see **Table 2** further ahead in this document), and their implications for the SA findings reported previously (in the



February 2015 SA Report and in the January 2018 SA Update) are also detailed there along with those of the other Proposed Main Modifications.

- 1.20 No further reasonable alternatives to the Proposed Main Modifications have been identified, given that reasonable alternatives were appraised up to the submission of the Local Plan, and that preparation of the Proposed Main Modifications was led by the Inspector. Where the Inspector identified alternative options, these have been appraised in document ED21 and in **Table 1** below.

**Table 1: SA of the Inspector's alternative remedies for maintaining a five-year supply of deliverable housing sites**

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
<p>1. Bringing forward other allocated sites that are currently restricted in terms of timing with no good reason: SP2 Higher Town, Sampford Peverell</p>	<p>The site allocation SP2 Higher Town, Sampford Peverell has previously been assessed in the SA Update 2017 (Document SD03 pp144-146 and pp 309-312). See also the SA Update 2018 (incorporating proposed amendments) - Document SA-02 (pages 201-203 and 366-369).</p> <p>The likely effects of this site on the SA objectives are not affected by the proposal to bring forward its delivery. However, bringing forward the delivery of the site would mean that the effects previously identified would occur earlier in the Plan period. As this option has been taken forward into the Proposed Main Modifications, the SA implications of this proposed modification are considered further in <b>Table 2</b> (see MM01, MM42 and MM43).</p>	<p>Yes (see MM01, MM42 and MM43 in <b>Table 2</b>)</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be removed."</p> <p>In response to the Inspector's post hearings advice note:</p> <p>"It was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of improved access works to the A361 is unnecessary. Criterion b) needs to be removed."</p> <p>At the time of decision making, this site was subject to an outline planning application for 60 dwellings (17/01359/MOUT).</p>
<p>2. Bringing forward the contingency site: CU21 Colebrook, Cullompton</p>	<p>The contingency site CU21 Colebrook, Cullompton has previously been assessed through the SA (see pages 298 – 302 of the SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations). A more extensive site comprising 400 dwellings was considered but rejected at pp147-9 of the 2018 Update (SA-02).</p> <p>The likely effects of this site on the SA objectives are not affected by the proposal to bring forward its delivery and remove its contingency status. However, bringing</p>	<p>Yes (see MM01 and MM35 in <b>Table 2</b>)</p>	<p>Devon County Council's Hearing Statement has recommended that the supporting paragraph (3.149) to Policy CU21 be amended to include additional text (italicised) after the words "Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided</p>

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
	<p>forward the delivery of the site would mean that the effects previously identified would occur earlier in the Plan period and the removal of the contingency status means that the effects are more certain to occur. As this option has been taken forward into the Proposed Main Modifications, the SA implications of the proposed modification are considered further in <b>Table 2</b> (see MM01 and MM35).</p>		<p>as part of the North West Cullompton allocation <i>unless satisfactory evidence or mitigation to address air quality and highway capacity can be sustained</i>".</p> <p>Devon County Council has advised in its hearing statement that 100 dwellings at Colebrook can come forward without the Town Centre Relief Road (TCRR).</p> <p>At the time of decision making this site was subject to an outline planning application (19/00118/MOUT) for 105 dwellings.</p>
<p>Bringing forward the contingency sites: TIV13 Tidcombe Hall, Tiverton</p>	<p>The contingency site TIV13 Tidcombe Hall has previously been assessed through the SA (pages 222 – 226 of the SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations) and P116-9 and 289-293 of the 2018 Update (SA02).</p> <p>The likely effects of this site on the SA objectives are not affected by the option of bringing forward its delivery and removing its contingency status. However, bringing forward the delivery of the site would mean that the effects previously identified would occur earlier in the Plan period and the removal of the contingency status would mean that the effects would be more certain to occur. A likely significant positive effect was previously identified in relation to SA objective G (meeting housing needs) and a significant negative effect was previously identified in relation to SA objective D (resource use). As this option has not been included as a Main Modification the likely effects of TIV13 remain as presented in the 2015 SA Report and</p>	No	<p>No new evidence or advice has been provided by participants at the examination hearings in relation to this contingency site as part of their submissions made for the examination hearings.</p> <p>The Council's HLS update June 2019 can demonstrate that a five year supply of deliverable sites will be maintained over the initial five years and subsequent periods with the proposed draft Main Modifications, without the need to bring forward the TIV13 Tidcombe Hall contingency site.</p> <p>It is noted that the Inspector's advice seeks to bring forward <i>deliverable</i> sites to boost the delivery of housing in the early years of the Plan, and it does not seek to increase the overall housing</p>

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
	2018 Update.		requirement for the district. In this specific context, sites that do not have a realistic prospect of yielding completions within five years cannot be considered as reasonable alternatives to the measures proposed. In the case of the site at Tidcombe Hall (TIV 13), the Council has reason to believe that there may be land assembly issues.
<p>2. Bringing forward the contingency site: CU7-12 Cullompton East</p>	<p>Policies CU7 -12 Cullompton East have previously been assessed through the SA (pages 264 – 271 of the SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations)).</p> <p>The likely effects of this site on the SA objectives are not affected by the proposal to bring forward its delivery. However, bringing forward the delivery of the site means that the effects previously identified would occur earlier in the Plan period (although not within the initial five years, see next column). As this option has been taken forward into the Proposed Main Modifications, the SA implications of the proposed modification are considered further in <b>Table 2</b> (see MM01).</p>	Yes (see MM01 in <b>Table 2</b> )	<p>The amended trajectory for the East Cullompton allocation sees completions from the initial phase beginning in 2023/24. This is outside the initial five-year period so it is not anticipated that the East Cullompton allocation will contribute to the initial five year housing land supply.</p> <p>Advice has been provided to the examination hearings in the Statement of Common Ground between Mid Devon District Council, Devon County Council and Highways England (SCG10). This makes clear that based on technical modelling reports provided (in Devon County Council's hearing statement), Devon County Council and Highways England conclude the first 500 dwellings at East Cullompton (part of CU7 – CU12 Cullompton East) require the delivery of the proposed Town Centre Relief Road (TCRR). At the time of decision making, a planning application for the TCRR was</p>

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
			expected to come forward in autumn 2019. The Council is currently working on the precautionary assumption, for Local Plan Review housing trajectory purposes, that the TCRR will be delivered by the very latest in 2023.
<p>3. Extending existing allocations to accommodate more dwellings (the policy WI1 Willand for example).</p>	<p>The Willand site has been considered as part of the SA process (p385 of the January 2018 SA Update (SA-02).</p> <p>The likely sustainability effects of extending existing allocations would depend largely on which allocations are extended and in which direction, as the effects will be determined by factors such as the proximity of the extended development area to areas of high landscape sensitivity or designated biodiversity sites for example. Many of the effects of this approach are therefore uncertain at this stage. However, it is likely that extending the existing allocations would result in more negative effects on SA objectives A (natural environment) and B (historic environment). However, it may be that increasing the size of allocations could stimulate the provision of a wider range of services and facilities and infrastructure, which could result in positive effects on SA objectives H (community health and wellbeing) and I (infrastructure). There may also be positive effects on SA objective C (climate change) if increasing the size of allocations means that it becomes viable to provide more employment land, services and facilities within the sites, enabling them to develop as more self-sufficient communities and reducing the need to drive day-to-day.</p>	No	<p>Planning application reference 18/00175/MOUT was refused on 9th October 2018 for 125 dwellings at Meadow Park, Silver Street, Willand as being out of scale and size to the settlement and available facilities in the settlement. It is therefore inconsistent with the Local Plan's strategy for the distribution of development. It is noted that, at the time of decision making, this application was the subject of appeal. Pending the outcome of the appeal, the site was not a reasonable alternative.</p>

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
<p>3. Increasing densities to allow for more dwellings on allocated sites that are less constrained.</p>	<p>Increasing densities on allocated sites could have positive effects on SA objectives A (natural environment) and D (minimising resource use) as it may be possible to deliver more homes without increasing land take, thereby reducing the loss of greenfield land and the potential impacts on the landscape, biodiversity etc. However, increasing densities may reduce the quality of the housing and the wider built environment within those sites, having negative effects on SA objectives B (built environment) and G (meeting housing needs). There may also be a negative effect on SA objective H (community health and wellbeing) if housing density is increased to the detriment of the overall quality of the living environment within the sites.</p>	<p>No</p>	<p>The Council's HLS update June 2019 can demonstrate that a five-year supply of deliverable sites will be maintained over the initial five years and subsequent periods with the proposed draft Main Modifications, without the need to increase densities for more dwellings on allocated sites that are less constrained. Site allocation densities have been assessed at an average of 30-50 dwellings per hectare for the net developable area, allowing for internal roads, landscaping etc.</p> <p>Strategic urban extensions have been subject to masterplanning that has provided a more detailed assessment of potential development capacity. Higher density ranges were considered in urban areas (see pp5-6 of the Exeter HMA SHLAA Methodology HOU01a). The most appropriate density within these ranges is considered on a site by site basis (see HOU01b-h). Eventual densities achieved will be dependent on detailed planning proposals stage.</p> <p>It is noted that the Inspector's advice seeks to bring forward <i>deliverable</i> sites to boost the delivery of housing in the early years of the Plan, and it does not seek to increase the overall housing requirement for the district. In this specific context, sites that do not have a</p>

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
			<p>realistic prospect of yielding completions within five years cannot be considered as reasonable alternatives to the measures proposed.</p> <p>Larger urban extensions, or additions to allocated urban extensions, are not considered by the Council to be deliverable in five years. Seeking a blanket increase across the Plan could not rule out harmful impacts. Density would be more appropriately considered on a site by site basis at planning application stage.</p>
<p>Allocating a new, large site not constrained by the link road (or motorway junctions) that can come on stream quickly and bolster supply in the early years of the Plan while infrastructure is provided elsewhere.</p>	<p>The likely sustainability effects of a new large site allocation are largely uncertain at this stage as they would depend on its location and its proximity to sensitive receptors such as biodiversity sites. However, allocating a new large, presumably greenfield site is likely to result in more negative effects on SA objectives A (natural environment) and B (historic environment). However, it may be that providing a new large site allocation could stimulate the provision of a wider range of services and facilities and infrastructure within the site, which could result in positive effects on SA objectives H (community health and wellbeing) and I (infrastructure). There may also be positive effects on SA objective C (climate change) if the larger size of the allocation means that it becomes viable to provide more employment land, services and facilities within the site, enabling it to develop as a more self-sufficient community and reducing the need to drive day-to-day. Finally, allocating a site that is unconstrained in terms of</p>	No	<p>Large sites are unlikely to contribute to the housing land supply in the first five years of the Plan due to the need for infrastructure provision, site preparation. They would also need masterplanning and potential land assembly. Reasonable alternative site options have previously been assessed through the preparation of the Local Plan Review and tested through the Sustainability Appraisal.</p>

Inspector's suggested remedies to housing land supply	SA implications	Included as a Proposed Main Modification?	Mid Devon District Council's reasons for decision making
	the road infrastructure could have a positive effect on SA objective G (meeting housing needs) as this approach would mean the housing is more likely to be able to be delivered within the early years of the Plan.		



## Appraisal Process

### Sustainability Objectives

- 1.21 Each policy and site allocation has been assessed against a framework of SA objectives throughout the preparation of the Local Plan Review. Development of an SA framework is not a requirement of the SEA Regulations; however it provides a recognised way in which the likely sustainability effects of a plan can be predicted, described, analysed and compared in a consistent way. The SA framework sets out a series of sustainability objectives and associated questions which can be used to 'interrogate' options and policies drafted during the plan-making process. These SA objectives define the long-term aspirations of the District with regard to social, economic and environmental considerations. During the SA, the performance of the plan options (and later, policies) are assessed against these SA objectives and appraisal questions.
- 1.22 Mid Devon's SA framework is presented in **Appendix 1** and covers all of the topics required in the SEA Regulations. The same SA framework that was used to appraise previous iterations of the Local Plan Review has been used in the appraisal of the Proposed Main Modifications.
- 1.23 Throughout the SA process, judgements and symbols showing the likely effect that each element of the Local Plan Review would have on each SA objective have been presented in matrices. **Figure 1** below sets out the symbols used to illustrate each type of effect.

**Figure 1 Key to symbols and colour coding used in the SA of the Mid Devon Local Plan Review**

+3	The policy/proposal will have a significant positive contribution towards achieving the objective.
+2	The policy/proposal will have a positive impact in contributing towards achieving the objective.
+1	The policy/proposal will have a minor positive impact in contributing towards achieving the objective.
0	The policy/proposal will have no impact or will have some positive and some negative impacts thereby having a balanced effect in contributing towards achieving the objective.
-1	The policy/proposal will have a minor negative impact in contributing towards achieving the objective.
-2	The policy/proposal will have a negative impact in contributing towards achieving the objective.
-3	The policy/proposal will have a significant negative contribution towards achieving the objective.

- 1.24 **Appendix 2** presents an update to the baseline information and review of plans, policies and programmes that was previously set out in the February 2015 SA Report.

## SA conclusions for the examined Local Plan Review

### SA Report for the Proposed Submission Consultation Local Plan Review (February 2015)

- 1.25 The policies and site allocations in the Local Plan Review and the reasonable alternatives considered during its preparation were subject to a detailed appraisal against the SA objectives which were developed at the scoping stage of the SA process. It was concluded that the SA has played an integral role in the development of the Local Plan Review. It has been used to consider

the various strategic options and inform the most sustainable approach for the District. The SA has led to the refinement of policies to minimise adverse impacts and has ensured that sustainability issues for the District are addressed. The wording of the specific site policies seeks to ensure that potential negative effects resulting from the development of sites are addressed at masterplanning and/or planning application stage.

- 1.26 In general, the emerging Local Plan Review was found to have a wide range of positive and significant positive effects on the objectives, both cumulatively and through individual policies, although a number of potentially adverse impacts still remain. Recommendations made in previous iterations of the SA report and the proposed submission SA report have generally been thoroughly addressed, which has provided mitigation for potential adverse effects for both individual policies/proposals and the Local Plan Review as a whole.

### SA Update (January 2018)

- 1.27 The SA Update document (originally published in January 2017 and updated in January 2018) was prepared to take into account comments made during the 2015 Proposed Submission consultation and some proposed modifications to the Local Plan Review. The SA Update document considered additional reasonable alternatives and new information. The majority of proposed changes comprised minor amendments to the policies or supporting text, although more significant amendments to the Plan included the proposed allocation of land at Junction 27 of the M5 and associated housing, as well as an amended housing total to reflect up-to-date evidence on housing needs. The allocation of land at the M5 was found to have broadly positive impacts because it will promote economic growth and employment and because controls are set out to ensure the necessary infrastructure is in place and the resulting housing need is met. While potential negative effects were identified in relation to SA objectives A (natural environment), C (climate change) and D (resource use), these were not found to be significant.
- 1.28 Recommendations made in previous iterations of the SA report and in the SA Update, as well as controls through policy, have provided mitigation for potential adverse effects. Of the main changes proposed in this iteration of the SA, the main negative impact on the Local Plan Review as a whole was from the deletion of a contingency site (Wynnards Mead, Tiverton). The deletion of this policy reduced the flexibility of the Plan as a whole, given the role of contingency sites in ensuring housing delivery during the Plan period. However, on balance, the sustainability issues of the site were found by the Council to outweigh the benefit of the inclusion of the contingency site. Two other contingency sites in the plan remained and therefore flexibility was still found to remain in the Plan. The other changes to the Plan were considered largely beneficial.

## Appraisal of the Main Modifications

- 1.29 **Table 2** overleaf presents the schedule of Proposed Main Modifications and the Council's reasons for proposing each change, with a final column added to record the implications of each Main Modification for the SA conclusions reported previously. The SA implications have been considered based on whether each Main Modification changes the conclusions of the February 2015 SA Report for the Proposed Submission Consultation version of the Local Plan Review, as updated in the January 2018 SA Update where relevant.

**Table 2: Assessment of proposed Main Modifications in relation to the SA conclusions reported previously**

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No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
MM01	Overall Provision of housing and employment	26-27	<div>Replace Table 6: Housing forecast 2013 – 2033 with the following update:</div> <table><tr><th>Location/site</th><th>Policy</th><th>2023/24</th><th>2024/25</th><th>2025/26</th><th>2026/27</th><th>2027/28</th><th>2028/29</th><th>2029/30</th><th>2030/31</th><th>2031/32</th><th>2032/33</th><th>Total</th></tr><tr><td colspan="13"><b>Tiverton</b></td></tr><tr><td>Eastern Urban Extension</td><td>TV1-TV5</td><td></td><td></td><td></td><td></td><td></td><td></td><td>25</td><td>100</td><td>100</td><td>100</td><td>25</td><td>550</td></tr><tr><td>Howden Court</td><td>TV9</td><td></td><td></td><td></td><td></td><td>10</td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td></tr><tr><td>Roundhill</td><td>TV10</td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Phoenix Lane</td><td>TV12</td><td></td><td></td><td></td><td></td><td>4</td><td></td><td>25</td><td>31</td><td></td><td></td><td></td><td>60</td></tr><tr><td>Tidcombe Hall (contingency)</td><td>TV13</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>0</td></tr><tr><td>Blundells School</td><td>TV16</td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>25</td><td>50</td><td>50</td><td>38</td><td></td><td>200</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td>107</td><td>149</td><td>136</td><td>143</td><td>135</td><td>100</td><td>100</td><td>100</td><td>100</td><td>97</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>1275</td></tr><tr><td>Completions</td><td></td><td></td><td>93</td><td>70</td><td>88</td><td>89</td><td>128</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>478</td></tr><tr><td>Tiverton Total</td><td></td><td></td><td>93</td><td>70</td><td>88</td><td>89</td><td>128</td><td>107</td><td>149</td><td>152</td><td>180</td><td>178</td><td>183</td><td>181</td><td>138</td><td>125</td><td>200</td><td>197</td><td>100</td><td>100</td><td>100</td><td>25</td><td>2593</td></tr><tr><td colspan="13"><b>Cullompton</b></td></tr><tr><td>NW Cullompton</td><td>CU1-CU6</td><td></td><td></td><td></td><td></td><td></td><td></td><td>49</td><td>100</td><td>100</td><td>150</td><td>150</td><td>176</td><td>100</td><td>100</td><td>100</td><td>100</td><td>100</td><td>100</td><td>25</td><td>1350</td></tr><tr><td>East Cullompton</td><td>CU7-CU12</td><td></td><td></td><td></td><td></td><td></td><td></td><td>50</td><td>120</td><td>179</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>200</td><td>1750</td></tr><tr><td>Ware Park and Footlands</td><td>CU14</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>25</td><td>13</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>38</td></tr><tr><td>Colebrook</td><td>CU21</td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>25</td><td>38</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>100</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>91</td><td>71</td><td>53</td><td>25</td><td>12</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>252</td></tr><tr><td>Completions</td><td></td><td></td><td>87</td><td>78</td><td>44</td><td>88</td><td>238</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>545</td></tr><tr><td>Cullompton Total</td><td></td><td></td><td>87</td><td>78</td><td>44</td><td>88</td><td>238</td><td>91</td><td>71</td><td>114</td><td>150</td><td>137</td><td>238</td><td>275</td><td>376</td><td>313</td><td>300</td><td>300</td><td>300</td><td>300</td><td>225</td><td>4035</td></tr><tr><td colspan="13"><b>Credition</b></td></tr><tr><td>Red Hill Cross</td><td>CRE2</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>50</td><td>50</td><td>23</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>135</td></tr><tr><td>Woods Group</td><td>CRE4</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td></tr><tr><td>Pedlarspool</td><td>CRE5</td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>25</td><td>50</td><td>50</td><td>38</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>200</td></tr><tr><td>Sports Fields</td><td>CRE6</td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>50</td><td>50</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>120</td></tr><tr><td>Stonewall 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Close</td><td>CRE9</td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>3</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>15</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>103</td><td>99</td><td>54</td><td>29</td><td>10</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>295</td></tr><tr><td>Completions</td><td></td><td></td><td>58</td><td>31</td><td>18</td><td>17</td><td>12</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>136</td></tr><tr><td>Credition 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M5</td><td>WI1</td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>5</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>42</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>273</td><td>242</td><td>255</td><td>26</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>796</td></tr><tr><td>Completions</td><td></td><td></td><td>82</td><td>137</td><td>128</td><td>100</td><td>124</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>521</td></tr><tr><td>Rural Sites 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Cullompton	CU7-CU12							50	120	179	200	200	200	200	200	200	200	200	200	200	200	200	200	1750	Ware Park and Footlands	CU14												25	13										38	Colebrook	CU21							12	25	25	38													100	Commitments								91	71	53	25	12												252	Completions			87	78	44	88	238																	545	Cullompton Total			87	78	44	88	238	91	71	114	150	137	238	275	376	313	300	300	300	300	225	4035	<b>Credition</b>													Red Hill Cross	CRE2									12	50	50	23											135	Woods Group	CRE4									8														8	Pedlarspool	CRE5							12	25	25	50	50	38											200	Sports Fields	CRE6							12	50	50	8													120	Stonewall Lane	CRE7									25	25													50	Land at Barn Park	CRE8							12	8															20	Alexandra Close	CRE9							12	3															15	Commitments								103	99	54	29	10												295	Completions			58	31	18	17	12																	136	Credition Total			58	31	18	17	12	103	99	90	65	59	183	175	49	0	0	0	0	0	0	0	0	979	<b>Rural sites</b>													Newton 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areas)			320	316	288	304	502	574	574	695	519	439	604	631	583	438	500	497	400	400	400	250	9234	Five year totals			1730					2801								2756								1947	Cumulative five year totals				1730				4531					7287			9234									<p>To update the housing trajectory following the Inspector’s post hearings advice note.</p> <p>A detailed explanation of the replacement Table 6: Housing Forecast 2013 – 2033 is provided in the Council’s “Housing Land Supply Update – Addendum to January 2019 update in response to the Inspector’s Post Hearings Advice Note (June 2019)” which is appended to this schedule of Proposed Main Modifications.</p>	<p><b>No change to SA findings:</b> This proposed modification comprises an updated housing forecast table which provides context for Policy S2 and certain site allocations policies, proposed modifications to which are considered separately below.</p>
Location/site	Policy	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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MM02	S1: Sustainable		Amend criterion i) as follows:	Taken from Submission Document SD14.	<b>No change to SA findings:</b> The																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
	Development Priorities		"... <del>recreational trails, and</del> -accessible land, <b><u>and other green infrastructure</u></b> , and opportunities...."	Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to reflect representation made by Natural England during the 2017 modifications consultation.	additional wording relating to green infrastructure reinforces the already significant positive (+3) effects identified in relation to SA objectives A (natural environment), B (built environment), C (climate change) and H (health and wellbeing) for policy S1.
MM03	S2: Amount and Distribution of Development	32	"The diverse needs of the community will be met through the provision of <b><u>a minimum of</u></b> <del>approximately 7,860 7,200</del> dwellings and 147,000 <del>154,000</del> square metres of commercial floorspace between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033."	In response to the Inspector's post hearings advice note: "...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2."	<b>No change to SA findings:</b> The presentation of the total housing figure for the Local Plan Review as a minimum rather than as an approximate figure is not expected to have a significant effect on the eventual number of homes to be provided. The already significant positive (+3) effect identified for this policy in relation to SA objective G (meeting housing needs) is unchanged.
MM04	S3: Meeting Housing Needs	34	Amend criterion a) as follows: "The diverse needs of Mid Devon will be met through the provision of <b><u>a minimum of</u></b> <del>approximately 7,860 7,200</del> dwellings between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033."	In response to the Inspector's advice note: "...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2"	<b>No change to SA findings:</b> The presentation of the total housing figure for the Local Plan Review as a minimum rather than as an approximate figure is not expected to have a significant effect on the eventual number of homes to be provided. The already significant positive (+3) effect identified for this policy in relation to SA objective G (meeting housing needs) is unchanged.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
MM05	2.31	36	<p>Amend paragraph 2.31 of the supporting text as follows:</p> <p>“....The need for gypsy and traveller pitches will be accommodated by pitches within larger housing sites, for example at Tiverton Eastern Urban Extension, North West Cullompton, East Cullompton and Pedlerspool in Crediton. <b><u>The Council’s preferred approach is for on-site provision as part of larger housing proposals TIV1, CU1, CU7 and CRE5. Provision off-site will only be accepted where it is demonstrated that provision on a different site would achieve a more favourable outcome for Gypsies and Travellers as described in Policy DM7. Where such a more favourable outcome can be demonstrated, off-site provision must meet the requirements of Policy DM7, and a mechanism must be put in place to ensure that the pitches are delivered. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by</u></b></p>	In response to the Inspector’s post hearings advice note and to ensure consistency with MM proposed for Policy DM7.	<b>No change to SA findings:</b> The proposed amendment to the supporting text of policy S3 reflects the proposed changes to the wording of policy DM7, which are considered separately below in terms of their implications for the SA findings.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 132			<b><u>Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where the off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of this Plan. The Council is working with the travelling showpeople community to approve a large site near Cullompton which would meet the need requirements set out in the GTAA. Policy DM7 (gypsy and traveller accommodation) manages the development of specific sites"</u></b>		
	MM06 S8: Infrastructure	46	Modification to include following text at the end of the policy text:  <b><u>"Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the policy text does not affect the overall meaning of policy S8, and does not affect the significant positive (+3) effect that has already been identified in relation to SA objective I (infrastructure). While the proposed additional text could provide some additional mitigation for any negative effects from infrastructure development that may arise in

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<u>infrastructure plan</u> ".		relation to SA objectives A (natural environment) and B (built environment), this is not considered to affect the minor negative (-1) and negligible (0) effects already identified for these objectives respectively.
MM07	S9: Environment	48	Amend criterion e) as follows: "The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within the landscape character areas. Within <del>or adjoining</del> the Blackdown Hills Area of Outstanding Natural Beauty, <u>and within the setting of the Blackdown Hills Area of Outstanding Natural Beauty</u> , and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special <del>environmental</del> qualities of that landscape and its setting."	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.	<b>No change to SA findings:</b> The additional policy wording relating to protected landscapes reinforces the significant positive (+3) effect already identified in relation to SA objective A (natural environment) for policy S9.
MM08	S9: Environment	48	Amend criterion f) as follows: "The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. <u>If significant harm resulting from development cannot be avoided providing impacts should be adequately</u>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation and to reflect the hierarchy in NPPF para 118.	<b>No change to SA findings:</b> The proposed amendments to the wording of the policy criterion do not affect the overall meaning of policy S9. While the proposed change provides stronger mitigation in relation to the protection and enhancement of designated biodiversity sites, a significant positive (+3) effect on SA objective A (natural environment) has already been identified for this policy.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<del>mitigated mitigation and-</del> Compensation measures <b><u>will only be considered</u></b> where appropriate <b><u>as a last resort;</u></b> and"		
MM09	S11: Cullompton	52	Amend criterion a) as follows: "Make any necessary <del>improvements to the M5 motorway including junction 28</del> <b><u>strategic mitigations</u></b> to maintain highway capacity, <del>and safety, integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans;"</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy S11 or its likely effects on the SA objectives.
MM10	S12: Crediton	55	Add to the end of clause e) " , <b><u>including green infrastructure</u></b> "	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.	<b>No change to SA findings:</b> The additional reference to green infrastructure will strengthen the mitigation which has already been identified to reduce the original significant negative (-3) effect on SA objective A (natural environment) to minor negative (-1).
MM11	S14: Countryside and paragraph 2.82	59	Amend criterion a) as follows: "a) Affordable and low cost housing to meet local needs, <b><u>gypsy and traveller accommodation,</u></b> <del>gypsy and traveller accommodation,</del> residential conversion of appropriate existing buildings..."  Amend the last two sentences of supporting text in para 2.82 as follows:  "National policy requires that new sites for	In response to the Inspector's post hearing advice note:  "Make Policy S14 permissive of G&T sites in the countryside while decoupling allocated G&T sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7"	<b>No change to SA findings:</b> The proposed modification to policy S14 could mean that Gypsy and Traveller sites are more likely to come forward in the countryside; however the policy already sets out criteria against which all proposals in the countryside will be assessed, and which should help to ensure that they are appropriate and do not have negative sustainability effects, i.e. as a result



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No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			travellers should be <del>very strictly</del> limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation)."		of adverse impacts on biodiversity, the landscape or cultural heritage. It is also noted that policy DM7 sets out criteria against which proposals for Gypsy and Traveller sites will be assessed and the implications of proposed modifications to that policy are considered separately below (see MM48). The number of Gypsy and Traveller sites that could come forward in the countryside would be very small; therefore the overall neutral (0) effect already identified for policy S14 in relation to SA objective G (meeting housing needs) is unchanged.
MM12	TIV3: Eastern Urban Extension Environmental Protection and Green Infrastructure	70	Amend criterion e) as follows: "Appropriate provision of sewerage system to serve the development <del>and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance ;</del> "	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following the 2015 Proposed Submission consultation in response to request by the Environment Agency. Reference to Sustainable Urban Drainage is now included in criterion f).	<b>No change to SA findings:</b> The proposed amendment to the wording of policy criterion e does not affect the overall meaning of policy TIV3, as reference to SuDS remains included in the policy within criterion f. Therefore, the mitigation which was previously found to change the originally significant negative (-3) effect on SA objective C (climate change) to minor positive (+1), is unaffected.
MM13	TIV4: Eastern Urban Extension Community Facilities	72	Add additional policy criterion as follows: <b><u>"f) Contributions towards a new recycling centre to serve Tiverton"</u></b>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The proposed additional policy criterion will help to facilitate recycling, which will benefit SA objective D

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 136					<p>(safeguarding and minimising resource use). A significant negative (-3) effect was previously identified for the Tiverton Eastern Urban Extension policies (TIV1-5); however this is mainly due to the fact that the large new site would be built on high quality agricultural land within the greenfield site. The potential benefits of the additional policy criterion relating to waste management do not affect this overall significant negative effect. A positive (+2) effect was already identified in relation to SA objective I (infrastructure) which is also unchanged.</p> <p>The likely effects of any new recycling centre on the rest of the SA objectives cannot be assessed at this stage as they would depend on its location and design. However, in general the effects of a new recycling facility may include potential negative impacts on SA objectives A (natural environment) and B (built environment depending on the location of the site in relation to biodiversity features; heritage features and areas of high landscape sensitivity. There may also be an increase in traffic movements, with associated negative effects on SA objective C (climate change), although the amount of vehicle traffic</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
					generated is unlikely to be significant from a single facility. It is assumed that any proposal would be subject to detailed assessment at the planning application stage, and would be subject to relevant development management policies within the Local Plan Review, which would help to mitigate any adverse effects.
MM14	TIV4: Eastern Urban Extension Community Facilities	72	Replace criterion b) as follows:  <del>"Construction cost for one primary school of 410 places and early years provision"</del> <b><u>Provision of a 420-place primary school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers;"</u></b>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion reinforces the already positive (+2) effects that were identified in relation to SA objective H (community health and wellbeing) and I (infrastructure).
MM15	TIV15: Tiverton Infrastructure	83	Add additional policy criterion as follows:  <b><u>"I) Provision of a replacement recycling centre facility"</u></b> .	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The proposed additional policy criterion will help to facilitate recycling, which will benefit SA objective D (safeguarding and minimising resource use). A significant negative (-3) effect was previously identified for the Tiverton Eastern Urban Extension policies (TIV1-5); however this is mainly due to the fact that the large new site would be built on high quality agricultural land within the greenfield site. The potential benefits of the additional policy criterion

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 138					<p>relating to waste management do not affect this overall significant negative effect. A positive (+2) effect was already identified in relation to SA objective I (infrastructure) which is also unchanged.</p> <p>The likely effects of any new recycling centre on the rest of the SA objectives cannot be assessed at this stage as they would depend on its location and design. However, in general the effects of a new recycling facility may include potential negative impacts on SA objectives A (natural environment) and B (built environment depending on the location of the site in relation to biodiversity features; heritage features and areas of high landscape sensitivity. There may also be an increase in traffic movements, with associated negative effects on SA objective C (climate change), although the amount of vehicle traffic generated is unlikely to be significant from a single facility. It is assumed that any proposal would be subject to detailed assessment at the planning application stage, and would be subject to relevant development management policies within the Local Plan Review, which would help to mitigate any adverse effects.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
MM16	TIV16: Blundells School	84	<p>Add additional criterion as follows:</p> <p><b><u>"k) The creation of additional/compensatory floodplain should secure wider environmental and sustainability benefits."</u></b></p> <p>Amend paragraph 3.60c to insert at the end of the sentence "<b><u>subject to the provision of wider environmental and sustainability benefits</u></b>".</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to reflect the representation made by the Environment Agency (6734) which notes that this is a key consideration of the Environment Agency when consulted on development within the floodplain.	<b>No change to SA findings:</b> The additional policy criterion will reinforce the positive (+2) effects already identified in relation to SA objectives A (natural environment) and C (climate change) for policy TIV16.
MM17	Paragraph 3.70	89	<p>Amendment to proposed modified text within paragraph 3.70 as follows:</p> <p>"Traffic management measures on Willand Road and Tiverton Road will also be required. Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact on the junction's capacity through implementation of <b><u>an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under policy CU7 of the Cullompton Town Centre Relief Road.</u></b>"</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the supporting text does not affect the overall meaning of policy CU1 or its likely effects on the SA objectives.
MM18	CU2: North West Cullompton Transport Provision	90	<p>Amendment to criterion (h) as follows:</p> <p><b><u>"Financial contributions towards capacity improvements at Junction 28 of the M5, to deliver a strategic highway</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU2 or

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<b><u>improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.</u></b>		its likely effects on the SA objectives.
MM19	Paragraph 3.75	90	Amendment to proposed modified text within paragraph 3.75 as follows:  "The Development will need to mitigate its impact upon capacity at junction 28 of the M5 <del>by financial contributions towards junction improvements.</del> "	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the supporting text does not affect the overall meaning of policy CU2 or its likely effects on SA objectives.
MM20	CU4: North West Cullompton Community Facilities	93	Replace criterion b) as follows:  <del>"Construction costs for 300 places that arise from the development to contribute to a 420-place primary school with provision for early years; Provision of a 420-place school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers."</del>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the positive (+2) effect already identified in relation to SA objective I (infrastructure). While the policy now makes reference to the provision of a children's centre service delivery base, a positive (+2) effect was already identified in relation to SA objective H (community health and wellbeing).
MM21	CU4: North West Cullompton Community Facilities	93	Add additional policy criterion as follows:  <b><u>"e) Contributions towards a new recycling centre to serve Cullompton"</u></b>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The proposed additional policy criterion will help to facilitate recycling, which will benefit SA objective D (safeguarding and minimising resource use). A significant negative (-3) effect was previously identified for the Cullompton North West policies (CU1-6); however this is

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 141					<p>mainly due to the fact that the large new site would be built on high quality agricultural land within the greenfield site. The potential benefits of the additional policy criterion relating to waste management do not affect this overall significant negative effect. A positive (+2) effect was already identified in relation to SA objective I (infrastructure) which is also unchanged.</p> <p>The likely effects of any new recycling centre on the rest of the SA objectives cannot be assessed at this stage as they would depend on its location and design. However, in general the effects of a new recycling facility may include potential negative impacts on SA objectives A (natural environment) and B (built environment depending on the location of the site in relation to biodiversity features; heritage features and areas of high landscape sensitivity. There may also be an increase in traffic movements, with associated negative effects on SA objective C (climate change), although the amount of vehicle traffic generated is unlikely to be significant from a single facility. It is assumed that any proposal would be subject to detailed assessment at the planning application stage, and would be</p>

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No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
					subject to relevant development management policies within the Local Plan Review, which would help to mitigate any adverse effects.
MM22	CU6: North West Cullompton Phasing	95	<p>Replacement policy text for criterion (i) of the policy as follows:</p> <p><del>Provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development. Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road</del></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the positive (+2) effect already identified in relation to SA objective I (infrastructure) as the policy will still require housing delivery to be phased in line with the delivery of road infrastructure.
MM23	Paragraph 3.94	96	<p>Amendment to proposed modified text within paragraph 3.94 as follows:</p> <p><del>"Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact upon the junction's capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under Policy CU7. No more than 600 dwellings should be occupied before the Cullompton Town Centre Relief Road is completed and open to traffic. The provision of the Town</del></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendments to the supporting text reflect the changes that are proposed to policy CU6, which are considered separately above in terms of their implications for the SA findings.



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<b><u>Centre Relief Road provides increased capacity at J28 M5.</u></b>		
MM24	CU7: East Cullompton	97	Amendment to criterion (f) as follows:  "f) <del>Transport provision to ensure appropriate accessibility for all modes, including a new or improved access and egress onto the M5 motorway</del> <b><u>Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28</u></b> and pedestrian and cycle links across the motorway to the existing town;"	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU7 or its likely effects on the SA objectives.
MM25	CU8: East Cullompton Transport Provision	99	Replacement policy text for criterion (a) of the policy as follows:  <del>Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 as a result of traffic generated from the site</del> <b><u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU8. The positive (+2) effect previously identified in relation to SA objective I (infrastructure) is unchanged.
MM26	CU10: East Cullompton Community Facilities	102	Amend criterion a) as follows:  a) <del>A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority</del> <b><u>A serviced site of 2.5ha for a new</u></b>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU10. The already positive (+2) effect

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Page 144			<p><b><u>630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;</u></b></p> <p>Amend criterion c) as follows:</p> <p><del>"Construction costs for a 650 place primary school or two 325 place primary schools, including provision for early years education.</del> Construction costs for a primary school <b><u>capacity of for</u></b> at least 630 places plus additional early years provision, <b><u>including the requisite land to deliver these facilities.</u></b> The required primary school capacity should be delivered through the provision of either one or two schools;"</p>		identified in relation to SA objective I (infrastructure) is unchanged.
	MM27	CU10: East Cullompton Community Facilities	102	<p>Add additional policy criterion as follows:</p> <p><b><u>"g) Contributions towards a new recycling centre to serve Cullompton"</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 145					<p>management do not affect this overall significant negative effect. A positive (+2) effect was already identified in relation to SA objective I (infrastructure) which is also unchanged.</p> <p>The likely effects of any new recycling centre on the rest of the SA objectives cannot be assessed at this stage as they would depend on its location and design. However, in general the effects of a new recycling facility may include potential negative impacts on SA objectives A (natural environment) and B (built environment depending on the location of the site in relation to biodiversity features; heritage features and areas of high landscape sensitivity. There may also be an increase in traffic movements, with associated negative effects on SA objective C (climate change), although the amount of vehicle traffic generated is unlikely to be significant from a single facility. It is assumed that any proposal would be subject to detailed assessment at the planning application stage, and would be subject to relevant development management policies within the Local Plan Review, which would help to mitigate any adverse effects.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
MM28	CU12: East Cullompton Phasing	104	Replacement policy text for criterion (f) as follows:  f) <del>Provision of the first phase of comprehensive M5 access improvements before any dwellings are occupied, followed by strategic highways infrastructure broadly in step with development</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u> and	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU12. The positive (+2) effect previously identified in relation to SA objective I (infrastructure) is unchanged.
MM29	Paragraph 3.116	105	Delete penultimate sentence within paragraph 3.116 of the supporting text as follows:  <del>"The first phase referred to in criterion (f) above therefore only relates to the subsequent highway works set out in the Devon County Council Report."</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the supporting text does not affect the overall meaning of policy CU12, changes to which are considered separately above and below in terms of their implications for the SA findings.
MM30	CU12: East Cullompton Phasing	106	Paragraph 3.120, amend as follows: "Subject to viability, affordable housing will be provided at a rate of approximately <del>25%</del> <u>28%</u> , in step with the market housing".	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to correct typographical error and to ensure supporting text is consistent with policy.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion is to correct a typographical error and does not affect the significant positive (+3) effect already identified in relation to SA objective G (meeting housing needs).

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
MM31	CU17: Week Farm	110	Replacement policy text for proposed criterion (g) as follows:  (g) " <del>Provision of M5 access improvements before any commercial floorspace is brought into use</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u> "	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU17 and is made to reflect the latest evidence regarding infrastructure requirements for the site. The neutral (0) post-mitigation effect previously identified in relation to SA objective I (infrastructure) is therefore unchanged.
MM32	CU18: Venn Farm	111	Replacement policy text for proposed criterion (g) as follows:  (g) " <del>Provision of M5 access improvements before any commercial floorspace is brought into use</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u> "	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy CU18 and is made to reflect the latest evidence regarding infrastructure requirements for the site. The neutral (0) post-mitigation effect previously identified in relation to SA objective I (infrastructure) is therefore unchanged.
MM33	Paragraph 3.143a	114	Amend paragraph 3.143a as follows:  "...the final scheme will need to incorporate design solutions which mitigate such impacts. <u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability</u>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by the Environment Agency during the 2017 modifications consultation.	<b>No change to SA findings:</b> The proposed amendment to the wording of the supporting text does not affect the overall meaning of policy CU19. It will provide some additional mitigation for the effects of the policy in relation to SA objective C (climate change) but is not considered to change the positive (+2) effect that

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<b><u>benefits including the provision of appropriate ecological and biodiversity enhancements."</u></b>		has already been identified post-mitigation. The modification could also provide some additional mitigation for the impacts of policy CU19 on SA objective A (natural environment) although the reference to ecological and biodiversity enhancements is not considered to change the overall negative (-2) score identified previously.
MM34 Page 148	CU20: Cullompton Infrastructure	114	Add additional policy criterion as follows: <b><u>"n) Provision of a replacement recycling centre facility"</u></b> .	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>Change to SA findings:</b> The proposed additional policy criterion will help to facilitate recycling, which will benefit SA objective D (safeguarding and minimising resource use). A minor positive (+1) effect was previously identified on SA objective D for policy CU20 as the site identified for the railway station is on brownfield land. <b>The addition of a new policy criterion relating to a replacement recycling facility would increase this to a positive (+2) effect.</b> The already significant positive (+3) effect on SA objective I (infrastructure) is unchanged.  The likely effects of any replacement recycling centre on the rest of the SA objectives cannot be assessed at this stage as they would depend on its location and design. However, in general the effects of a new recycling facility may include potential negative

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 149					impacts on SA objectives A (natural environment) and B (built environment depending on the location of the site in relation to biodiversity features; heritage features and areas of high landscape sensitivity. There may also be an increase in traffic movements, with associated negative effects on SA objective C (climate change), although the amount of vehicle traffic generated is unlikely to be significant from a single facility. It is assumed that any proposal would be subject to detailed assessment at the planning application stage, and would be subject to relevant development management policies within the Local Plan Review, which would help to mitigate any adverse effects.
MM35	CU21: Land at Colebrook	115	<p>Remove contingency status. Modifications proposed as follows:</p> <p>Land at Colebrook <b>CONTINGENCY SITE</b></p> <p>A site of 4.8 hectares at Colebrook <b>is identified as a contingency site allocated</b> for residential development <b>to be released in accordance with Policy S4,</b> subject to the following:</p> <ul style="list-style-type: none"> <li>a) 100 dwellings with 28% affordable housing;</li> <li>b) <b>The development shall not commence until the Town Centre</b></li> </ul>	<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>Devon County Council has advised the timing of the development of the site is not dependent on the Cullompton Town Centre Relief Road coming forward as long as financial contributions are made towards the delivery of the relief road. Please refer to the updated housing land supply statement.</p> <p>Criterion b) deleted following Devon County Council's highway consultation</p>	<p><b>Change to SA findings:</b> The removal of the contingency status of this site does not change its likely effects on the SA objectives; however, <b>the effects previously identified would be more certain to occur. Effects may also occur earlier in the Plan period</b> now that the allocation of the site is no longer dependent on the relief road. A likely significant positive (+3) effect was identified in relation to SA objective G (meeting housing needs) but no likely significant negative effects were</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><del>Relief Road has been provided; completion of the North West Cullompton through route linking Tiverton Road to Willand Road and provision of the first phase of comprehensive M5 access improvements;</del></p> <ul style="list-style-type: none"> <li>c) Provision of two points of access from Siskins Chase;</li> <li>d) Provisions of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision;</li> <li>e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;</li> <li>f) Archaeological investigation and appropriate mitigation; and</li> <li>g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.</li> </ul> <p>Delete paragraph 3.148 from the supporting text.</p> <p>Delete penultimate sentence from paragraph 3.149 as follows:</p> <p><del>"Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being</del></p>	<p>response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane). Devon County Council has updated its previous highways advice and there is no longer a requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road to Willand Road link).</p>	<p>identified.</p> <p>The removal of the criterion relating to the timing of the development in relation to road infrastructure does not affect the SA findings. The removal of this criterion reflects the latest evidence regarding the requirements for infrastructure to support the development.</p>



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><del>provided as part of the North West Culloompton allocation.</del></p> <p><i>Modify the Policies Map as shown on Plan MM35.</i></p>		
MM36	Paragraph 3.149	116	<p>Amend paragraph 3.149 of the supporting text as follows:</p> <p>3.149 <del>If this site comes forward for development, it must contribute to the provision of offsite highways infrastructure.</del> Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. <del>Devon County Council has therefore stipulated that development should only take place providing there is sufficient network capacity. If released, the site will need to be phased to come forward after further M5 access improvements are implemented.</del> Any application for development must undertake an assessment of the impact of the proposal on both the capacity of the local road network and Junction 28 of the M5 and permission will only be granted where there are no significant adverse impacts <b>which cannot be mitigated.</b> Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Culloompton allocation. The site is expected to contribute to the provision of off-<del>site</del> highways infrastructure. <del>Development in</del></p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.</p> <p>Further amendment to remove the words "...which cannot be mitigated" to improve clarity.</p>	<p><b>No change to SA findings:</b> The proposed amendments to the supporting text reflect the changes to policy CU21, which are considered separately above in terms of their implications for the SA findings.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<del>this location would increase traffic through the town centre, so would not be permissible until the Town Centre Relief Road has been provided, offering an alternative route.</del> The development would also be expected to provide two points of access from Siskins Chase.		
MM37	CRE5: Pedlerspool, Exhibition Road	121	Amendment to criterion (b) to include reference to " <b><u>with early years provision and children's centre service delivery base</u></b> ".	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to SA findings:</b> The fact that the new primary school is to include early years provision and a children's centre service delivery base will have a positive effect on local health and wellbeing as such centres will provide services such as baby clinics and other family support. A positive (+2) effect was already identified for this policy in relation to SA objective H (community health and wellbeing). It is assumed that any additional trip generation is likely to be minimal and is not considered to affect the SA objectives.
MM38	J27: Land at Junction 27 of the M5 Motorway	128	Replace criterion b) as follows:  <b><u>"Provision of transport improvements to ensure appropriate accessibility for all modes, including new or improved access and egress onto the M5 motorway and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station. Provision of transport improvements to ensure safe and suitable access for all modes,</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy J27 and is made to reflect the latest evidence regarding infrastructure requirements for the site.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<u>including necessary capacity improvements to M5 Junction 27 and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station”</u>		
MM39	J27: Land at Junction 27 of the M5 Motorway and paragraph 3.184d	128	<p>Delete criterion e):</p> <p><del>“Prior to the approval of any planning permission for the site any required mitigation measures for the Culm Grasslands Special Area of Conservation shall be identified and agreed together with a time scale for their provision and a mechanism for their maintenance.”</del></p> <p>Para3.184d, amend as follows:</p> <p>“The proposals for a major facility of this nature needs to be considered carefully in terms of its impacts and the policy makes provision for detailed transport assessments, environmental protection and green infrastructure, energy conservation, provision of improved public transport, pollution and drainage considerations, phasing and importantly, master planning with full public consultation prior to any planning applications being approved. <u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including provision of</u></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Deletion of the reference to mitigation measures with regard to the Culm Grasslands Special Area of Conservation to reflect the latest evidence in the J27 proposals: Habitat Regulations Assessment Appropriate Assessment Report (2016) and representation made by Natural England (6242). Reference to floodplain in response to representation made by the Environment Agency (6734) to the 2017 modifications consultation.</p>	<p><b>No change to SA findings:</b> The deletion of criterion ‘e’ is proposed to reflect the latest evidence regarding the likely impacts of the J27 development on the Culm Grasslands SAC. The HRA for the Local Plan Review has concluded that the J27 proposal would not have an adverse effect on the integrity of the SAC and therefore reference to mitigation is no longer required. The minor negative (-1) effect previously identified for this policy in relation to SA objective A (natural environment) is unchanged as the score was based on other factors as well as potential impacts on the SAC, i.e. potential landscape impacts from a development of this scale.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<b><u>appropriate ecological and biodiversity enhancement.</u></b> Section 106 planning obligations will also make provision for any necessary infrastructure and public transport improvements <del>and would need to ensure appropriate mechanisms are in place to ensure that the integrity of the Culm Grasslands SAC will not be adversely affected."</del>		
MM40 Page 154	J27: Land at Junction 27 of the M5 Motorway	128	Include additional criterion in policy as follows:  <b><u>"a) Any planning application which includes a 'designer outlet shopping centre' should be accompanied by a full Retail and Leisure Impact Assessment"</u></b> .	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to ensure the potential impact is appropriately and adequately assessed at the planning application stage. Amendment also reflects comments made by The Crown Estate and TH Real Estate c/o Montagu Evans (6234).	<b>No change to SA findings:</b> The requirement for a retail and leisure impact assessment to accompany any application for a designer outlet shopping centre will reinforce the already significant positive (+3) effect previously identified for this policy in relation to SA objective E (economic growth and employment).
MM41	J27: Land at Junction 27 of the M5 Motorway Paragraph 3.184d	129	Include the following text at the end of the paragraph 3.184d:  <b><u>"Priority habitats exist within the site and in line with criterion c) of Policy J27 should be protected and enhanced."</u></b>	Amendment as agreed with Natural England (see Statement of Common Ground SCG-6 MDDC and Natural England)	<b>No change to SA findings:</b> The proposed amendment to the supporting text involves cross referring to criterion c within policy J27 itself, which is unchanged.
MM42	SP2: Higher Town Sampford Peverell	146	Amend Policy SP2 as follows:  "A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, <del>to come forward following the commencement of development of the M5 Junction 27</del>	In response to the Inspector's post hearings advice note:  "...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be	<b>Change to SA findings:</b> The proposed amendment to policy SP2 does not change the likely effects of this site on the SA objectives; however, bringing forward the delivery of the site would mean that <b>the effects previously identified</b>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<del>allocation</del> , subject to the following:"	removed."	<b>would occur earlier in the Plan period.</b> No likely significant effects, either positive or negative, were identified for this site allocation post-mitigation.
MM43	SP2: Higher Town, Sampford Peverell and paragraph 3.224c	146	<p>Delete criterion b) and re-label the remaining criteria accordingly.</p> <p><del>b) No development until the completion of improved access works to the A361;</del></p> <p>Delete paragraph 3.224c of the supporting text.</p> <p><del>3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction at Sampford Peverell have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.</del></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"It was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of improved access works to the A361 is unnecessary. Criterion b) needs to be removed."</p>	<b>No change to SA findings:</b> The proposed amendment to the wording of the policy criterion does not affect the overall meaning of policy SP2 and is made to reflect the latest evidence regarding infrastructure requirements for the site.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
MM44	SP2: Higher Town, Sampford Peverell	146	Include new criterion: <b><u>"Improved access to the village for pedestrians and cyclists"</u></b>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to provide greater clarity in response to a number of representations from individuals and through agreement of inclusion of criterion by Devon County Council.	<b>Change to SA findings:</b> The additional reference to pedestrian and cycle access will reinforce the already positive (+2) effect identified in relation to SA objective C (climate change). <b>The previously neutral (0) effect on SA objective H (health and wellbeing) is increased to a minor positive (+1) effect</b> as a result of the additional reference to active travel.
MM45	SP2: Higher Town, Sampford Peverell	146	Amend criterion g) as follows: <b><u>"2.5 hectares of Green Infrastructure laid out and managed with landscaping and open space."</u></b>  <i>Modify the Policies Map as shown on Plan MM45.</i>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.	<b>No change to SA findings:</b> The increased provision of green infrastructure will reinforce the mitigation which has already been found to reduce an originally uncertain negative (-2/?) effect on SA objective B (built environment) to an uncertain neutral (0/?) effect. The increase in provision from 2 to 2.5ha is not considered to change the neutral effect to positive, taking into account the other elements of the policy.
MM46	DM1: High Quality Design and new paragraph 4.5b	153-154	Insert additional criteria as follows: <b><u>"g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows; h) Suitably sized rooms and overall</u></b>	In response to the Inspector's post hearings advice note:  "Criteria a) and c) [of DM12] seem to me to be more about design and might	<b>Change to SA findings:</b> The proposed new criteria are brought into the policy from the now deleted policy DM12. The addition of these criteria to policy DM1 reinforces the already significant positive (+3)

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><b><u>floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and</u></b></p> <p><b><u>i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings.'</u></b></p> <p>Insert additional supporting text as follows:</p> <p><b><u>"4.5b National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is particularly important for the design of the homes that people live in and the spaces that surround those homes. The aim in Mid Devon is to deliver high quality buildings and spaces that meet the needs of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses. Though compliance is delivered through buildings regulations, criterion i) will be implemented through a condition attached to the planning permission."</u></b></p>	<p>find a more comfortable home as part of Policy DM1. I take a similar view in relation to criterion b)."</p> <p>"the general size and configuration of a dwelling, and the proper handling of recycling, refuse and cycle storage, are design-based considerations and the reference to the Nationally Described Space Standard seems to be unnecessary.' If these criteria are adjusted to make plain that they refer to the design of new housing, and relocated in Policy DM1, then that would be a more efficient way of dealing with the matter."</p> <p>"I am not convinced that the requirement for 30% of houses on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M has been made out. I believe 20, as a carry forward from the existing policy that refers to Lifetime Homes standards is reasonable but again, this requirement could be moved into Policy DM1."</p> <p>Reference to the Nationally Described Space Standard is retained in the policy. This is since MDDC's experience of applying minimum size standards for decision making purposes on</p>	<p>effects on SA objectives B (built environment) and C (climate change) as well as the positive (+2) effect on SA objective H (health and wellbeing) and <b>increases the positive (+2) effect on SA objective G (meeting housing needs) to significant positive (+3).</b></p> <p>The policy now requires 20% of dwellings on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M 'access to and use of dwellings' where this was previously 30%; however this change is not considered to change the SA effects identified as the policy will still have positive effects in terms of providing a range of accessible housing.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
				development proposals requires that the Nationally Described Space Standards are explicit in local plan policy.	
MM47	DM2: Renewable and Low Carbon Energy	154	Amend the third sentence in Policy DM2 as follows:  "Proposals must demonstrate that impacts are or can be made acceptable <u>in relation to:</u> <del>and that the development will preserve:</del> "	In response to the Inspector's post hearings advice note:  "I have some concerns about the wording of Policy DM2 because the first part seeks to avoid any significant adverse impacts, but the second part requires renewable and low carbon energy to preserve (which I take to mean cause no harm to) landscape character, the setting of heritage assets, living conditions, and so on. The former is the correct approach and the second part needs to be adjusted to remove the contradiction. This will require a MM."	<b>No change to SA findings:</b> The proposed modification does not affect the overall meaning or purpose of policy DM2, or its likely effects on the SA objectives.
MM48	DM7: Traveller Sites and paragraph 4.29	164-165	Amend Policy DM7 as follows:  <b>1) <u>Planning applications for Pitches and Plots</u></b>  Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where: <del>a) The need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches;</del> <del>b) Local services can be accessed without the use of a car;</del> a) Suitable onsite facilities will be	In response to the Inspector's post hearings advice note on the provision for Gypsies and Travellers.	<b>No change to SA findings:</b> The additional criteria relating to landscape and ecological impacts and flood risk would reinforce the mitigation which has already been found to reduce a negative (-2) effect on SA objective A (Natural Environment) to minor negative (-1).  The overall number of pitches to be provided is unchanged. While the proposed modifications could mean that Gypsy and Traveller sites are more likely to come forward in the countryside, rather than within the



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p>provided including space for children's play;</p> <p>b) The proposal will have suitable environmental quality for residents including non-isolating boundary treatments;</p> <p>c) <b><u>The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;</u></b></p> <p>d) Occupation will be limited to those who meet the Government's published definition of gypsies and travellers, including travelling showpeople <b><u>or their dependents;</u></b></p> <p><b><u>and</u></b></p> <p>e) <b><u>Safe and convenient access to local facilities is provided</u></b></p> <p><del>Where development proposals are considered under S13 "Villages", local services can be accessed without the use of a car.</del></p> <p><del>Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.</del></p> <p>Sites with associated employment or storage elements <b><u>may will</u></b> be</p>		larger housing site allocations, any development of this nature would be very small-scale and other policies in the Local Plan Review would still apply, including S14 which is a criteria-based policy relating to all types of development in the countryside.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p>permitted where there is specific justification and the location, <b><u>scale, and nature</u></b> of the proposed development will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.</p> <p><b><u>2. Provision on allocated sites</u></b></p> <p><b><u>Gypsy and Traveller pitches on allocated sites (sought by Policies TIV1, CU1, CU7 or CRE5) should be provided on site unless it is demonstrated that off-site provision will achieve a more favourable outcome for Gypsies and Travellers taking into account:</u></b></p> <ul style="list-style-type: none"> <li>i) <b><u>Pitch numbers;</u></b></li> <li>ii) <b><u>Site facilities;</u></b></li> <li>iii) <b><u>Accessibility to services, including health and education;</u></b></li> <li>iv) <b><u>Early delivery of serviced pitches or plots which are available for occupation; and</u></b></li> <li>v) <b><u>The provision of an effective mechanism for delivery.</u></b></li> </ul>		

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><b><u>Such sites must also meet the requirements of part 1 of Policy DM7 above.</u></b></p> <p>Amend supporting text in paragraph 4.29 as follows:</p> <p>"4.29 There is a need for 35 new pitches for gypsies and travellers for the period 2014-34, <b><u>and 11 plots for travelling showpeople for the period 2014-34.</u></b> <b><u>The majority of this</u></b> <del>This</del> need is proposed to be met on the largest <b>strategic allocations. The travelling showpeople community is predominately based in one large site at Cullompton, which is at capacity. A need for 11 plots has been identified and the Council is in discussions with a landowner to grant permission for one additional site near to the town which will meet the outstanding requirement. The need for gypsy and traveller accommodation is identified to be in the region of 25 pitches across the plan period. These are to be included within allocated developments at Tiverton Eastern Urban Extension, North West Cullompton, and Pedlerspool in Crediton. <b><u>Pitches must be provided on-site unless the more favourable outcome described by Policy DM7 is demonstrated. Any proposals for more favourable off-site provision must identify and provide serviced sites in accordance with Policy DM7. A clear mechanism to ensure that pitches or</u></b></b></p>		

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><u>plots are delivered in such a way as to achieve a more favourable outcome for the travelling community must be identified.</u></p> <p><u>This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where gypsy and traveller pitches are provided <u>on-site</u> on housing allocations, these are to be counted against the affordable housing targets for that site. <del>There are also existing consented sites in Mid Devon. Proposals for gypsy and traveller accommodation will not be permitted in other locations, unless it is demonstrated that the existing consented or allocated sites will not be</del></u></p>		

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<del>available to the prospective occupiers in a reasonable timescale."</del>		
MM49	DM12: Housing Standards	170	<p>Delete Policy DM12 Housing Standards (incorporating proposed modifications in the 2017 consultation) and move its content, with amendments in accordance with the Inspector's post hearings advice note, to Policy DM1.</p> <p><b><del>Policy DM12</del></b></p> <p><b><del>Housing Standards</del></b></p> <p><b><del>New housing development should be designed to deliver:</del></b></p> <p><b><del>a) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</del></b></p> <p><b><del>b) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage;</del></b></p> <p><b><del>c) Private amenity space that reflects the size, location, floorspace and orientation of the property; and</del></b></p> <p><b><del>d) On sites of 10 houses or more the provision of 30% of</del></b></p>	In response to the Inspector's post hearings advice note. Please refer to MM46.	<p><b>Change to SA findings:</b> The proposed deletion of this policy means that <b>the effects previously identified in the SA will no longer occur as a result of policy DM12.</b> Likely significant positive (+3) effects were previously identified (post-mitigation) in relation to SA objectives B (built environment) and G (meeting housing needs). However, the policy criteria are now proposed to be incorporated into policy DM1; therefore <b>the likely effects will still occur as a result of that policy</b> (as recorded earlier in this table).</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<del>dwelling built to Level 2 of Building Regulations Part M 'access to and use of dwellings'</del>		
MM50	DM19: Protection of Employment Land and paragraph 4.60	179	<p>Delete Policy DM19 criterion c)  <del><b>e) A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing:</b></del></p> <p><del><b>i) Mixed use of the site that incorporates an employment-generating use, then</b></del></p> <p><del><b>ii) Non-employment use.</b></del></p> <p>Amend para 4.60 of the supporting text as follows:</p> <p><del>... "If there is no interest in the site as a result of marketing, the potential of the site for mixed use development including employment must be considered in preference to the total loss of employment. This will involve determining whether the site still has the potential to be developed viably for mixed use development or can only be viable if the whole site is developed for non-employment uses. In all cases, the proposed use must not significantly harm any other existing uses in the area, or be harmed by those uses. For</del></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"There was some discussion about criterion c) of Policy DM19 which deals with the protection of employment land. In my view, if criterion b is satisfied, and suitable marketing (which might include for mixed use purposes) has taken place at an appropriate price, for at least 18 months without any interest, then an alternative use (which may take the form of a mixed use) should be allowed to come forward. Criterion c) which requires an additional sequential viability test is far too onerous a requirement and should be removed through a MM."</p> <p>Supporting text deleted to accord with proposed MM.</p>	<p><b>No change to SA findings:</b> The proposed modification makes the policy requirements slightly less stringent; however, this was because the Inspector felt that the other policy criteria already provide appropriate protection for employment sites. The overall meaning of the policy and likely sustainability effects are unchanged.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<del>example, housing development may not be acceptable in close proximity to general industry, depending on the nature and scale of the industrial use."</del>		
MM51	DM25: Development Affecting Heritage Assets	186	<p>Amend Policy DM25 as follows:</p> <p>"a) Apply a presumption in favour of <u>preserving or enhancing all designated preservation in situ in respect of the most important</u> heritage assets <u>and their settings</u>;</p> <p>b) Require development proposals likely to <u>affect the significance of</u> heritage assets <del>and their settings</del>, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;</p> <p>c) Only approve proposals that would <u>lead to substantial harm to or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm</u> or the requirements of <del>paragraph 133</del> of the National Planning Policy Framework are met;</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"To comply with statute, criterion a) should apply a presumption in favour of preserving or enhancing all designated heritage assets, not just the most important ones. A reference to their setting would assist too".</p> <p>"Criterion b) needs to refer to the significance of heritage assets rather than heritage assets and their settings."</p> <p>"Criterion c) needs to properly reflect the wording of paragraph 133 of the (2012 version of the) Framework by referring to significance. The direct reference to paragraph 133 should be removed because planning applications will be determined using the latest version of the Framework."</p> <p>"Criterion d) should properly reflect paragraph 134 of the (2012) Framework and refer to significance."</p> <p>"Criterion e) could confine itself to 'require developers to make a</p>	<p><b>No change to SA findings:</b> The proposed modifications strengthen the mitigation provided by this policy in terms of the potential impacts of new development on the historic environment; however, the SA had already identified a likely significant positive (+3) effect from this policy in relation to SA objective B (built and historic environment).</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously	
Page 166			<p>d) Where a development proposal <del>would</del> <b>will</b> lead to less than substantial harm <b>to the significance of a designated heritage asset, this that</b> harm <del>will</del> <b>should</b> be weighed against <b>the public benefits of the proposal any public benefit</b>, including securing <b>its</b> optimum viable use; and</p> <p>e) Require developers to make a proportionate but systematic assessment of <b>the any</b> impact on <b>the</b> setting <b>and thereby the significance of heritage asset(s) down in the guidance from</b> <del>English Heritage: "The Setting of Heritage Assets"</del> <b>Historic England: "The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning-3."</b></p>	proportionate and systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)' Pointing to HE guidance in the manner proposed seems to me to run the risk of that guidance changing."		
	MM52	Paragraph 4.88	189	<p>Amend paragraph 4.88 as follows:</p> <p>... "Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <b>although developments should recognise that floodplain cannot necessarily provide year-round amenity access."</b></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following representation made by the Environment Agency (673) which provides greater clarity of the ability of floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.	<b>No change to SA findings:</b> The proposed modification relates to the supporting text to policy DM26, but the overall meaning of the policy and the policy text are unchanged.
	MM53	Paragraph 4.88	189	<p>At the end of paragraph 4.88 include the following sentence:</p> <p><b>"Development incorporating green infrastructure will be required to</b></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following the representation	<b>No change to SA findings:</b> The proposed modification relates to the supporting text to policy DM26, but the overall meaning of the policy and



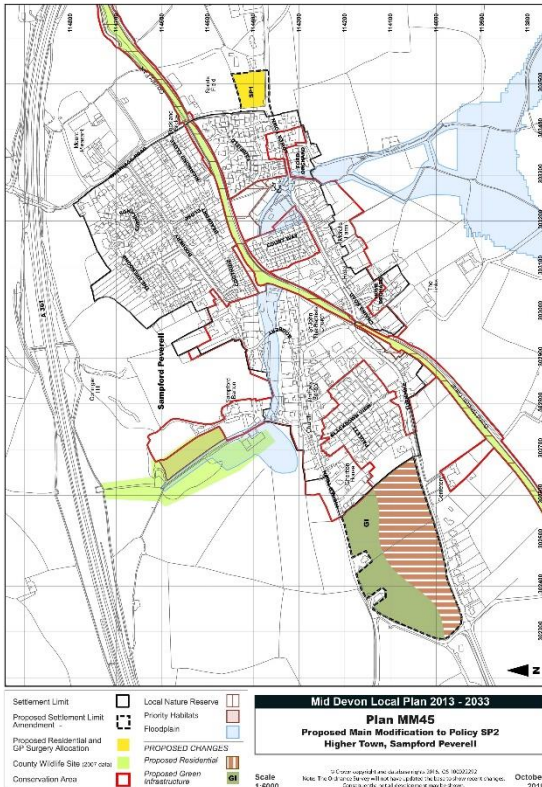
No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<b><u>submit management and maintenance details for the proposed green infrastructure.</u></b>	made by the Environment Agency to ensure green infrastructure is protected and managed beyond the initial construction/development.	the policy text are unchanged.
MM54	DM27: Protected Landscapes, and paragraph 4.94	190	<p>Amend Policy DM27 as follows:</p> <p>"Development proposals <del>within or</del> affecting the Blackdown Hills, Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:.."</p> <p>Amend paragraph 4.94 as follows: "Where major developments are proposed within <del>or adjoining</del> protected landscapes <b><u>or within the setting of or adjoining the protected landscapes or the</u></b> National Parks, "</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"The phrase 'development proposals within or affecting' at the beginning of Policy DM27 is a little confusing. A development proposal within a protected landscape will obviously affect it. If the intention is to offer some protection to views into or out of the protected landscape, which seems reasonable, then it may be clearer to make a specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text."</p> <p>The Council has considered the Inspector's post hearings advice note and proposes a modification accordingly.</p> <p>The retention of the word "affecting" in the opening sentence of amended Policy DM27 is consistent with Section 62 of the Environment Act 1995, section 11A (2 in respect of National Parks, and also Section 85 (1) of the Countryside and Rights of Way Act 2000 in respect of Areas of Outstanding Natural Beauty.</p>	<b>No change to SA findings:</b> The proposed modification does not affect the overall meaning of policy DM27 or its likely effects on the SA objectives. The significant positive (+3) effect already identified in relation to SA objective A (natural environment) is unchanged.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 168				<p>Section 62 of the Environment Act 1995 places a duty on the Council to have regard to the purposes of National Parks in exercising any functions in relation to or <u>affecting</u> land in a National Park. Similarly, Section 85 of Countryside and Rights of Way Act imposes a duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty within an AONB in exercising any functions in relation to or <u>affecting</u> land in an AONB.</p> <p>Modification to paragraph 4.94 taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following representation made by Natural England (6242) to reflect the fact that the special character of protected landscapes includes the setting rather than only the adjoining land and follows National Planning Policy Guidance.</p>	
	MM55	DM28: Other Protected Sites and paragraphs 4.102 and 4.95	<p>Amend Policy DM28 as follows: Delete the final paragraph: <b><del>"Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the</del></b></p>	<p>In response to the Inspector's post hearings advice note:  "I have a concern that Policy DM28, and in particular the way it approaches mitigation and compensation in criterion c), fails to comply with 'People over Wind' and subsequent judgements. I suggest at this stage that the Council checks this point with their expert</p>	<b>No change to SA findings:</b> The modification is proposed to ensure that the policy wording reflects recent case law with regards to HRA; however, it does not affect the overall meaning of the policy and the positive (+2) effect already identified in relation to SA objective A (natural environment) is unchanged.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><del>fundamental integrity of the features of the Natura 2000 site would not be affected</del></p> <p>Replace the deleted final paragraph with:</p> <p><b><u>"Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site."</u></b></p> <p>Amend supporting paragraph 4.102 as follows:</p> <p>Delete the sentence:</p> <p><del>"... In the case of Natura 2000 sites, compensatory measures may only be considered if the proposal is deemed to be of overriding public interest and would involve engagement with both Central Government and European Commission."</del></p> <p>Replace the deleted sentence with:</p> <p><b><u>"... In the case of European sites, where the risk of harm to the integrity of a site has not been ruled out in an</u></b></p>	<p>advisors."</p> <p>MDDC has taken expert legal advice that has considered the wording of Policy DM28 and its supporting text at paragraph 4.102 require modification.</p> <p>Two modifications will be required to paragraph 4.95 to make this consistent with the modifications to Policy DM28 and paragraph 4.102.</p>	

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<p><b><u>appropriate assessment planning permission may be granted for the development only if there is no alternative solution and the development must be carried out for imperative reasons of overriding public interest. In such cases, any necessary compensatory measures must be secured.</u></b></p> <p>Amend the paragraph 4.95 through the deletion of the words "<del>Natura 2000 sites</del>" and "<del>Natura 2000 site</del>" and the replacement of these words with the words "<b><u>European Sites</u></b>" and "<b><u>European Site</u></b>".</p>		



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Plan MM45	SP2: Higher Town, Sampford Peverell	Policies Map		<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p> <p>The notation on the Policies Map has been modified to show the increased area of Green Infrastructure to reflect the proposed Main Modification to criterion g) in the site allocation Policy SP2 Higher Town, Sampford Peverell</p> <p>Please refer to proposed Main Modification MM45.</p>	<p><b>No change to SA findings:</b> This proposed amendment to the Policies Map reflects proposed modifications to the SP2 site allocation policy, which are considered separately above in terms of their implications for the SA findings (see MM45).</p>

## Conclusions

- 1.30 As shown in **Table 2** above, the Proposed Main Modifications would result in a small number of changes to the SA effects previously identified for the Local Plan Review (in the February 2015 SA Report and in the 2018 SA Update). These changes are summarised in **Table 3** below.

**Table 3: Summary of changes to SA effects as a result of the Proposed Main Modifications**

Local Plan Review policy (as proposed to be modified)	Change to SA findings previously identified in the 2015 SA Report and 2018 SA Update
CU20 Cullompton Infrastructure	The proposed additional policy criterion will help to facilitate recycling, which will benefit SA objective D (safeguarding and minimising resource use). A minor positive (+1) effect was previously identified on this objective for policy CU20 as the site identified for the railway station is on brownfield land. <b>The addition of a new policy criterion relating to a replacement recycling facility would increase this to a positive (+2) effect.</b>
CU21 Land at Colebrook	The removal of the contingency status of this site does not change its likely effects on the SA objectives; however, <b>the effects previously identified would be more certain to occur. Effects may also occur earlier in the Plan period</b> now that the allocation of the site is no longer dependent on the relief road. A likely significant positive (+3) effect was identified in relation to SA objective G (meeting housing needs) but no likely significant negative effects were identified.
SP2 Higher Town Sampford Peverell	The deletion of the criterion relating to the need to deliver this site following the commencement of development of the M5 Junction 27 allocation does not change the likely effects of this site on the SA objectives; however, bringing forward the delivery of the site would mean that <b>the effects previously identified would occur earlier in the Plan period.</b> No likely significant effects, either positive or negative, were identified for this site allocation post-mitigation.  <b>The previously neutral (0) effect on SA objective H (health and wellbeing) is increased to a minor positive (+1) effect</b> as a result of the additional reference to active travel.
DM1 and new paragraph 4.5b	The proposed new criteria are brought into the policy from the now deleted policy DM12. The addition of these criteria to policy DM1 reinforces the already significant positive (+3) effects on SA objectives B (built environment) and C (climate change) as well as the positive (+2) effect on SA objective H (health and wellbeing) and <b>increases the positive (+2) effect on SA objective G (meeting housing needs) to significant positive (+3).</b>
DM12	The proposed deletion of this policy means that <b>the effects previously identified in the SA will no longer occur as a result of policy DM12.</b> Likely significant positive (+3) effects were previously identified (post-mitigation) in relation to SA objectives B (built environment) and G (meeting housing needs). However, the policy criterion are now proposed to be incorporated into policy DM1; therefore <b>the likely effects will still occur as a result of that</b>

Local Plan Review policy (as proposed to be modified)	Change to SA findings previously identified in the 2015 SA Report and 2018 SA Update
	policy.

### Cumulative effects

- 1.31 Although a small number of changes to SA effects would result from the Proposed Main Modifications, the changes to the SA findings (as summarised in **Table 3** above) do not fundamentally alter the cumulative effects of the Local Plan Review. Any effects that have changed have been made more positive as a result of the proposed modifications, and in most cases the changes are to the timescales over which likely effects already identified would occur. The overall scale of development proposed in the Local Plan Review, and the spatial strategy, are unaffected by the proposed modifications.

### Monitoring

- 1.32 The 2015 SA Report which accompanied the examined Local Plan Review sets out indicators for monitoring the effects identified through the SA of the Local Plan Review. Having reviewed and appraised all the Proposed Main Modifications to the Local Plan Review, it is considered that the same monitoring indicators remain appropriate and no changes to the SA monitoring framework are proposed.

### Next Steps

- 1.33 In LUC's professional judgement, the work carried out and presented in this SA Addendum is appropriate to meet the requirements of the SEA Regulations in relation to the Proposed Main Modifications.
- 1.34 This SA Addendum will be published alongside the Proposed Main Modifications to the Local Plan Review during a six week consultation period in early 2020.
- 1.35 Following the consultation, the Inspector will consider the representations raised in respect of the Proposed Main Modifications and will report on the modified Local Plan Review's soundness.
- 1.36 If the Local Plan Review is found to be 'sound', it can be formally adopted by Mid Devon District Council. Once the Local Plan Review has been adopted, a SA Adoption Statement will be published to report the full plan-making and SA process and the framework for monitoring future effects.

LUC  
October 2019



**Appendix 1**  
SA Framework

**Table A1.1: SA framework for the Mid Devon Local Plan Review**

<b>Sustainability Objectives</b>	<b>Elements covered</b>
A. Protection of the natural environment	Habitats and biodiversity; flora and fauna; protected species; landscape, geodiversity
B. Protection and promotion of a quality built environment	Heritage assets, including listed buildings, conservation areas, scheduled ancient monuments, registered parks and gardens, locally listed assets, archaeology; design and quality of development
C. Mitigating the effects of climate change	Reduced flood risk; promotion of low carbon or renewable energy; reductions in carbon emissions; resilience to climate change; walking and cycling provision; low carbon buildings
D. Safeguarding and minimising resource use	Quality of soils, including contaminated land; water quality, including consideration of water framework directive objectives; water resources; minimisation of waste; impact on best and most versatile agricultural land
E. Promoting economic growth and employment	Increasing jobs; reducing out-commuting; skills training; growth of rural businesses; tourism provision
F. Supporting retail	Safeguarding the vitality and viability of town centres; relationship between new development and town centres; supporting viability of shopping facilities in villages
G. Meeting housing needs	Supply of housing; housing mix; house size; housing affordability; appropriate housing density to location; proximity to services and facilities
H. Ensuring community health and wellbeing	Community support for proposals; access to open space and recreation; limiting air, noise and light pollution to levels that do not damage human health or natural systems; integrated and sustainable forms of travel including walking, cycling and public transport; social deprivation; safe and secure environments
I. Delivering the necessary infrastructure	Roads and transportation; schools; health services; community facilities; green infrastructure; telecommunications

## **Appendix 2**

### Baseline and Evidence Base Updates

### Baseline information

- 1.1 Since the publication of the most recent version of the full SA Report (February 2015), the following additional evidence documents of relevance to the SA have been produced by or on behalf of Mid Devon District Council and are described below. They have been taken into account by the Council in both the preparation of the Proposed Submission (incorporating proposed modifications) version of the Local Plan Review and the SA work as appropriate.
- 1.2 All evidence relating to the Local Plan Review is available on the Council's website.
- Historic Environment Appraisal of Proposed Allocations (Mid Devon District Council, December 2016)
  - Mid Devon Employment Land Review Update (Lichfields, April 2018)
  - Cullompton Eastern Relief Road and Potential Strategic Motorway Improvement: Flood Risk Assessment (Arcadis, June 2018)

#### *Historic Environment Appraisal of Proposed Allocations (Mid Devon District Council, December 2016)*

- 1.3 This appraisal was prepared in response to a representation made by Historic England during the Proposed Submission consultation for the Local Plan Review. The document provides an assessment of heritage assets affected by proposed development allocations, assesses the level of harm arising and any mitigation proposed. Levels of effects were scored based on a traffic light system. The document was used by the Council to inform the Proposed Submission (incorporating proposed modifications) version of the Local Plan Review, by weighing the benefits of proposals against any harm (if arising) as required by national planning policy.

#### *Mid Devon Employment Land Review Update (Lichfields, April 2018)*

- 1.4 This document updated the Employment Land Review that had previously been prepared in 2013 by GL Hearn. Its purpose was to provide up to date evidence assessing the District's economic development needs. It concluded that the level of employment land need identified in the Local Plan Review was generally appropriate and consultation highlighted significant concern about the implications of providing for any lower level of employment land. A lack of available employment land and floorspace was deemed to be a significant concern and a potential risk to the future well-being of Mid Devon's economy.

#### *Cullompton Eastern Relief Road and Potential Strategic Motorway Improvement: Flood Risk Assessment (Arcadis, June 2018)*

- 1.5 This Flood Risk Assessment (FRA) was undertaken in relation to the construction of a relief road and motorway junction system to the east of Cullompton town centre. It concluded that the scheme is at risk of fluvial flooding but that it is at low risk of flooding from surface water, groundwater and artificial sources and it is not at risk of flooding from coastal sources. A detailed hydrological assessment of the Culm and its tributaries was carried out. The FRA demonstrated that the majority of the scheme will be safe for its lifetime and that suitable measures can be put in place to mitigate the risks for the locations that are at risk from flooding. A number of recommendations were made for the scheme including that flood risk mitigation measures should be refined as part of the detailed design process and that a drainage strategy should be prepared and submitted in support of the planning application.

### Review of plans, policies and programmes

- 1.6 Since the publication of the Proposed Submission version of the Local Plan Review, the following national plans, policies and programmes have been updated/published that are relevant to the Mid Devon Local Plan Review:
- **National Planning Policy Framework (2019)<sup>12</sup>:** The NPPF sets out the government's planning policies for England and how these are expected to be applied. The original NPPF

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<sup>12</sup> National Planning Policy Framework, MHCLG, 2019: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>.

was published in March 2012<sup>13</sup>, before being updated in July 2018. The latest version of the NPPF was published in June 2019. Notable changes made since the publication of the original 2012 version include:

- Design policies are considered instrumental in delivering new homes, and local planning authorities (LPAs) must make sure that the quality of approved developments does not materially diminish between permission and completion.
  - Planning policies and decisions should promote the diversification of town centres as this is key to their long-term vitality and viability. They should clarify the range of uses permitted in such locations.
  - Planning policies and decisions should promote effective use of land, giving substantial weight to the value of using suitable brownfield land. There is also support for upward extensions and for local authorities to take a positive approach to applications for alternative uses on land which is currently developed but not allocated.
  - Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. There is also additional recognition of the role that planning can play in promoting social interaction and healthy lifestyles.
  - Clarity on the ways in which transport should be considered as part of the planning process from the earliest stages of plan-making and development proposals.
  - Plans are to have regard to the cumulative impacts of flood risk, rather than just to or from individual development sites.
  - Updates also align with the 25 Year Environment Plan, including taking air quality into account in planning policies and decisions.
- **National Planning Practice Guidance (NPPG)<sup>14</sup>** : The NPPG was last updated in July 2019. It now contains further guidance on how Green Belt openness and enhancement can be assessed, guidance on maintaining housing supply and delivery, and the effective use of land.
  - **A Green Future: Our 25 Year Plan to Improve the Environment<sup>15</sup>** : This document was published in January 2018 and last updated in May 2019. It sets out government actions to help the natural world regain and retain good health. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats.
  - **The Road to Zero<sup>16</sup>** : This document was published in July 2018. It puts the UK at the forefront of the design and manufacturing of zero emission vehicles and aims for all new cars and vans to be effectively zero emission by 2040.
  - **UK Plan for tackling roadside nitrogen dioxide concentrations<sup>17</sup>** : This document was published in July 2017 and last updated in October 2018. It is the UK air quality plan for bringing nitrogen dioxide (NO<sub>2</sub>) air pollution within statutory limits in the shortest possible time. It contains a number of actions to be undertaken across the UK.
  - **Clean Air Strategy 2019<sup>18</sup>** : This document was published in January 2019, replacing the draft version published in 2018. It sets out what actions are required to tackle air pollution, such as Clean Air Zones. The will help ensure that targets set by government to tackle air pollution are met.

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<sup>13</sup> For information: the Mid Devon District Council Local Plan Review 2013-2033 is being examined under the 2012 NPPF.

<sup>14</sup> National Planning Practice Guidance, MHCLG, 2019: <https://www.gov.uk/government/collections/planning-practice-guidance>.

<sup>15</sup> A Green Future: Our 25 Year Plan to Improve the Environment, HM Government, 2019: <https://www.gov.uk/government/publications/25-year-environment-plan>.

<sup>16</sup> The Road to Zero, HM Government, 2018:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/739460/road-to-zero.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739460/road-to-zero.pdf).

<sup>17</sup> UK Plan for tackling roadside nitrogen dioxide concentrations, DEFRA, 2018: <https://www.gov.uk/government/publications/air-quality-plan-for-nitrogen-dioxide-no2-in-uk-2017>.

<sup>18</sup> Clean Air Strategy, DEFRA, 2019: <https://www.gov.uk/government/publications/clean-air-strategy-2019>.

- **Making the country resilient to a changing climate<sup>19</sup>** : This document was published by the National Adaptation Programme in July 2018 and replaces the previous version published in July 2013 that covered the period 2013 to 2018. This document covers the period 2018 to 2023. It sets out the actions the government is and will be taking to address the risks and opportunities posed by a changing climate.
- **Heritage Statement 2017<sup>20</sup>** : This document was published in 2017. It sets out how the government will support the heritage sector and help it to protect and care for our heritage and historic environment in coming years.

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<sup>19</sup> Making the country resilient to a changing climate, HM Government, 2018: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/727259/pb13942-nap-20130701.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/727259/pb13942-nap-20130701.pdf).

<sup>20</sup> Heritage Statement 2017, DDCMS, 2017: <https://www.gov.uk/government/publications/the-heritage-statement-2017>.



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# **Mid Devon Local Plan Review: Proposed Main Modifications**

## **Habitats Regulations Assessment Addendum**

Prepared by LUC  
October 2019

**Project Title:** Habitats Regulations Assessment of the Mid Devon Local Plan Review

**Client:** Mid Devon District Council

Version	Date	Version Details	Prepared by	Checked by	Approved by
1	21/10/19	Draft Habitats Regulations Assessment Addendum for the Proposed Main Modifications to the Mid Devon Local Plan Review	Kate Nicholls	Taran Livingston	Taran Livingston
2	24/10/19	Final Habitats Regulations Assessment Addendum for the Proposed Main Modifications to the Mid Devon Local Plan Review	Kate Nicholls	Taran Livingston	Taran Livingston





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# Mid Devon Local Plan Review: Proposed Main Modifications

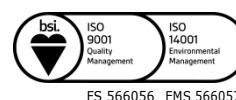
## Habitats Regulations Assessment Addendum

Prepared by LUC  
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## Introduction

- 1.1 In March 2017 Mid Devon District Council submitted the Mid Devon Local Plan Review for independent examination by a Planning Inspector appointed by the Secretary of State. A Habitats Regulations Assessment (HRA) Report was submitted alongside the Plan. As well as the main HRA Report for the Publication Draft Local Plan Review (March 2015)<sup>1</sup>, a HRA Addendum (August 2016)<sup>2</sup> was also submitted which related to the Submission Draft version of the Local Plan Review. An Appropriate Assessment Report (December 2016)<sup>3</sup> relating specifically to the Junction 27 proposals within the Local Plan Review was also submitted.
- 1.2 Preliminary public examination hearings were held in September 2018, followed by the main hearings which took place between 14<sup>th</sup> and 20<sup>th</sup> February 2019. The Council has now prepared a Schedule of Proposed Main Modifications to the Local Plan Review which will be published for a six-week consultation period in early 2020. The proposed modifications take into account the matters raised during the examination by the Inspector and participating representors. Some of the proposed modifications were previously included in the Schedule of Minor Modifications (examination document SD14) which was submitted with the Local Plan Review in 2017; however, on the advice of the Inspector they have now been reclassified as Main Modifications.
- 1.3 This HRA Addendum presents an assessment of the proposed Main Modifications and considers their implications for the HRA findings reported previously. In combination with the HRA Report (March 2015), HRA Addendum (August 2016) and J27 Appropriate Assessment Report (December 2016) that were submitted alongside the Local Plan Review for examination, this Addendum represents an HRA of the Local Plan Review as proposed to be modified, updating the findings presented in the HRA documents which accompanied the examined Local Plan Review. This addendum should therefore be read alongside those HRA documents.
- 1.4 This HRA Addendum focusses on the 'Main Modifications' to the Local Plan Review only. Additional Modifications have also been prepared to address non-substantive matters such as typographical, factual and grammatical errors. These Minor Modifications are not subject to HRA as they do not have the potential to lead to adverse effects on the integrity of European designated sites.

## The requirement to undertake Habitats Regulations Assessment of development plans

- 1.5 The requirement to undertake HRA of development plans was confirmed by the amendments to the Habitats Regulations published for England and Wales in 2007<sup>4</sup>; the currently applicable version is the Conservation of Habitats and Species Regulations 2017<sup>5</sup> (as amended). Therefore, when preparing its Local Plan Review, Mid Devon District Council is required by law to carry out a Habitats Regulations Assessment.
- 1.6 HRA refers to the assessment of the potential effects of a development plan on one or more European sites, including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs):
  - SACs are designated under the European Habitats Directive and target particular habitat types (Annex 1) and species (Annex II). The listed habitat types and species (excluding birds) are those considered to be most in need of conservation at a European level.

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<sup>1</sup> Mid Devon Local Plan Review Publication Draft: Habitats Regulations Assessment Report (LUC, March 2015) [https://www.middevon.gov.uk/media/343218/6026\\_habitatsregulationsassessmentreport\\_20150310\\_v6.pdf](https://www.middevon.gov.uk/media/343218/6026_habitatsregulationsassessmentreport_20150310_v6.pdf)

<sup>2</sup> Mid Devon Local Plan Submission Draft: Habitats Regulations Assessment Addendum (LUC, August 2016) <https://www.middevon.gov.uk/media/343217/mid-devon-local-plan-submission-hra-addendum.pdf>

<sup>3</sup> Mid Devon Local Plan – J27 Proposals. Habitats Regulations Assessment: Appropriate Assessment Report (LUC, December 2016) <https://www.middevon.gov.uk/media/342724/j27-appropriate-assessment-report.pdf>

<sup>4</sup> *The Conservation (Natural Habitats, &c.) (Amendment) Regulations 2007* (2007) SI No. 2007/1843. TSO (The Stationery Office), London.

<sup>5</sup> *The Conservation of Habitats and Species Regulations 2017* (2017) SI No. 2017/1012, TSO (The Stationery Office), London.

- SPAs are classified in accordance with Article 4(1) of the European Union Birds Directive<sup>6</sup> for rare and vulnerable birds (as listed in Annex I of the Directive), and under Article 4(2) for regularly occurring migratory species not listed in Annex I.
- 1.7 Potential SPAs (pSPAs)<sup>7</sup>, candidate SACs (cSACs)<sup>8</sup>, Sites of Community Importance (SCIs)<sup>9</sup> and Ramsar sites should also be included in the HRA.
- Ramsar sites support internationally important wetland habitats and are listed under the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention, 1971).
- 1.8 For ease of reference during HRA, these designations can be collectively referred to as European sites<sup>10</sup> despite Ramsar designations being at the international level.
- 1.9 The overall purpose of the HRA is to conclude whether or not a proposal or policy, or the whole development plan, would adversely affect the integrity of the European site in question either alone or in combination with other plans and projects. This is judged in terms of the implications of the plan for the 'qualifying features' for which the European site was designated, i.e.:
- SACs – Annex I habitat types and Annex II species<sup>11</sup>;
  - SPAs – Annex I birds and regularly occurring migratory species not listed in Annex I<sup>12</sup>;
  - Ramsar sites – the reasons for listing the site under the Convention<sup>13</sup>.
- 1.10 Significantly, HRA is based on the precautionary principle meaning that where uncertainty or doubt remains, an adverse impact should be assumed.
- 1.11 Details about how the HRA process has informed the preparation of the Local Plan Review can be found in the HRA Report for the Publication Draft version of the Local Plan Review (March 2015) and supplemented by the August 2016 HRA Addendum and the December 2016 J27 Appropriate Assessment Report.

## Stages of HRA

- 1.12 The HRA of development plans is undertaken in stages (as described below) and should conclude whether or not a proposal would adversely affect the integrity of the European site in question.
- 1.13 The HRA should be undertaken by the 'competent authority', in this case Mid Devon District Council. LUC has been commissioned by Mid Devon District Council to carry out the HRA work for the Local Plan Review on the Council's behalf, although this is to be reported to and considered by Mid Devon District Council, as the competent authority, before adopting the Local Plan Review.
- 1.14 The HRA also requires close working with Natural England as the statutory nature conservation body<sup>14</sup> in order to obtain the necessary information, agree the process, outcomes and mitigation proposals.

<sup>6</sup> Council Directive 2009/147/EC of 30 November 2009 on the conservation of wild birds (the codified version of Council Directive 79/409/EEC, as amended).

<sup>7</sup> Potential SPAs are sites that have been approved by the Minister for formal consultation but not yet proposed to the European Commission, as listed on the [GOV.UK website](http://gov.uk).

<sup>8</sup> Candidate SACs are sites that have been submitted to the European Commission, but not yet formally adopted, as listed on the JNCC's [SAC list](#).

<sup>9</sup> SCIs are sites that have been adopted by the European Commission but not yet formally designated as SACs by the UK Government.

<sup>10</sup> The term 'Natura 2000 sites' can also be used interchangeably with 'European sites' in the context of HRA, although the latter term is used throughout this report.

<sup>11</sup> As listed in the site's citation on the JNCC website (all features of European importance, both primary and non-primary, need to be considered).

<sup>12</sup> As identified in sections 3.1, 3.2 and 4.2 of the SPA's standard data form on the JNCC website; species for which the site assessment of population (abbreviated to 'Pop.' in table at section 3.1 and 3.2) is 'D' (non-significant population) are not qualifying features and are only relevant to the HRA if qualifying features are dependent on them. Information from SAC and SPA Standard Data Forms is also published by the JNCC in the [Natura 2000 site details - spreadsheet](#). At sites where there remain differences between species listed in the [2001 SPA Review](#) and the extant site citation in the standard data form, the relevant country agency (Natural England or Natural Resources Wales) should be contacted for further guidance.

<sup>13</sup> As set out in section 14 of the relevant 'Information Sheet on Ramsar Wetlands' available on the JNCC website.

<sup>14</sup> Regulation 5 of the Habitats Regulations 2017.

## Requirements of the Habitats Regulations

- 1.15 In assessing the effects of a Local Plan in accordance with Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (as amended), there are potentially two tests to be applied by the competent authority: a 'Significance Test', followed if necessary by an Appropriate Assessment which would inform the 'Integrity Test'. The relevant sequence of questions is as follows:
- 1.16 Step 1: Under Reg. 105(1)(b), consider whether the plan is directly connected with or necessary to the management of the sites. If not, as is the case for the Mid Devon Local Plan Review, proceed to Step 2.
- 1.17 Step 2: Under Reg. 105(1)(a) consider whether the plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects (the 'Significance Test'). If yes, proceed to Step 3.
- [Steps 1 and 2 are undertaken as part of Stage 1: HRA Screening in Table 1 below.]*
- 1.18 Step 3: Under Reg. 105(1), make an Appropriate Assessment of the implications for the European site in view of its current conservation objectives (the 'Integrity Test'). In so doing, it is mandatory under Reg. 105(2) to consult Natural England, and optional under Reg. 105(3) to take the opinion of the general public.
- [This step is undertaken during Stage 2: Appropriate Assessment shown in Table 1 below.]*
- 1.19 Step 4: In accordance with Reg. 105(4), but subject to Reg. 107, give effect to the land use plan only after having ascertained that the plan would not adversely affect the integrity of a European site.
- 1.20 Step 5: Under Reg. 107, if Step 4 is unable to rule out adverse effects on the integrity of a European site and no alternative solutions exist then the competent authority may nevertheless agree to the plan or project if it must be carried out for 'imperative reasons of overriding public interest' (IROPI).
- 1.21 **Table 1** below summarises the stages and associated tasks and outcomes typically involved in carrying out a full HRA of a development plan, based on various guidance documents<sup>15 16 17</sup>.

**Table 1 Stages of HRA**

Stage	Task	Outcome
<b>Stage 1:</b> HRA Screening	<p>Description of the development plan and confirmation that it is not directly connected with or necessary to the management of European sites.</p> <p>Identification of potentially affected European sites and their conservation objectives<sup>18</sup>.</p> <p>Review of other plans and projects.</p> <p>Assessment of likely significant effects of the development plan alone or in combination with other plans and projects, prior to consideration of avoidance or</p>	<p>Where effects are unlikely, prepare a 'finding of no significant effect report'.</p> <p>Where effects judged likely, or lack of information to prove otherwise, proceed to Stage 2.</p>

<sup>15</sup> UK Government Planning Practice Guidance, available from <https://www.gov.uk/guidance/appropriate-assessment>

<sup>16</sup> European Commission (2001) Assessment of plans and projects significantly affecting European Sites. Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC.

<sup>17</sup> The HRA Handbook. David Tyldesley & Associates, a subscription based online guidance document: <https://www.dtapublications.co.uk/handbook/European>

<sup>18</sup> [Conservation objectives](#) are published by Natural England for SACs and SPAs.

Stage	Task	Outcome
	reduction ('mitigation') measures <sup>19</sup> .	
<b>Stage 2:</b> Appropriate Assessment (where Stage 1 does not rule out likely significant effects)	Information gathering (development plan and European Sites <sup>20</sup> ).  Impact prediction.  Evaluation of development plan impacts in view of conservation objectives of European sites.  Where impacts are considered to directly or indirectly affect qualifying features of European sites, identify how these effects will be avoided or reduced ('mitigation').	Appropriate assessment report describing the plan, European site baseline conditions, the adverse effects of the plan on the European site, how these effects will be avoided or reduced, including the mechanisms and timescale for these mitigation measures.  If effects remain after all alternatives and mitigation measures have been considered proceed to Stage 3.
<b>Stage 3:</b> Assessment where no alternatives exist and adverse impacts remain taking into account mitigation	Identify 'imperative reasons of overriding public interest' (IROPI).  Demonstrate no alternatives exist.  Identify potential compensatory measures.	This stage should be avoided if at all possible. The test of IROPI and the requirements for compensation are extremely onerous.

- 1.22 It is normally anticipated that an emphasis on Stages 1 and 2 of this process will, through a series of iterations, help ensure that potential adverse effects are identified and eliminated through the inclusion of mitigation measures designed to avoid or reduce effects. The need to consider alternatives could imply more onerous changes to a plan document. It is generally understood that so called 'imperative reasons of overriding public interest' (IROPI) are likely to be justified only very occasionally and would involve engagement with both the Government and European Commission.

## HRA conclusions for the examined Mid Devon Local Plan Review

### HRA Report for the Publication Draft Local Plan Review (March 2015)

- 1.23 HRA screening of the Publication Draft version of the Local Plan Review was undertaken in accordance with available guidance and was based on a precautionary approach, as required under the Habitats Regulations. The HRA screening conclusions for the Publication Draft Local Plan Review were that, although none of the policies in the Local Plan were considered likely to have significant effects on European sites, a number of the policies may result in likely significant effects on European sites, in relation to potential offsite damage/disturbance to habitats and non-physical disturbance, increased air pollution and increased recreation pressure. These issues were examined in more detail through an Appropriate Assessment and it was concluded that, provided the mitigation identified in the Mid Devon Local Plan Review is implemented, adverse effects on the integrity of any of the European sites considered are not expected.

### HRA Addendum for the Submission Draft Local Plan Review (August 2016)

- 1.24 The HRA Addendum that was prepared in August 2016 in relation to the Submission Draft version of the Local Plan Review concluded that the changes that were proposed to be made to the Publication Draft version did not affect the conclusions of the March 2015 HRA Report. The findings of the Appropriate Assessment of the Publication Draft Local Plan Review therefore

<sup>19</sup> In line with the CJEU judgment in Case C-323/17 People Over Wind v Coillte Teoranta, mitigation must only be taken into consideration at this stage and not during Stage 1: HRA Screening.

<sup>20</sup> In addition to European site citations and conservation objectives, key information sources for understanding factors contributing to the integrity of European sites include (where available) conservation objectives supplementary advice and [Site Improvement Plans](#) prepared by Natural England.

remained valid, and as such it was still able to be concluded that the Submission Draft version of the Local Plan Review would not have an adverse effect on the integrity of European sites.

### Appropriate Assessment Report for the J27 Proposals (December 2016)

- 1.25 The December 2016 Appropriate Assessment report considered the potential for air pollution effects on the Culm Grasslands SAC as a result of the proposed Junction 27 site allocation. It concluded that the allocation (in combination with other proposals in the Local Plan Review) would increase NO<sub>x</sub> levels immediately adjacent to the A361 over the plan period; however, the effects would be very localised within the SAC. The J27 site allocation would cause a negligible increase in nutrient nitrogen and acid nitrogen deposition, although critical loads for these are already being exceeded and will continue to do so in 2022, despite expected decreases in background concentrations. The most appropriate mitigation for the effects of air pollution at the Culm Grasslands SAC was found to be to target agricultural sources of nitrogen (which is outside the remit of the Local Plan Review), although improvements to vehicle emissions nationally and sustainable transport initiatives, for example those encouraged in the Local Plan Review, will also contribute to the mitigation of impacts on the SAC's qualifying features. The J27 site allocation, alone or in combination with the Local Plan proposals, was therefore concluded not to have an adverse effect on the integrity of the Culm Grasslands SAC through increased air pollution.

### Assessment of Proposed Main Modifications

- 1.26 **Table 2** overleaf presents the schedule of Proposed Main Modifications and the Council's reasons for proposing each one, with a final column added to record the implications of each Proposed Main Modification for the HRA conclusions reported previously.
- 1.27 The HRA implications have been considered based on whether each Main Modification changes the conclusions of the HRA Report for the Publication Draft Local Plan Review, as updated in the August 2016 HRA Addendum and also taking into account the December 2016 J27 Appropriate Assessment Report.



**Table 2: Assessment of Proposed Main Modifications in relation to the HRA conclusions reported previously**

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No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
MM01	Overall Provision of housing and employment	26-27	<div>Replace Table 6: Housing forecast 2013 – 2033 with the following update:</div> <table><tr><th>Location/Site</th><th>Policy</th><th>2013/14</th><th>2014/15</th><th>2015/16</th><th>2016/17</th><th>2017/18</th><th>2018/19</th><th>2019/20</th><th>2020/21</th><th>2021/22</th><th>2022/23</th><th>2023/24</th><th>2024/25</th><th>2025/26</th><th>2026/27</th><th>2027/28</th><th>2028/29</th><th>2029/30</th><th>2030/31</th><th>2031/32</th><th>2032/33</th><th>Total</th></tr><tr><td colspan="23"><b>Tiverton</b></td></tr><tr><td>Eastern Urban Extension</td><td>TIV1-TIV5</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>25</td><td>100</td><td>100</td><td>100</td><td>100</td><td>25</td><td></td><td>550</td></tr><tr><td>Howden Court</td><td>TIV9</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td></tr><tr><td>Roundhill</td><td>TIV10</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Phoenix Lane</td><td>TIV12</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>4</td><td></td><td></td><td>25</td><td>31</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>60</td></tr><tr><td>Tidcombe Hall (contingency)</td><td>TIV13</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>0</td></tr><tr><td>Blundells School</td><td>TIV16</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>25</td><td>50</td><td>50</td><td>38</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>200</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>107</td><td>149</td><td>136</td><td>143</td><td>135</td><td>108</td><td>100</td><td>100</td><td>100</td><td>97</td><td></td><td></td><td></td><td></td><td>1275</td></tr><tr><td>Completions</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>93</td><td>70</td><td>98</td><td>89</td><td>128</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>478</td></tr><tr><td>Tiverton 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Footlands</td><td>CU14</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>25</td><td>13</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>38</td></tr><tr><td>Colebrook</td><td>CU21</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>25</td><td>38</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>100</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>91</td><td>71</td><td>53</td><td>25</td><td>12</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>252</td></tr><tr><td>Completions</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>87</td><td>78</td><td>44</td><td>98</td><td>238</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>545</td></tr><tr><td>Cullompton 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Group</td><td>CRE4</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td></tr><tr><td>Pedlarspool</td><td>CRE5</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>25</td><td>50</td><td>50</td><td>38</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>200</td></tr><tr><td>Sports Fields</td><td>CRE6</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>50</td><td>50</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>120</td></tr><tr><td>Stonewall Lane</td><td>CRE7</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>25</td><td>25</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>50</td></tr><tr><td>Land at Barn Park</td><td>CRE8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Alexandra Close</td><td>CRE9</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>3</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>15</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>103</td><td>99</td><td>54</td><td>29</td><td>10</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>295</td></tr><tr><td>Completions</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>58</td><td>31</td><td>18</td><td>17</td><td>12</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>136</td></tr><tr><td>Credition Total</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>58</td><td>31</td><td>18</td><td>17</td><td>12</td><td>103</td><td>99</td><td>90</td><td>65</td><td>59</td><td>183</td><td>175</td><td>69</td><td>0</td><td>979</td></tr><tr><td colspan="23"><b>Rural sites</b></td></tr><tr><td>Newton Square</td><td>BA1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>5</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>5</td></tr><tr><td>Hollywell</td><td>BO1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Hele Road</td><td>BR1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>7</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>7</td></tr><tr><td>Barton</td><td>CH1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Land off Church Lane</td><td>CB1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Barnhill Close</td><td>CF1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>7</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>7</td></tr><tr><td>Linhay Close</td><td>CL1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>6</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>6</td></tr><tr><td>Land adj Fishers Way</td><td>HA1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td></tr><tr><td>Greenaway</td><td>MO1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>20</td></tr><tr><td>Former Tiverton Parkway Hotel</td><td>SP1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>10</td></tr><tr><td>Higher Town</td><td>SP2</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>23</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>60</td></tr><tr><td>Fannys Lane</td><td>SA1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td></tr><tr><td>Old Butterleigh Road</td><td>SI1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>8</td></tr><tr><td>The Garage</td><td>SI2</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>5</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>5</td></tr><tr><td>South of Broadlands</td><td>TH1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td></tr><tr><td>Land east of M5</td><td>WI1</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>12</td><td>25</td><td>5</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>42</td></tr><tr><td>Commitments</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>273</td><td>242</td><td>255</td><td>26</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>796</td></tr><tr><td>Completions</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>82</td><td>137</td><td>128</td><td>100</td><td>124</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>571</td></tr><tr><td>Rural Sites Total</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>82</td><td>137</td><td>128</td><td>100</td><td>124</td><td>273</td><td>255</td><td>339</td><td>124</td><td>65</td><td>0</td><td>0</td><td>0</td><td>0</td><td>1627</td></tr><tr><td><b>Total (Mid Devon - all areas)</b></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>320</td><td>316</td><td>288</td><td>304</td><td>502</td><td>574</td><td>695</td><td>519</td><td>439</td><td>604</td><td>631</td><td>583</td><td>438</td><td>500</td><td>9234</td></tr><tr><td><b>Five year totals</b></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>1730</td><td></td><td></td><td></td><td>2801</td><td></td><td></td><td></td><td>2756</td><td></td><td></td><td></td><td></td><td>1947</td><td></td></tr><tr><td><b>Cumulative five year 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Total								93	70	98	89	128	107	149	152	180	178	183	181	138	125	2593	<b>Cullompton</b>																							NW Cullompton	CU1-CU6								49	100	100	150	150	176	100	100	100	100	100	25		1350	East Cullompton	CU7-CU12											50	125	175	200	200	200	200	200	200		1750	Ware Park and Footlands	CU14												25	13								38	Colebrook	CU21								12	25	25	38										100	Commitments								91	71	53	25	12										252	Completions								87	78	44	98	238										545	Cullompton Total								87	78	44	98	238	91	71	114	150	137	238	275	376	313	4035	<b>Credition</b>																							Red Hill Cross	CRE2								12	50	50	23										135	Woods Group	CRE4									8												8	Pedlarspool	CRE5								12	25	25	50	50	38								200	Sports Fields	CRE6								12	50	50	8										120	Stonewall Lane	CRE7										25	25										50	Land at Barn Park	CRE8								12	8												20	Alexandra 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allocation policies, changes to which are considered separately below in terms of their implications for the HRA findings.</p>
Location/Site	Policy	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
MM02	S1: Sustainable Development Priorities		Amend criterion i) as follows: “... <del>recreational trails, and</del> accessible land, <u>and other green infrastructure</u> , and opportunities....”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to reflect representation made by Natural England during the 2017 modifications consultation.	<b>No change to HRA findings:</b> The proposed additional text relating to green infrastructure provision does not affect the overall scale or location of development proposed through the Local Plan Review.
MM03 Page 192	S2: Amount and Distribution of Development	32	“The diverse needs of the community will be met through the provision of <u>a minimum of approximately 7,860 7,200</u> dwellings and 147,000 <del>154,000</del> square metres of commercial floorspace between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033.”	In response to the Inspector’s post hearings advice note: “...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”	<b>No change to HRA findings:</b> Although the housing figure is now proposed to be expressed as a minimum figure, meaning that more homes could in theory be provided, any provision above the minimum figure is not expected to be of such a scale that the HRA conclusions are affected.
MM04	S3: Meeting Housing Needs	34	Amend criterion a) as follows: “The diverse needs of Mid Devon will be met through the provision of <u>a minimum of approximately 7,860 7,200</u> dwellings between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033.”	In response to the Inspector’s advice note: “...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2”	<b>No change to HRA findings:</b> Although the housing figure is now proposed to be expressed as a minimum figure, meaning that more homes could in theory be provided, any provision above the minimum figure is not expected to be of such a scale that the HRA conclusions are affected.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
MM05	2.31	36	<p>Amend paragraph 2.31 of the supporting text as follows:</p> <p>“....The need for gypsy and traveller pitches will be accommodated by pitches within larger housing sites, for example at Tiverton Eastern Urban Extension, North West Cullompton, East Cullompton and Pedlerspool in Crediton. <b><u>The Council’s preferred approach is for on-site provision as part of larger housing proposals TIV1, CU1, CU7 and CRE5. Provision off-site will only be accepted where it is demonstrated that provision on a different site would achieve a more favourable outcome for Gypsies and Travellers as described in Policy DM7. Where such a more favourable outcome can be demonstrated, off-site provision must meet the requirements of Policy DM7, and a mechanism must be put in place to ensure that the pitches are delivered. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the</u></b></p>	In response to the Inspector’s post hearings advice note and to ensure consistency with MM proposed for Policy DM7.	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale of Gypsy and Traveller pitch provision through the Local Plan Review. The Council’s preferred approach is to focus pitch provision within the larger housing proposals TIV1, CU1, CU7 and CRE5, which have been assessed separately as part of the HRA. While offsite provision may be made, any development of this nature would be very small-scale and so would not affect the conclusions of the HRA in terms of the impacts of increased air pollution or recreation pressure. There are no European sites within the District that could be directly affected by the development of Gypsy and Traveller sites outside of the main settlements.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 194			<u>occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where the off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of this Plan. The Council is working with the travelling showpeople community to approve a large site near Cullompton which would meet the need requirements set out in the GTAA. Policy DM7 (gypsy and traveller accommodation) manages the development of specific sites"</u>		
	MM06 S8: Infrastructure	46	Modification to include following text at the end of the policy text:  <u>"Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest infrastructure plan"</u> .	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of infrastructure development proposed through the Local Plan Review.
	MM07 S9: Environment	48	Amend criterion e) as follows:  "The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by	<b>No change to HRA findings:</b> The proposed modification to this landscape-related policy criterion does not affect the

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			within the landscape character areas. Within <del>or adjoining</del> the Blackdown Hills Area of Outstanding Natural Beauty, <b><u>and within the setting of the Blackdown Hills Area of Outstanding Natural Beauty</u></b> , and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special <del>environmental</del> qualities of that landscape and its setting.”	Natural England during the 2017 modifications consultation.	overall scale or location of development proposed through the Local Plan Review.
MM08	S9: Environment	48	Amend criterion f) as follows: “The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. <b><u>If significant harm resulting from development cannot be avoided providing impacts should be adequately mitigated mitigation and</u></b> . Compensation measures <b><u>will only be considered</u></b> where appropriate <b><u>as a last resort</u></b> ; and”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation and to reflect the hierarchy in NPPF para 118.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall meaning of the policy criterion or the strength of the mitigation that the policy provides in terms of the potential impacts of development on European sites.
MM09	S11: Cullompton	52	Amend criterion a) as follows: “Make any necessary <del>improvements to the M5 motorway including junction 28</del> <b><u>strategic mitigations</u></b> to maintain highway capacity, <del>and</del> safety, <b><u>integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans</u></b> ,”	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall meaning of the policy and does not affect the scale or location of development proposed through the Local Plan Review.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
MM10	S12: Crediton	55	Add to the end of clause e) “- , <b><u>including green infrastructure</u></b> ”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.	<b>No change to HRA findings:</b> The proposed additional text relating to green infrastructure does not affect the overall scale or location of development proposed through the Local Plan Review.
MM11 Page 196	S14: Countryside and paragraph 2.82	59	<p>Amend criterion a) as follows:</p> <p>“a) Affordable and low cost housing to meet local needs, <b><u>gypsy and traveller accommodation</u></b>, <del>gypsy and traveller accommodation</del>, residential conversion of appropriate existing buildings...”</p> <p>Amend the last two sentences of supporting text in para 2.82 as follows:</p> <p>“National policy requires that new sites for travellers should be <del>very strictly</del> limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation).”</p>	<p>In response to the Inspector’s post hearing advice note:</p> <p>“Make Policy S14 permissive of G&amp;T sites in the countryside while decoupling allocated G&amp;T sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7”</p>	<b>No change to HRA findings:</b> While the proposed modification could mean that Gypsy and Traveller sites are more likely to come forward in the countryside, the overall scale of Gypsy and Traveller site provision proposed through the Local Plan Review is unchanged. Any proposals for such sites would be small-scale and so would not affect the conclusions of the HRA in terms of the impacts of increased air pollution or recreation pressure. There are no European sites within the District that could be directly affected by the development of Gypsy and Traveller sites outside of the main settlements.
MM12	TIV3: Eastern Urban Extension	70	Amend criterion e) as follows:	Taken from Submission Document SD14. Included as a main modification in	<b>No change to HRA findings:</b> The proposed

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
	Environmental Protection and Green Infrastructure		"Appropriate provision of sewerage system to serve the development <del>and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance ;</del> "	accordance with the Inspector's post hearing advice note. Modification proposed following the 2015 Proposed Submission consultation in response to request by the Environment Agency. Reference to Sustainable Urban Drainage is now included in criterion f).	modification does not affect the overall scale or location of development proposed through the Local Plan Review. Reference to SuDS is still included in another policy criterion; therefore the overall meaning of the policy is unchanged.
MM13  Page 197	TIV4: Eastern Urban Extension Community Facilities	72	Add additional policy criterion as follows:  <b><u>"f) Contributions towards a new recycling centre to serve Tiverton"</u></b>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification makes reference to a new recycling centre which could result in an increase in vehicle traffic; however any traffic generation would not be of such a scale to affect the existing HRA conclusions that traffic generated by the Local Plan Review will not adversely impact upon European sites as a result of air pollution. While the location of any new recycling centre is not currently known, it is assumed that it would be in the vicinity of Tiverton which is not within close proximity of any European sites. In any case, other policies within the Local Plan Review provide mitigation to avoid adverse effects on the integrity of

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
					European sites.
MM14	TIV4: Eastern Urban Extension Community Facilities	72	Replace criterion b) as follows:  " <del>Construction cost for one primary school of 410 places and early years provision</del> <u>Provision of a 420-place primary school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers;</u> "	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification does not significantly affect the scale of development proposed at this site.
MM15 Page 198	TIV15: Tiverton Infrastructure	83	Add additional policy criterion as follows:  " <u>I) Provision of a replacement recycling centre facility</u> ".	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification makes reference to a new recycling centre which could result in an increase in vehicle traffic; however any traffic generation would not be of such a scale to affect the existing HRA conclusions that traffic generated by the Local Plan Review will not adversely impact upon European sites as a result of air pollution. While the location of any new recycling centre is not currently known, it is assumed that it would be in the vicinity of Tiverton which is not within close proximity of any European sites. In any case, other policies within the Local Plan Review provide mitigation to avoid adverse



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
					effects on integrity of European sites.
MM16	TIV16: Blundells School	84	<p>Add additional criterion as follows:</p> <p><b><u>"k) The creation of additional/compensatory floodplain should secure wider environmental and sustainability benefits."</u></b></p> <p>Amend paragraph 3.60c to insert at the end of the sentence <b><u>"subject to the provision of wider environmental and sustainability benefits"</u></b>.</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to reflect the representation made by the Environment Agency (6734) which notes that this is a key consideration of the Environment Agency when consulted on development within the floodplain.	<b>No change to HRA findings:</b> The proposed modification does not affect the scale or location of development proposed at this site.
MM17	Paragraph 3.70	89	<p>Amendment to proposed modified text within paragraph 3.70 as follows:</p> <p>"Traffic management measures on Willand Road and Tiverton Road will also be required. Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact on the junction's capacity through implementation of <b><u>an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under policy CU7 of the Cullompton Town Centre Relief Road.</u></b>"</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.
MM18	CU2: North West Cullompton Transport	90	<p>Amendment to criterion (h) as follows:</p> <p><b><u>"Financial contributions towards capacity improvements at Junction 28 of the M5, to</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
	Provision		<u>deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.</u>		development proposed through the Local Plan Review.
MM19	Paragraph 3.75	90	Amendment to proposed modified text within paragraph 3.75 as follows:  "The Development will need to mitigate its impact upon capacity at junction 28 of the M5 by <del>financial contributions towards junction improvements.</del> "	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.
MM20	CU4: North West Cullompton Community Facilities	93	Replace criterion b) as follows:  <del>"Construction costs for 300 places that arise from the development to contribute to a 420 place primary school with provision for early years; Provision of a 420-place school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers."</del>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification does not significantly affect the scale of development proposed at this site.
MM21	CU4: North West Cullompton Community Facilities	93	Add additional policy criterion as follows:  <u>"e) Contributions towards a new recycling centre to serve Cullompton"</u>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification makes reference to a new recycling centre which could result in an increase in vehicle traffic; however any traffic generation would not be of such a scale to affect the existing HRA conclusions that traffic generated by the Local Plan Review will not adversely

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
					impact upon European sites as a result of air pollution. While the location of any new recycling centre is not currently known, it is assumed that it would be in the vicinity of Cullompton which is not within close proximity of any European sites. In any case, other policies within the Local Plan Review provide mitigation to avoid adverse effects on integrity of European sites.
MM22	CU6: North West Cullompton Phasing	95	Replacement policy text for criterion (i) of the policy as follows:  <del>Provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development.</del> <u>Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road</u>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM23	Paragraph 3.94	96	Amendment to proposed modified text within paragraph 3.94 as follows:  "Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. <del>The development will need to mitigate its impact upon the junction's capacity through implementation of an improvement scheme, either to the existing junction or in the form of more</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<del>extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under Policy CU7. No more than 600 dwellings should be occupied before the Cullompton Town Centre Relief Road is completed and open to traffic. The provision of the Town Centre Relief Road provides increased capacity at J28 M5.</del>		
MM24 Page 202	CU7: East Cullompton	97	Amendment to criterion (f) as follows: "f) <del>Transport provision to ensure appropriate accessibility for all modes, including a new or improved access and egress onto the M5 motorway</del> <u>Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28</u> and pedestrian and cycle links across the motorway to the existing town;"	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM25	CU8: East Cullompton Transport Provision	99	Replacement policy text for criterion (a) of the policy as follows: <del>Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 as a result of traffic generated from the site</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM26	CU10: East	102	Amend criterion a) as follows:	Modification proposed following Devon	<b>No change to HRA</b>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 203	Cullompton Community Facilities		<p>a) <del>A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority</del> <u>A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;</u></p> <p>Amend criterion c) as follows:</p> <p><del>"Construction costs for a 650-place primary school or two 325-place primary schools, including provision for early years education. Construction costs for a primary school capacity of for at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;"</del></p>	County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
	MM27 CU10: East Cullompton Community Facilities	102	<p>Add additional policy criterion as follows:</p> <p><b><u>"g) Contributions towards a new recycling centre to serve Cullompton"</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification makes reference to a new recycling centre which could result in an increase in vehicle traffic; however any traffic generation would not be of such a scale to affect the existing HRA conclusions that traffic generated by the Local Plan Review will not adversely impact upon European sites

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
					as a result of air pollution. While the location of any new recycling centre is not currently known, it is assumed that it would be in the vicinity of Cullompton which is not within close proximity of any European sites. In any case, other policies within the Local Plan Review provide mitigation to avoid adverse effects on integrity of European sites.
28	CU12: East Cullompton Phasing	104	Replacement policy text for criterion (f) as follows:  f) <del>Provision of the first phase of comprehensive M5 access improvements before any dwellings are occupied, followed by strategic highways infrastructure broadly in step with development Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</del> and	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM29	Paragraph 3.116	105	Delete penultimate sentence within paragraph 3.116 of the supporting text as follows:  <del>"The first phase referred to in criterion (f) above therefore only relates to the subsequent highway works set out in the Devon County Council Report."</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
MM30	CU12: East Cullompton Phasing	106	Paragraph 3.120, amend as follows: "Subject to viability, affordable housing will be provided at a rate of approximately <del>25%</del> <b>28%</b> , in step with the market housing".	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to correct typographical error and to ensure supporting text is consistent with policy.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM31	CU17: Week Farm	110	Replacement policy text for proposed criterion (g) as follows:  (g) " <del>Provision of M5 access improvements before any commercial floorspace is brought into use</del> <b>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</b> "	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM32	CU18: Venn Farm	111	Replacement policy text for proposed criterion (g) as follows:  (g) " <del>Provision of M5 access improvements before any commercial floorspace is brought into use</del> <b>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</b> "	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.
MM33	Paragraph 3.143a	114	Amend paragraph 3.143a as follows:  "...the final scheme will need to incorporate design solutions which mitigate such impacts. <b>Any loss of floodplain at this location should be mitigated by the creation of</b>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by the Environment Agency during the 2017	<b>No change to HRA findings:</b> The proposed modification does not affect the nature or location of the relief road to be delivered

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<u>additional/compensatory floodplain which should secure wider environmental and sustainability benefits including the provision of appropriate ecological and biodiversity enhancements."</u>	modifications consultation.	through this policy.
MM34	CU20: Cullompton Infrastructure	114	Add additional policy criterion as follows: <b><u>"n) Provision of a replacement recycling centre facility"</u></b> .	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification makes reference to a replacement recycling centre which could result in an increase in vehicle traffic; however any traffic generation would not be of such a scale to affect the existing HRA conclusions that traffic generated by the Local Plan Review will not adversely impact upon European sites as a result of air pollution. While the location of any new recycling centre is not currently known, it is assumed that it would be in the vicinity of Cullompton which is not within close proximity of any European sites. In any case, other policies within the Local Plan Review provide mitigation to avoid adverse effects on integrity of European sites.
MM35	CU21: Land at	115	Remove contingency status. Modifications	Contingency status removed in response to	<b>No change to HRA</b>



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
	Colebrook		<p>proposed as follows:</p> <p>Land at Colebrook <b>CONTINGENCY SITE</b></p> <p>A site of 4.8 hectares at Colebrook <del>is identified as a contingency site allocated for residential development to be released in accordance with Policy S4,</del> subject to the following:</p> <ul style="list-style-type: none"> <li>a) 100 dwellings with 28% affordable housing;</li> <li>b) <del>The development shall not commence until the Town Centre Relief Road has been provided, completion of the North West Cullompton through route linking Tiverton Road to Willand Road and provision of the first phase of comprehensive M5 access improvements;</del></li> <li>c) Provision of two points of access from Siskins Chase;</li> <li>d) Provisions of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision;</li> <li>e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;</li> <li>f) Archaeological investigation and appropriate mitigation; and</li> <li>g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.</li> </ul>	<p>the Inspector's post hearing advice note.</p> <p>Devon County Council has advised the timing of the development of the site is not dependent on the Cullompton Town Centre Relief Road coming forward as long as financial contributions are made towards the delivery of the relief road. Please refer to the updated housing land supply statement.</p> <p>Criterion b) deleted following Devon County Council's highway consultation response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane). Devon County Council has updated its previous highways advice and there is no longer a requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road to Willand Road link).</p>	<p><b>findings:</b> The proposed modification involves removing the contingency status of this housing site and including it as an allocation within the Local Plan Review; however the location of the site and the nature of the development proposed to be delivered there (as already assessed through the HRA) are unchanged.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<p>Delete paragraph 3.148 from the supporting text.</p> <p>Delete penultimate sentence from paragraph 3.149 as follows:</p> <p><b><del>"Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Culmpton allocation."</del></b></p> <p><i>Modify the Policies Map as shown on Plan MM35.</i></p>		
<div> <div>Page 208</div> <div>MM36</div> </div>	Paragraph 3.149	116	<p>Amend paragraph 3.149 of the supporting text as follows:</p> <p>3.149 <del>If this site comes forward for development, it must contribute to the provision of offsite highways infrastructure.</del> Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. <del>Devon County Council has therefore stipulated that development should only take place providing there is sufficient network capacity. If released, the site will need to be phased to come forward after further M5 access improvements are implemented.</del> Any application for development must undertake an assessment of the impact of the proposal on both the capacity of the local road network and Junction 28 of the M5 and permission will only be granted where there are no significant adverse impacts <del>which cannot be mitigated</del>. Site commencement will also need to be deferred until after the completion of the through route linking</p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.</p> <p>Further amendment to remove the words "...which cannot be mitigated" to improve clarity.</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation. The site is expected to contribute to the provision of off- <del>site</del> highways infrastructure. <del>Development in this location would increase traffic through the town centre, so would not be permissible until the Town Centre Relief Road has been provided, offering an alternative route.</del> The development would also be expected to provide two points of access from Siskin <del>s</del> Chase.		
MM37	CRE5: Pedlerspool, Exhibition Road	121	Amendment to criterion (b) to include reference to <b><u>"with early years provision and children's centre service delivery base"</u></b> .	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.	<b>No change to HRA findings:</b> The proposed modification does not significantly affect the scale or nature of development proposed at this site.
MM38	J27: Land at Junction 27 of the M5 Motorway	128	Replace criterion b) as follows: <b><u>"Provision of transport improvements to ensure appropriate accessibility for all modes, including new or improved access and egress onto the M5 motorway and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station. Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 27 and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station"</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
MM39	J27: Land at Junction 27 of the M5 Motorway and paragraph 3.184d	128	<p>Delete criterion e):</p> <p><del>"Prior to the approval of any planning permission for the site any required mitigation measures for the Culm Grasslands Special Area of Conservation shall be identified and agreed together with a time scale for their provision and a mechanism for their maintenance."</del></p> <p>Para3.184d, amend as follows:</p> <p>"The proposals for a major facility of this nature needs to be considered carefully in terms of its impacts and the policy makes provision for detailed transport assessments, environmental protection and green infrastructure, energy conservation, provision of improved public transport, pollution and drainage considerations, phasing and importantly, master planning with full public consultation prior to any planning applications being approved. <u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including provision of appropriate ecological and biodiversity enhancement.</u> Section 106 planning obligations will also make provision for any necessary infrastructure and public transport improvements <del>and would need to ensure appropriate mechanisms are in place to ensure that the integrity of the Culm Grasslands SAC will not</del></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Deletion of the reference to mitigation measures with regard to the Culm Grasslands Special Area of Conservation to reflect the latest evidence in the J27 proposals: Habitat Regulations Assessment Appropriate Assessment Report (2016) and representation made by Natural England (6242). Reference to floodplain in response to representation made by the Environment Agency (6734) to the 2017 modifications consultation.</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development to be provided at this site. The removal of the text relating to possible mitigation measures for the Culm Grasslands SAC reflects the findings of the December 2016 Appropriate Assessment Report for the J27 site, which concluded that the allocation would not have adverse effects on the integrity of the Culm Grasslands SAC in relation to increased air pollution.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<del>be adversely affected."</del>		
MM40	J27: Land at Junction 27 of the M5 Motorway	128	Include additional criterion in policy as follows:  <b><u>"a) Any planning application which includes a 'designer outlet shopping centre' should be accompanied by a full Retail and Leisure Impact Assessment"</u></b> .	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to ensure the potential impact is appropriately and adequately assessed at the planning application stage. Amendment also reflects comments made by The Crown Estate and TH Real Estate c/o Montagu Evans (6234).	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.
MM41	J27: Land at Junction 27 of the M5 Motorway Paragraph 3.184d	129	Include the following text at the end of the paragraph 3.184d:  <b><u>"Priority habitats exist within the site and in line with criterion c) of Policy J27 should be protected and enhanced."</u></b>	Amendment as agreed with Natural England (see Statement of Common Ground SCG-6 MDDC and Natural England)	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.
MM42	SP2: Higher Town Sampford Peverell	146	Amend Policy SP2 as follows:  "A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, <del>to come forward following the commencement of development of the M5 Junction 27 allocation,</del> subject to the following:"	In response to the Inspector's post hearings advice note:  "...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be removed."	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.
MM43	SP2: Higher Town, Sampford Peverell and paragraph 3.224c	146	Delete criterion b) and re-label the remaining criteria accordingly.  <del>b) No development until the completion of improved access works to the A361;</del>  Delete paragraph 3.224c of the supporting text.	In response to the Inspector's post hearings advice note:  "It was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of improved access works to the A361 is	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 212			<del>3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction at Sampford Peverell have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.</del>	unnecessary. Criterion b) needs to be removed."	
	MM44 SP2: Higher Town, Sampford Peverell	146	Include new criterion: <b><u>"Improved access to the village for pedestrians and cyclists"</u></b>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to provide greater clarity in response to a number of representations from individuals and through agreement of inclusion of criterion by Devon County Council.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.
	MM45 SP2: Higher Town, Sampford Peverell	146	Amend criterion g) as follows: <b>"2.5 hectares of Green Infrastructure laid out and managed with landscaping and open space."</b> <i>Modify the Policies Map as shown on Plan MM45.</i>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or nature of development proposed at this site.
	MM46 DM1: High Quality Design	153-	Insert additional criteria as follows:	In response to the Inspector's post hearings	<b>No change to HRA findings:</b> The proposed

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
	and new paragraph 4.5b	154	<p><b><u>"g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</u></b></p> <p><b><u>h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and</u></b></p> <p><b><u>i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings.'</u></b></p> <p>Insert additional supporting text as follows:</p> <p><b><u>"4.5b National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is particularly important for the design of the homes that people live in and the spaces that surround those homes. The aim in Mid Devon is to deliver high quality buildings and spaces that meet the needs of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses. Though compliance is delivered through buildings regulations, criterion i) will be implemented through a condition attached to the planning permission."</u></b></p>	<p>advice note:</p> <p>"Criteria a) and c) [of DM12] seem to me to be more about design and might find a more comfortable home as part of Policy DM1. I take a similar view in relation to criterion b)."</p> <p>"the general size and configuration of a dwelling, and the proper handling of recycling, refuse and cycle storage, are design-based considerations and the reference to the Nationally Described Space Standard seems to be unnecessary.' If these criteria are adjusted to make plain that they refer to the design of new housing, and relocated in Policy DM1, then that would be a more efficient way of dealing with the matter."</p> <p>"I am not convinced that the requirement for 30% of houses on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M has been made out. I believe 20, as a carry forward from the existing policy that refers to Lifetime Homes standards is reasonable but again, this requirement could be moved into Policy DM1."</p> <p>Reference to the Nationally Described Space Standard is retained in the policy. This is since MDDC's experience of applying minimum size standards for decision making purposes on development proposals requires that the Nationally Described Space Standards are explicit in local plan policy.</p>	<p>modification does not affect the overall scale or location of development proposed through the Local Plan Review.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
MM47	DM2: Renewable and Low Carbon Energy	154	Amend the third sentence in Policy DM2 as follows:  "Proposals must demonstrate that impacts are or can be made acceptable <u>in relation to:</u> <del>and that the development will preserve:</del> "	In response to the Inspector's post hearings advice note:  "I have some concerns about the wording of Policy DM2 because the first part seeks to avoid any significant adverse impacts, but the second part requires renewable and low carbon energy to preserve (which I take to mean cause no harm to) landscape character, the setting of heritage assets, living conditions, and so on. The former is the correct approach and the second part needs to be adjusted to remove the contradiction. This will require a MM."	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.
MM48	DM7: Traveller Sites and paragraph 4.29	164- 165	Amend Policy DM7 as follows:  <b>1) <u>Planning applications for Pitches and Plots</u></b>  Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where: <del>a) The need cannot be met on another suitable site in Mid-Devon which has consent or is allocated for gypsy and traveller pitches;</del> <del>b) Local services can be accessed without the use of a car;</del> a) Suitable onsite facilities will be provided including space for children's play; b) The proposal will have suitable environmental quality for residents including non-isolating boundary	In response to the Inspector's post hearings advice note on the provision for Gypsies and Travellers.	<b>No change to HRA findings:</b> The proposed modification does not affect the overall scale of Gypsy and Traveller pitch provision through the Local Plan Review. The Council's preferred approach is to focus pitch provision within the larger housing proposals TIV1, CU1, CU7 and CRE5, which have been assessed separately as part of the HRA. While offsite provision may be made, any development of this nature would be very small-scale and so would not affect the conclusions of the HRA in terms of the impacts of increased air pollution or



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 215			<p>treatments;</p> <p><b>c) <u>The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;</u></b></p> <p><b>d) Occupation will be limited to those who meet the Government's published definition of gypsies and travellers, including travelling showpeople <u>or their dependents; and</u></b></p> <p><b>e) <u>Safe and convenient access to local facilities is provided</u></b></p> <p><del>Where development proposals are considered under S13 "Villages", local services can be accessed without the use of a car.</del></p> <p><del>Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.</del></p> <p>Sites with associated employment or storage elements <b>may will</b> be permitted where there is specific justification and the location, <b><u>scale, and nature</u></b> of the <b>proposed development</b> will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.</p>		recreation pressure. There are no European sites within the District that could be directly affected by the development of Gypsy and Traveller sites outside of the main settlements.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 216			<p><b><u>2. Provision on allocated sites</u></b></p> <p><b><u>Gypsy and Traveller pitches on allocated sites (sought by Policies TIV1, CU1, CU7 or CRE5) should be provided on site unless it is demonstrated that off-site provision will achieve a more favourable outcome for Gypsies and Travellers taking into account:</u></b></p> <ul style="list-style-type: none"> <li>i) <b><u>Pitch numbers;</u></b></li> <li>ii) <b><u>Site facilities;</u></b></li> <li>iii) <b><u>Accessibility to services, including health and education;</u></b></li> <li>iv) <b><u>Early delivery of serviced pitches or plots which are available for occupation; and</u></b></li> <li>v) <b><u>The provision of an effective mechanism for delivery.</u></b></li> </ul> <p><b><u>Such sites must also meet the requirements of part 1 of Policy DM7 above.</u></b></p> <p>Amend supporting text in paragraph 4.29 as follows:</p> <p>"4.29 There is a need for 35 new pitches for gypsies and travellers for the period 2014-34, <b><u>and 11 plots for travelling showpeople for the period 2014-34. The majority of this</u></b> This need is proposed to be met on the largest <b><u>strategic allocations. The travelling showpeople community is predominately based in one large site at Cullompton, which</u></b></p>		

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 217			<p><del>is at capacity. A need for 11 plots has been identified and the Council is in discussions with a landowner to grant permission for one additional site near to the town which will meet the outstanding requirement. The need for gypsy and traveller accommodation is identified to be in the region of 25 pitches across the plan period. These are to be included</del></p> <p><b><u>within</u></b> allocated developments at Tiverton Eastern Urban Extension, North West Cullompton, and Pedlerspool in Crediton. <b><u>Pitches must be provided on-site unless the more favourable outcome described by Policy DM7 is demonstrated. Any proposals for more favourable off-site provision must identify and provide serviced sites in accordance with Policy DM7. A clear mechanism to ensure that pitches or plots are delivered in such a way as to achieve a more favourable outcome for the travelling community must be identified.</u></b></p> <p><b><u>This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and</u></b></p>		

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 218			<u><b>made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5.</b></u> Where gypsy and traveller pitches are provided <b>on-site</b> on housing allocations, these are to be counted against the affordable housing targets for that site. <del><b>There are also existing consented sites in Mid Devon. Proposals for gypsy and traveller accommodation will not be permitted in other locations, unless it is demonstrated that the existing consented or allocated sites will not be available to the prospective occupiers in a reasonable timescale."</b></del>		
	MM49 DM12: Housing Standards	170	Delete Policy DM12 Housing Standards (incorporating proposed modifications in the 2017 consultation) and move its content, with amendments in accordance with the Inspector's post hearings advice note, to Policy DM1.  <b><del>Policy DM12</del></b> <b><del>Housing Standards</del></b>  <b><del>New housing development should be designed to deliver:</del></b>  <b><del>a) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</del></b>  <b><del>b) Suitably sized rooms and overall floorspace which allows for adequate storage and movement</del></b>	In response to the Inspector's post hearings advice note. Please refer to MM46.	<b>No change to HRA findings:</b> The proposed deletion of this policy and incorporation of the criteria into policy DM1 does not affect the overall scale or location of development proposed through the Local Plan Review.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<p><del>within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage;</del></p> <p><del>c) Private amenity space that reflects the size, location, floorspace and orientation of the property; and</del></p> <p><del>d) On sites of 10 houses or more the provision of 30% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'</del></p>		
<div> <div> Page 219 </div> <div> 50 </div> </div>	DM19: Protection of Employment Land and paragraph 4.60	179	<p>Delete Policy DM19 criterion c)</p> <p><del>e) A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing:</del></p> <p><del>i) Mixed use of the site that incorporates an employment-generating use, then</del></p> <p><del>ii) Non-employment use.</del></p> <p>Amend para 4.60 of the supporting text as follows:</p> <p><del>... "If there is no interest in the site as a result of marketing, the potential of the site for mixed use development including employment must be considered in preference to the total loss of employment. This will involve determining whether the</del></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"There was some discussion about criterion c) of Policy DM19 which deals with the protection of employment land. In my view, if criterion b is satisfied, and suitable marketing (which might include for mixed use purposes) has taken place at an appropriate price, for at least 18 months without any interest, then an alternative use (which may take the form of a mixed use) should be allowed to come forward. Criterion c) which requires an additional sequential viability test is far too onerous a requirement and should be removed through a MM."</p> <p>Supporting text deleted to accord with proposed MM.</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<del>site still has the potential to be developed viably for mixed use development or can only be viable if the whole site is developed for non employment uses. In all cases, the proposed use must not significantly harm any other existing uses in the area, or be harmed by those uses. For example, housing development may not be acceptable in close proximity to general industry, depending on the nature and scale of the industrial use."</del>		
MM51 Page 220	DM25: Development Affecting Heritage Assets	186	<p>Amend Policy DM25 as follows:</p> <p>"a) Apply a presumption in favour of <u>preserving or enhancing all designated preservation in situ in respect of the most important</u> heritage assets <u>and their settings</u>;</p> <p>b) Require development proposals likely to <u>affect the significance of</u> heritage assets <del>and their settings</del>, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;</p> <p>c) Only approve proposals that would <u>lead to substantial harm to or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss be likely to substantially harm heritage assets and their settings if substantial public benefit</u></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"To comply with statute, criterion a) should apply a presumption in favour of preserving or enhancing all designated heritage assets, not just the most important ones. A reference to their setting would assist too".</p> <p>"Criterion b) needs to refer to the significance of heritage assets rather than heritage assets and their settings."</p> <p>"Criterion c) needs to properly reflect the wording of paragraph 133 of the (2012 version of the) Framework by referring to significance. The direct reference to paragraph 133 should be removed because planning applications will be determined using the latest version of the Framework."</p> <p>"Criterion d) should properly reflect paragraph 134 of the (2012) Framework and refer to significance."</p> <p>"Criterion e) could confine itself to 'require</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.</p>

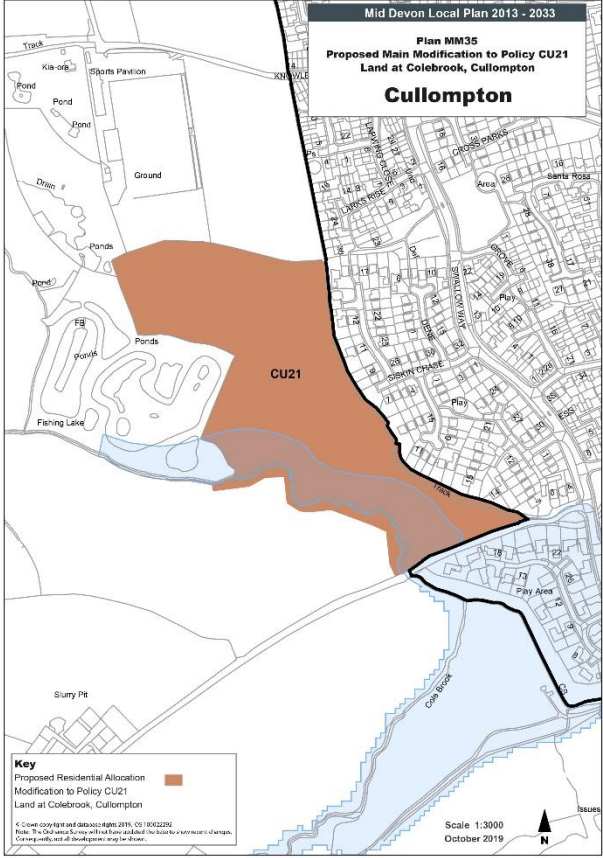
No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously	
Page 221			<p><del>outweighs that harm</del> or the requirements of <del>paragraph 133</del> of the National Planning Policy Framework are met;</p> <p>d) Where a development proposal <del>would will</del> lead to less than substantial harm <u>to the significance of a designated heritage asset, this that</u> harm <del>will should</del> be weighed against <u>the public benefits of the proposal any public benefit</u>, including securing <u>its</u> optimum viable use; and</p> <p>e) Require developers to make a proportionate but systematic assessment of <del>the any</del> impact on <u>the setting and thereby the significance of heritage asset(s) down in the guidance from English Heritage: "The Setting of Heritage Assets" Historic England: "The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3."</u></p>	<p>developers to make a proportionate and systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)' Pointing to HE guidance in the manner proposed seems to me to run the risk of that guidance changing."</p>		
	MM52	Paragraph 4.88	189	<p>Amend paragraph 4.88 as follows:</p> <p>... "Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <u>although developments should recognise that floodplain cannot necessarily provide year-round amenity access."</u></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following representation made by the Environment Agency (673) which provides greater clarity of the ability of floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.</p>
	MM53	Paragraph 4.88	189	<p>At the end of paragraph 4.88 include the following sentence:</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect</p>

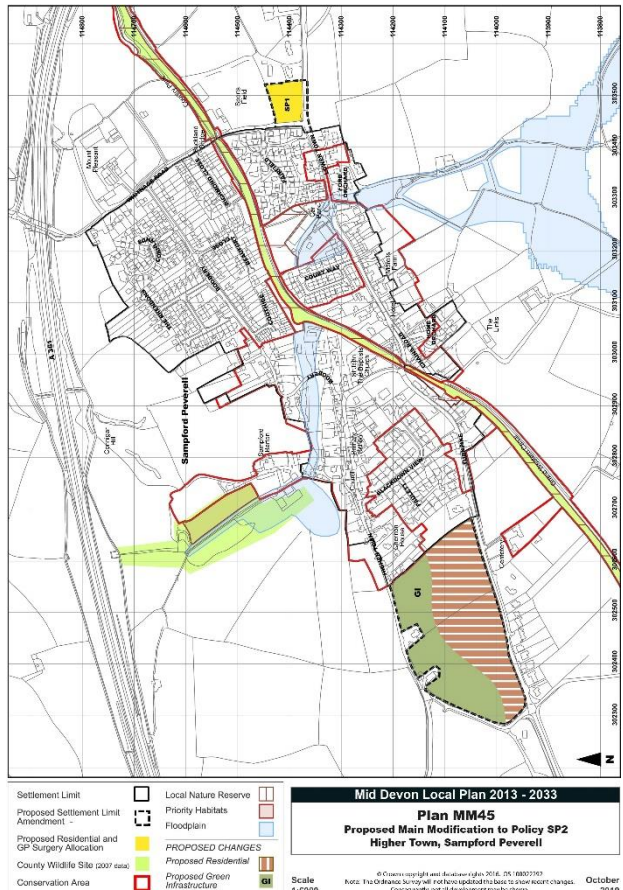
No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
			<b><u>"Development incorporating green infrastructure will be required to submit management and maintenance details for the proposed green infrastructure."</u></b>	advice note. Modification proposed following the representation made by the Environment Agency to ensure green infrastructure is protected and managed beyond the initial construction/development.	the overall scale or location of development proposed through the Local Plan Review.
MM54	DM27: Protected Landscapes, and paragraph 4.94	190	<p>Amend Policy DM27 as follows:</p> <p>"Development proposals <del>within or</del> affecting the Blackdown Hills, Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:.."</p> <p>Amend paragraph 4.94 as follows: "Where major developments are proposed within <del>or adjoining</del> protected landscapes <b><u>or within the setting of or adjoining the protected landscapes or the</u></b> National Parks, "</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"The phrase 'development proposals within or affecting' at the beginning of Policy DM27 is a little confusing. A development proposal within a protected landscape will obviously affect it. If the intention is to offer some protection to views into or out of the protected landscape, which seems reasonable, then it may be clearer to make a specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text."</p> <p>The Council has considered the Inspector's post hearings advice note and proposes a modification accordingly.</p> <p>The retention of the word "affecting" in the opening sentence of amended Policy DM27 is consistent with Section 62 of the Environment Act 1995, section 11A (2 in respect of National Parks, and also Section 85 (1) of the Countryside and Rights of Way Act 2000 in respect of Areas of Outstanding Natural Beauty.</p> <p>Section 62 of the Environment Act 1995</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.</p>



No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 228 MD55				<p>places a duty on the Council to have regard to the purposes of National Parks in exercising any functions in relation to or <u>affecting</u> land in a National Park. Similarly, Section 85 of Countryside and Rights of Way Act imposes a duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty within an AONB in exercising any functions in relation to or <u>affecting</u> land in an AONB.</p> <p>Modification proposed following representation made by Natural England (6242) to reflect the fact that the special character of protected landscapes includes the setting rather than only the adjoining land and follows National Planning Policy Guidance.</p>	
	DM28: Other Protected Sites and paragraphs 4.102 and 4.95		<p>Amend Policy DM28 as follows:</p> <p>Delete the final paragraph:</p> <p><del>"Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental integrity of the features of the Natura 2000 site would not be affected"</del></p> <p>Replace the deleted final paragraph with:</p> <p><b><u>"Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation</u></b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"I have a concern that Policy DM28, and in particular the way it approaches mitigation and compensation in criterion c), fails to comply with 'People over Wind' and subsequent judgements. I suggest at this stage that the Council checks this point with their expert advisors."</p> <p>MDDC has taken expert legal advice that has considered the wording of Policy DM28 and its supporting text at paragraph 4.102 require modification.</p> <p>Two modifications will be required to paragraph 4.95 to make this consistent with</p>	<p><b>No change to HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review. The mitigation provided through this policy (in terms of the impacts of development on European sites) is strengthened by the amendments, which are made to reflect recent case law relating to HRA.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 224			<p><b><u>of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.</u></b></p> <p>Amend supporting paragraph 4.102 as follows:</p> <p>Delete the sentence:</p> <p><del>"... In the case of Natura 2000 sites, compensatory measures may only be considered if the proposal is deemed to be of overriding public interest and would involve engagement with both Central Government and European Commission."</del></p> <p>Replace the deleted sentence with:</p> <p><b><u>"... In the case of European sites, where the risk of harm to the integrity of a site has not been ruled out in an appropriate assessment planning permission may be granted for the development only if there is no alternative solution and the development must be carried out for imperative reasons of overriding public interest. In such cases, any necessary compensatory measures must be secured."</u></b></p> <p>Amend the paragraph 4.95 through the deletion of the words "<del>Natura 2000 sites</del>" and "<del>Natura 2000 site</del>" and the replacement of these words with the words "<b><u>European Sites</u></b>" and "<b><u>European Site</u></b>".</p>	<p>the modifications to Policy DM28 and paragraph 4.102.</p> <p>Modification to paragraph 4.94 taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note.</p>	

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Plan MM35	CU21: Land at Colebrook	Policies Map		<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>The notation on the Policies Map has been modified to show site allocation CU21 as a proposed residential allocation. This modification is necessary to reflect the proposed Main Modification to the wording of site allocation Policy CU21.</p> <p>Please refer to proposed Main Modification MM35.</p>	<p><b>No change to HRA findings:</b> The proposed modification to the Policies Map reflects the changes proposed to policy CU21, which have been considered separately above (see MM35) in terms of their implications for the HRA findings reported previously.</p>

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Plan MM45	SP2: Higher Town, Sampford Peverell	Policies Map		<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p> <p>The notation on the Policies Map has been modified to show the increased area of Green Infrastructure to reflect the proposed Main Modification to criterion g) in the site allocation Policy SP2 Higher Town, Sampford Peverell</p> <p>Please refer to proposed Main Modification MM45.</p>	<p><b>No change to HRA findings:</b> The proposed modification to the Policies Map reflects the changes proposed to policy SP2, which have been considered separately above (see MM45) in terms of their implications for the HRA findings reported previously.</p>

### Updated assessment of in-combination effects

- 1.28 A number of Mid Devon's neighbouring authorities were considered relevant for identifying potential in-combination effects as part of the original HRA for the Publication Draft Local Plan Review (March 2015). The in-combination effects assessment has been updated to reflect the most recent version of those neighbouring plans and the findings are set out below.

#### *Greater Exeter Strategic Plan*

- 1.29 Since the assessment of in-combination effects was previously carried out, work has commenced on the preparation of the Greater Exeter Strategic Plan (GESP) which will set out the overall spatial strategy and the level of housing and employment land to be provided up to 2040 within the Plan area, which covers East Devon, Exeter, Mid Devon and Teignbridge. As yet, no HRA work has been carried out in relation to the GESP.

#### *West Somerset and Taunton Deane*

- 1.30 The West Somerset Local Plan was adopted in November 2016.
- 1.31 Work has started on the preparation of a new Local Plan to cover the Somerset West and Taunton Area but no HRA work has yet been carried out.

#### *North Devon and Torridge*

- 1.32 The North Devon and Torridge Local Plan was adopted in October 2018.
- 1.33 The final HRA update document (November 2017) identified the potential for a cumulative effect with the Mid Devon Local Plan in relation to air quality impacts on the Culm Grasslands SAC and this issue was considered through an Appropriate Assessment. Following that stage of the HRA it was concluded that there would be no adverse effect on the integrity of the SAC as a direct result of the North Devon and Torridge Local Plan, either alone or in combination with other plans and programmes including the Mid Devon Local Plan. The HRA also concluded that there would be no adverse effects on the integrity of other European sites in and around North Devon and Torridge.

#### *West Devon*

- 1.34 The Plymouth and South West Devon Joint Local Plan was adopted by West Devon Borough Council in March 2019.
- 1.35 The Updated Habitats Regulations Assessment for the Local Plan (February 2018) concluded that the Joint Local Plan would not have adverse effects on the integrity of European sites, either alone or in combination with other plans or projects.

#### *Teignbridge*

- 1.36 No further updates to the Local Plan - no further in-combination effects to consider.

#### *East Devon*

- 1.37 The East Devon Local Plan was adopted in January 2016.
- 1.38 The submitted HRA report (dated November 2012) concluded that, with the identified mitigation in place, the Local Plan would not have adverse effects on the integrity of European sites either alone or in combination with other plans and projects.

#### *Exmoor National Park*

- 1.39 The Exmoor National Park Local Plan was adopted in July 2017.
- 1.40 The HRA Report for the Publication Draft Local Plan (May 2015) was updated by an HRA Addendum in December 2016 which considered Main Modifications. It was concluded that the Local Plan would not have adverse effects on the integrity of European sites either alone or in combination with other plans and projects.

#### *Dartmoor National Park*

- 1.41 Dartmoor National Park Authority is currently consulting on the Regulation 19 version of its Local Plan Review.

- 1.42 The HRA Report for the Local Plan Review (June 2019) concluded at the screening stage that adverse effects on the integrity of European sites outside of the National Park were not expected in relation to air quality changes, disturbance, changes to water quality or levels or habitat loss/fragmentation. However, there was uncertainty with regards to the potential for likely significant effects associated with air quality, disturbance and habitat loss or fragmentation on the three SACs located within the National Park boundary (Dartmoor, South Dartmoor Woods, and South Hams SACs). These issues were considered in more detail through an Appropriate Assessment and it was concluded that, taking into account the mitigation within the Local Plan, adverse effects on integrity could be ruled out in relation to air quality and habitat loss or fragmentation. In relation to recreation, while adverse effects on the integrity of European sites were ruled out in relation to effects arising from the Dartmoor National Park Local Plan Review alone, there was some uncertainty regarding the potential for in-combination effects on the Dartmoor, South Dartmoor Woods, and South Hams SACs from increased recreation pressure resulting from the growth planned outside the National Park boundary. However, those SACs are outside of the scope of the Mid Devon Local Plan Review HRA due to their distance from the District; and in-combination effects with the Mid Devon Local Plan are not therefore expected.

#### *Exeter City*

- 1.43 No further updates to the Local Plan - no further in-combination effects to consider.

#### *Devon Waste Plan*

- 1.44 The Devon Waste Plan was adopted in December 2014.
- 1.45 The final HRA Report (July 2014) concluded through a screening exercise that Appropriate Assessment was not required, as no likely significant effects on European sites were identified for any element of the Plan. In-combination effects with the Mid Devon Local Plan Review are therefore not expected.

#### *Devon Minerals Plan*

- 1.46 The Devon Mineral Plan was adopted in February 2017.
- 1.47 The final HRA Report (April 2016) for the Minerals Plan (and updated by the June 2016 screening document to address Main Modifications) concluded that the Minerals Plan would have no likely significant effects on European sites and therefore in-combination effects with the Mid Devon Local Plan Review are not expected.

#### *Devon and Torbay Local Transport Plan*

- 1.48 No further updates to the Local Transport Plan – no further in-combination effects to consider.

#### *Somerset Future Transport Plan*

- 1.49 No further updates to the Local Transport Plan – no further in-combination effects to consider.

## Conclusions

- 1.50 This HRA Addendum has assessed the Proposed Main Modifications to the submitted Mid Devon Local Plan Review. As shown in detail in **Table 2**, the Proposed Main Modifications have no implications for the conclusions reported previously in the HRA Report for the Publication Draft Local Plan (March 2015), and updated in the HRA Addendum (August 2016) and the J27 Appropriate Assessment Report (December 2016).
- 1.51 Therefore, the conclusions of the HRA for the Mid Devon Local Plan Review remain that the Local Plan Review (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites, either alone or in-combination with other plans or projects, providing that the mitigation set out in the Local Plan Review is implemented.

## Next Steps

- 1.52 This HRA Addendum will be available for consultation alongside the Proposed Main Modifications to the Local Plan Review.
- 1.53 Following the consultation on the Proposed Main Modifications and this HRA Addendum (as well as the separate Sustainability Appraisal Addendum), the Inspector will consider the representations raised and report on the modified Local Plan Review's soundness.
- 1.54 If the Local Plan Review is found to be 'sound', it can be formally adopted by Mid Devon District Council.

LUC  
October 2019

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## **Mid Devon Local Plan Review 2013-33**

### **Addendum to the Equality Impact Assessment 2017**

**Date: November 2019**

MDDC – Mid Devon District Council

## 1.0 Introduction

- 1.1 The Equalities Act 2010 requires Local Authorities to eliminate discrimination and promote equality when producing a Local Plan and Policies.
- 1.2 The Mid Devon Local Plan Review 2013 – 2033 Proposed Submission (incorporating proposed modifications) was subject to an Equalities Impact Assessment that was published in 2017. The Equalities Impact assessment assessed each policy and site allocation in the local plan against five policy areas which have taken into account the ‘protected characteristics’ as set out in the Equalities Act as follows:

Policy Areas	Relevance to Equality (Positive or Negative)	Which protected characteristics are most affected?
Ethnicity (e.g. Gypsy and travellers)	High impact	Race Religion or belief
Adaptable housing	High impact	Age Disability Pregnancy and Maternity
Housing affordability / housing suitability (e.g. adequate gardens, provision of public open space)	Medium impact	Age Disability Pregnancy and Maternity
Protection of services in rural areas / protection of facilities and recreational land	Medium impact	Age Disability Sex Pregnancy and Maternity
Sustainable transport / access to public transport	Medium impact	Age Disability Sex

- 1.3 The Equalities Impact Assessment assessed each of the policies of the Mid Devon Local Plan Review 2013 – 2033 Proposed Submission (incorporating proposed modifications) against each policy area using a scoring system from ++ to --, to highlight the scale of any potential impact on the protected characteristics of each policy area.
- 1.4 The Equalities Impact Assessment is published on the Council's website here:  
<https://www.middevon.gov.uk/media/343250/soc05-equalities-impact-assessment-2017.pdf>
- 2.0 Local Plan Review examination, Inspector's Post Hearings Advice Note and Proposed Main Modifications**
- 2.1 Main hearings for the examination of the Mid Devon Local Plan Review 2013 – 2033 were held in February 2019.
- 2.2 The Inspector issued his post hearing advice note on 21<sup>st</sup> May 2019. In this advice note he expressed concern about the housing trajectory in the early years of the local plan in particular, and he suggested remedies to maintain a five-year supply of deliverable housing sites (that may require potential Main Modifications to the local plan). The Inspector also suggested other areas in the local plan where main modifications would be needed.
- 2.3 The Council prepared in draft a Housing Land Supply Update (June 2019) indicating its proposed response to the Inspector's post hearings advice note. This set out proposed draft Main Modifications that followed the Inspector's suggested remedies to address his concerns about the housing trajectory. In particular, the Council's proposed draft Main Modifications sought to expedite development on two sites at Colebrook, Cullompton (Policy CU21) and at Higher Town, Sampford Peverell (Policy SP2).
- 2.4 The Inspector invited participants at hearings related to housing land supply and Policy SP2 Higher Town, Sampford Peverell and Policy CU21 Land at Colebrook, Cullompton to comment on the Draft Housing Land Supply Update June 2019 and an accompanying Sustainability Appraisal Implications Report prepared by the Council. Ten representations were received from the hearing participants.
- 2.5 The Draft Housing Land Supply Update June 2019 (Examination document reference ED20), Sustainability Appraisal Implications Report (ED21), Comments received during the consultation in ED20 and ED21 (ED23), and the Council's response to comments made on ED20 and ED21 (ED22) are published on the Council's website.

- 2.6 Officers submitted a response to comments received to the Draft Housing Land Supply Update June 2019 and Sustainability Appraisal Implications Report to the Planning Inspectorate on 6<sup>th</sup> September 2019.
- 2.7 The Inspector contacted the Council on 27<sup>th</sup> September and advised that he has *“carefully considered the material contained in ED20, ED21, ED22 and ED23 and has no further questions at this stage. On that basis, the Inspector is content for the Council to publish its draft Main Modifications for consultation as soon as it is ready to do so.”*
- 2.8 While the Council’s proposed Main Modifications have been assessed for the purpose of Sustainability Appraisal (including Strategic Environmental Assessment) and Habitat Regulations Assessment (Appropriate Assessment), it is also necessary to assess the proposed Main Modifications for the purpose of Equalities Impact Assessment.
- 3.0 Equalities Impact Assessment of Proposed Main Modifications**
- 3.1 This addendum to the Equalities Impact Assessment 2017 includes a schedule of the Council’s proposed Main Modifications to the Mid Devon Local Plan Review 2013 – 2033 Proposed Submission (incorporating proposed modifications).
- 3.2 Each proposed Main Modification has been assessed against the same five policy areas which have taken into account the ‘protected characteristics’ as set out in the Equalities Act. This has taken into consideration the findings of the previous Equalities Impact Assessment in 2017, which must be read in conjunction with this Addendum. Where a proposed Main Modification may introduce a new impact, or alter the impact previously assessed, this impact is identified in the right hand column of the schedule in this Addendum.
- 4.0 Addendum to the Equalities Impact Assessment 2017 – summary of key findings**
- 4.1 The Equalities Impact Assessment has not identified any fundamental impacts on protected characteristics arising from the Council’s proposed Main Modifications to policies in the Mid Devon Local Plan Review 2013 – 2033 Proposed Submission (incorporating proposed modifications) that would require further modification to those policies. However, there are some probable positive and negative impacts on protected characteristics in relation to the five policy areas which are summarised as follows:

- 40 of the Council's 54 proposed Main Modifications will have a neutral impact on policies and supporting text in the Local Plan and therefore will not affect the scoring of the policy in the assessment undertaken previously in the Equalities Impact Assessment 2017.
- Proposed Main Modifications to remove limitations on development at SP2 Higher Town, Sampford Peverell (MM42 and MM43), and the removal of the contingency site status and bringing forward the site allocation at CU21 Colebrook, Cullompton (MM35 and MM36) into the housing land supply trajectory will mean that the probability of positive impacts identified in the Equalities Impact Assessment 2017 for both site allocations may happen sooner.
- Proposed Main Modifications to paragraph 2.31 (MM05), Policy S14 and paragraph 2.82 (MM11) and Policy DM7 and paragraph 4.29 (MM48) relating to the provision of sites for Gypsies and Travellers will have a mixed impact, with a probable positive impact in terms of 'race' and 'religion or belief', and 'ethnicity' through a more favourable outcome for Gypsies and Travellers by securing the delivery of pitches to help meet the housing needs of this part of the community, and, where off-site provision of pitches is secured, a probable negative impact on the protected characteristics of 'age', 'disability' and 'pregnancy and maternity' in terms of 'access to public transport / sustainable transport', where those locations are situated further away from schools, shops, services, health and other community facilities and places of employment and where there is an increased reliance on the use of private or public transport.
- The provision of, or increased provision of, green infrastructure through Policies S1 (MM02), S12 (MM10) and SP2 (MM45) will have a probable positive impact on the protected characteristics of 'age', 'disability' and 'pregnancy and maternity' in terms of the provision of public open space as part of new housing (policy area of 'housing affordability / housing suitability').
- The proposed main modification to Policy CRE5 (MM37) will have a probable positive impact on the protected characteristic of 'age' and 'pregnancy and maternity' where there is now a requirement for early years provision and children's centre service delivery base (that were not previously required).

- The proposed Main Modification to Policy J27 (MM40) placing a requirement for any planning application that includes a 'designer outlet shopping centre' should be accompanied by a full Retail and Leisure Impact Assessment will have a probable positive impact on the protected characteristics of 'age', 'disability' and 'Pregnancy and Maternity' where mitigation can help to safeguard retail and leisure facilities in town centre locations which are accessible by 'Sustainable transport/access to public transport'.
- The proposed Main Modification to site allocation Policy SP2 (MM44) placing a requirement for improved access to the village for pedestrians will have a probable positive impact on the protected characteristics of 'age', 'disability' and 'Pregnancy and Maternity' and the policy area 'Sustainable transport/access to public transport'.
- The proposed Main Modifications to Policies DM1 and new paragraph 4.5b (MM46) and DM12 (MM49) will have negative and positive impacts on the protected characteristics of 'age' and 'disability' and the policy area of 'adaptable housing' that will offset each other.

No.	Policy/Paragraph	Local Plan Page	Proposed Changes	Reason	Impact of Proposed Main Modification through Equality Impact Assessment
MM01	Overall Provision of housing and employment	26-27	Replace Table 6: Housing forecast 2013 – 2033 with the following update:	<p>To update the housing trajectory following the Inspector's post hearings advice note.</p> <p>A detailed explanation of the replacement Table 6: Housing Forecast 2013 – 2033 is provided in the Council's "Housing Land Supply Update – Addendum to January 2019 update in response to the Inspector's Post Hearings Advice Note (June 2019)" which is appended to this schedule of Proposed Main Modifications.</p>	<p>This modification refers to a housing forecast table which reflects changes and SA updates of MM35, MM42, MM43.</p> <p>The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policies SP2 Higher Town, Sampford Peverell, and CU21 Colebrook, Cullompton in terms of the five policy areas and the protected characteristics identified in the Equalities Impact Assessment 2017.</p> <p>However, the removal of limitations on development at SP2 Higher Town, Sampford Peverell, and the removal of the contingency site status and bringing forward the site allocation at CU21 Colebrook, Cullompton into the housing land supply trajectory will mean that the probability of positive impacts identified in the Equalities Impact Assessment</p>

		2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total
Location/Site	Policy																					
Tiverton																						
Eastern Urban Extension	TIV1-TIV5														25	100	100	100	100	100	25	550
Howden Court	TIV9									10												10
Roundhill	TIV10									12	8											20
Phoenix Lane	TIV12								4			25	31									60
Tidcombe Hall (contingency)	TIV13																					0
Blundells School	TIV16							12	25	25	50	50	38									200
Commitments							107	149	136	143	135	108	100	100	100	100	97					1275
Completions		93	70	98	89	128																478
Tiverton Total		93	70	98	89	128	107	149	152	180	178	183	181	138	125	200	197	100	100	100	25	2593
Cullompton																						
NW Cullompton	CU1-CU6							49	100	100	150	150	176	100	100	100	100	100	100	25	1350	
East Cullompton	CU7-CU12										50	125	175	200	200	200	200	200	200	200	1750	
Ware Park and Footlands	CU14												25	13								38
Colebrook	CU21								12	25	25	38										100
Commitments							91	71	53	25	12											252
Completions		87	78	44	98	238																545
Cullompton Total		87	78	44	98	238	91	71	114	150	137	238	275	376	313	300	300	300	300	225	4035	
Crediton																						
Red Hill Cross	CRE2									12	50	50	23									135
Woods Group	CRE4									8												8
Pedlarspool	CRE5							12	25	25	50	50	38									200
Sports Fields	CRE6									12	50	50	8									120
Stonewall Lane	CRE7										25	25										50
Land at Barn Park	CRE8							12	8													20
Alexandra Close	CRE9							12	3													15
Commitments							103	99	54	29	10											295
Completions		58	31	18	17	12																136
Crediton Total		58	31	18	17	12	103	99	90	65	59	183	175	69	0	0	0	0	0	0	0	979
Rural sites																						
Newton Square	BA1									5												5
Hollywell	BO1									12	8											20
Hele Road	BR1								7													7
Barton	CH1									12	8											20
Land off Church Lane	CB1									12	8											20
Barnshill Close	CF1								7													7
Linhay Close	CL1								6													6
Land adj Fishers Way	HA1							10														10
Greenaway	MO1									12	8											20
Former Tiverton Parkway Hotel	SP1								10													10
Higher Town	SP2								12	25	23											60
Fannys Lane	SA1								8													8
Old Butterleigh Road	SI1							8														8
The Garage	SI2							5														5
South of Broadlands	TH1								12													12
Land east of M5	WI1								12	25	5											42
Commitments							273	242	255	26												796
Completions		82	137	128	100	124																571
Rural Sites Total		82	137	128	100	124	273	255	339	124	65	0	0	0	0	0	0	0	0	0	0	1627
Total (Mid Devon - all areas)		320	316	288	304	502	574	574	695	519	439	604	631	583	438	500	497	400	400	400	250	9234
Five year totals						1730			2801				2756						1947			
Cumulative five year totals						1730			4531				7287						9234			

2017 for both site allocations may happen sooner.



MM02	S1: Sustainable development priorities		Amend criterion i) as follows:  “... <u>recreational trails</u> , <del>and</del> -accessible land, <u>and other green infrastructure</u> , and opportunities....”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to reflect representation made by Natural England during the 2017 modifications consultation.	The proposed main modification to Policy S1 will have a probable positive impact on the protected characteristics of ‘age’, ‘disability’ and ‘pregnancy and maternity’ in terms of the provision of public open space as part of new housing (policy area of ‘housing affordability / housing suitability’).
MM03	S2: Amount and distribution of development	32	“The diverse needs of the community will be met through the provision of <u>a minimum of approximately 7,860</u> <del>7,200</del> dwellings and 147,000 <del>154,000</del> square metres of commercial floorspace between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033.”	In response to the Inspector’s post hearings advice note:  “...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy S2 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM04	S3: Meeting housing needs	34	Amend criterion a) as follows:  “The diverse needs of Mid Devon will be met through the provision of <u>a minimum of approximately 7,860</u> <del>7,200</del> dwellings between 1 <sup>st</sup> April 2013 and 31 <sup>st</sup> March 2033.”	In response to the Inspector’s post hearings advice note:  “...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy S3 in terms of the five policy areas and impact on the protected characteristics identified in the

				appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”	Equalities Impact Assessment 2017.
MM05	Paragraph 2.31	36	<p>Amend paragraph 2.31 of the supporting text as follows:</p> <p>“...The need for gypsy and traveller pitches will be accommodated by pitches within larger housing sites, for example at Tiverton Eastern Urban Extension, North West Cullompton, East Cullompton and Pedlerspool in Crediton. <b><u>The Council’s preferred approach is for on-site provision as part of larger housing proposals TIV1, CU1, CU7 and CRE5. Provision off-site will only be accepted where it is demonstrated that provision on a different site would achieve a more favourable outcome for Gypsies and Travellers as described in Policy DM7. Where such a more favourable outcome can be demonstrated, off-site provision must meet the requirements of Policy DM7, and a mechanism must be put in place to ensure that the pitches are delivered. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or</u></b></p>	In response to the Inspector’s post hearings advice note and to ensure consistency with MM proposed for Policy DM7.	<p>The proposed main modification to paragraph 2.31 will have a probable mixed impact (positive and negative) on some of the policy areas and protected characteristics identified in the Equalities Impact Assessment 2017.</p> <p>The amended approach will have a probable positive impact in terms of ‘race’ and ‘religion or belief’, through a more favourable outcome for Gypsies and Travellers by securing the delivery of pitches to help meet the housing needs of this part of the community.</p> <p>However, the provision of pitches in locations that are off-site (i.e. that do not form part of larger housing proposals TIV1, CU1, CU7 and CRE5) will have a probable negative impact on the protected characteristics of ‘age’, ‘disability’ and ‘pregnancy and maternity’ in</p>

			<p><b><u>CRE5. Where the off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of this Plan. The Council is working with the travelling showpeople community to approve a large site near Cullompton which would meet the need requirements set out in the GTAA. Policy DM7 (gypsy and traveller accommodation) manages the development of specific sites"</u></b></p>		<p>terms of 'access to public transport / sustainable transport', where those locations are situated further away from schools, shops, services, health and other community facilities and places of employment and where there is an increased reliance on the use of private or public transport.</p>
MM06 Page 241	S8: Infrastructure	46	<p>Modification to include following text at the end of the policy text:</p> <p><b><u>"Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest infrastructure plan"</u></b></p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy S8 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p>
MM07	S9: Environment	48	<p>Amend criterion e) as follows:</p> <p>"The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within the landscape character areas. Within <del>or</del> <b>adjoining</b> the Blackdown Hills Area of Outstanding Natural</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy S9 in terms of the five policy areas and impact on the protected</p>

			Beauty, <b>and within the setting of the Blackdown Hills Area of Outstanding Natural Beauty</b> , and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special <del>environmental</del> qualities of that landscape and its setting.”	response to the representation made by Natural England during the 2017 modifications consultation.	characteristics identified in the Equalities Impact Assessment 2017.
MM08	S9: Environment	48	Amend criterion f) as follows:  “The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. <b><u>If significant harm resulting from development cannot be avoided providing impacts should be adequately mitigated mitigation and</u></b> . Compensation measures <b><u>will only be considered</u></b> where appropriate <b><u>as a last resort</u></b> ; and”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation and to reflect the hierarchy in NPPF para 118.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy S9 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM09	S11: Cullompton	52	Amend criterion a) as follows:  “Make any necessary <del>improvements to the M5 motorway including junction 28</del> <b><u>strategic mitigations</u></b> to maintain highway capacity, <del>and</del> safety, <b><u>integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans;</u></b> ”	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy S11 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM10	S12: Crediton	55	Add to the end of clause e) “; <b><u>including green infrastructure</u></b> ”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in	The proposed main modification to Policy S12 will have a probable positive impact on the protected characteristics of ‘age’, ‘disability’ and ‘pregnancy and maternity’ in terms of the provision of public

				response to the representation made by Natural England during the 2017 modifications consultation.	open space as part of new housing (policy area of 'housing affordability / housing suitability').
MM11	S14: Countryside and paragraph 2.82	59	<p>Amend criterion a) as follows:</p> <p>"a) Affordable and low cost housing to meet local needs, <b>gypsy and traveller accommodation</b>, <del>gypsy and traveller accommodation</del>, residential conversion of appropriate existing buildings..."</p> <p>Amend the last two sentences of supporting text in para 2.82 as follows:</p> <p>"National policy requires that new sites for travellers should be <del>very strictly</del> limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation)."</p>	<p>In response to the Inspector's post hearing advice note:</p> <p>"Make Policy S14 permissive of G&amp;T sites in the countryside while decoupling allocated G&amp;T sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7"</p>	<p>The proposed main modification will have a probable mixed impact (positive and negative) on some of the policy areas and protected characteristics identified in the Equalities Impact Assessment 2017.</p> <p>The amended approach will have a probable positive impact in terms of 'race' and 'religion or belief' through being more permissive for Gypsy and Traveller accommodation in the open countryside.</p> <p>However, the provision of Gypsy and Traveller accommodation will have a probable negative impact on the protected characteristics of 'age', 'disability' and 'pregnancy and maternity' in terms of 'access to public transport / sustainable transport', where those locations are situated further away from schools, shops, services, health and other community facilities</p>

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					and places of employment and where there is an increased reliance on the use of private or public transport.
MM12	TIV3: Eastern Urban Extension Environmental Protection and Green Infrastructure	70	Amend criterion e) as follows:  “Appropriate provision of sewerage system to serve the development <del>and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance ;</del> ”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following the 2015 Proposed Submission consultation in response to request by the Environment Agency. Reference to Sustainable Urban Drainage is now included in criterion f).	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy TIV3 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM13	TIV4: Eastern Urban Extension Community Facilities	72	Add additional policy criterion as follows:  <u>“f) Contributions towards a new recycling centre to serve Tiverton”</u>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy TIV4 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM14	TIV4: Eastern Urban Extension Community Facilities	72	Replace criterion b) as follows:  <u>“<del>Construction cost for one primary school of 410 places and early years provision</del> Provision of a 420-place primary school with early years provision and a children’s centre service delivery base funded by appropriate contributions from developers;”</u>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy TIV4 in terms of the five policy areas and impact on the protected characteristics

					identified in the Equalities Impact Assessment 2017.
MM15	TIV15: Tiverton Infrastructure	83	<p>Add additional policy criterion as follows:</p> <p><b><u>“l) Provision of a replacement recycling centre facility”.</u></b></p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy TIV15 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM16	TIV16: Blundells School	84	<p>Add additional criterion as follows:</p> <p><b><u>“k) The creation of additional/compensatory floodplain should secure wider environmental and sustainability benefits.”</u></b></p> <p>Amend paragraph 3.60c to insert at the end of the sentence <b><u>“subject to the provision of wider environmental and sustainability benefits”.</u></b></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to reflect the representation made by the Environment Agency (6734) which notes that this is a key consideration of the Environment Agency when consulted on development within the floodplain.	The proposed main modification will have a neutral impact and will not change the previous assessment of Policy TIV16 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM17	Paragraph 3.70	89	<p>Amendment to proposed modified text within paragraph 3.70 as follows:</p> <p><b><u>“Traffic management measures on Willand Road and Tiverton Road will also be required. Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact on the junction’s capacity through</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification to paragraph 3.70 will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU1 in terms of the five policy areas and impact on the protected characteristics identified in the

			<del>implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under policy CU7 of the Cullompton Town Centre Relief Road.</del>		Equalities Impact Assessment 2017.
MM18	CU2: North West Cullompton Transport Provision	90	Amendment to criterion (h) as follows: <del>“Financial contributions towards Capacity improvements at Junction 28 of the M5, to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.”</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU2 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM19	Paragraph 3.75	90	Amendment to proposed modified text within paragraph 3.75 as follows:  <del>“The Development will need to mitigate its impact upon capacity at junction 28 of the M5 by financial contributions towards junction improvements.”</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification to paragraph 3.75 will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU2 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM20	CU4: North West Cullompton Community Facilities	93	Replace criterion b) as follows:  <del>“Construction costs for 300 places that arise from the development to contribute to a 420 place primary school with provision for early years; Provision of a 420-place school with early years provision and a children’s centre service delivery base funded by appropriate contributions from developers.”</del>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU4 in terms of the five policy areas and impact on the protected characteristics



					identified in the Equalities Impact Assessment 2017.
MM21	CU4: North West Cullompton Community Facilities	93	Add additional policy criterion as follows:  <b><u>“e) Contributions towards a new recycling centre to serve Cullompton”</u></b>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU4 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM22	CU6: North West Cullompton Phasing	95	Replacement policy text for criterion (i) of the policy as follows:  <del>Provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development. Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU6 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM23	Paragraph 3.94	96	Amendment to proposed modified text within paragraph 3.94 as follows: <del>“Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact upon the junction’s capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under Policy CU7. No more than 600 dwellings should be occupied before the Cullompton Town Centre Relief Road is completed and open to traffic. The</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification to paragraph 3.94 will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU6 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.

			<u>provision of the Town Centre Relief Road provides increased capacity at J28 M5.”</u>		
MM24	CU7: East Cullompton	97	Amendment to criterion (f) as follows: “f) <del>Transport provision to ensure appropriate accessibility for all modes, including a new or improved access and egress onto the M5 motorway</del> <u>Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28</u> and pedestrian and cycle links across the motorway to the existing town;”	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU6 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM25	CU8: East Cullompton Transport Provision	99	Replacement policy text for criterion (a) of the policy as follows:  <del>Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 as a result of traffic generated from the site</del> <u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU8 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM26	CU10: East Cullompton Community Facilities	102	Amend criterion a) as follows: a) <del>A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority</del> <u>A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;</u>  Amend criterion c) as follows:	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU10 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.

			<p><del>“Construction costs for a 650-place primary school or two 325-place primary schools, including provision for early years education. Construction costs for a primary school capacity of for at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;”</del></p>		
MM27	CU10: East Cullompton Community Facilities	102	<p>Add additional policy criterion as follows:</p> <p><b><u>“g) Contributions towards a new recycling centre to serve Cullompton”</u></b></p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU10 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM28	CU12: East Cullompton Phasing	104	<p>Replacement policy text for criterion (f) as follows:</p> <p><del>f) Provision of the first phase of comprehensive M5 access improvements before any dwellings are occupied, followed by strategic highways infrastructure broadly in step with development</del> <b><u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site; and</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU12 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.

MM29	Paragraph 3.116	105	<p>Delete penultimate sentence within paragraph 3.116 of the supporting text as follows:</p> <p><b><del>“The first phase referred to in criterion (f) above therefore only relates to the subsequent highway works set out in the Devon County Council Report.”</del></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification to paragraph 3.116 will have a neutral impact and will not affect the scoring in the previous assessment of Policy CU12 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM30	CU12: East Cullompton Phasing	106	<p>Paragraph 3.120, amend as follows: “Subject to viability, affordable housing will be provided at a rate of approximately <b>25% 28%</b>, in step with the market housing”.</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to correct typographical error and to ensure supporting text is consistent with policy.	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU12 (or Policy S3 which places a target of 28% affordable housing on sites of more than 11 dwellings at Cullompton) in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM31	CU17: Week Farm	110	<p>Replacement policy text for proposed criterion (g) as follows:</p> <p>(g) <b><del>“Provision of M5 access improvements before any commercial floorspace is brought into use</del>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;”</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU17 in terms of the five policy areas and impact on the protected characteristics

					identified in the Equalities Impact Assessment 2017.
MM32	CU18: Venn Farm	111	Replacement policy text for proposed criterion (g) as follows:  (g) <del>“Provision of M5 access improvements before any commercial floorspace is brought into use</del> <b><u>Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u></b> ”	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU18 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM33	Paragraph 3.143a	114	Amend paragraph 3.143a as follows: “...the final scheme will need to incorporate design solutions which mitigate such impacts. <b><u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including the provision of appropriate ecological and biodiversity enhancements.</u></b> ”	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by the Environment Agency during the 2017 modifications consultation.	The proposed main modification to paragraph 3.143a will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU19 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM34	CU20: Cullompton Infrastructure	114	Add additional policy criterion as follows: <b><u>“n) Provision of a replacement recycling centre facility”.</u></b>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU20 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.

MM35	CU21: Land at Colebrook	115	<p>Remove contingency status. Modifications proposed as follows:</p> <p>Land at Colebrook <b>CONTINGENCY SITE</b></p> <p>A site of 4.8 hectares at Colebrook <del>is identified as a contingency site allocated for residential development to be released in accordance with Policy S4,</del> subject to the following:</p> <ul style="list-style-type: none"> <li>a) 100 dwellings with 28% affordable housing;</li> <li>b) <del>The development shall not commence until the Town Centre Relief Road has been provided; completion of the North West Cullompton through route linking Tiverton Road to Willand Road and provision of the first phase of comprehensive M5 access improvements;</del></li> <li>c) Provision of two points of access from Siskin Chase;</li> <li>d) Provisions of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision;</li> <li>e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;</li> <li>f) Archaeological investigation and appropriate mitigation; and</li> <li>g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.</li> </ul> <p>Delete paragraph 3.148 from the supporting text.</p> <p><i>Modify the Policies Map as shown on Plan MM35.</i></p>	<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>Devon County Council has advised the timing of the development of the site is not dependent on the Cullompton Town Centre Relief Road coming forward as long as financial contributions are made towards the delivery of the relief road. Please refer to the updated housing land supply statement.</p> <p>Criterion b) deleted following Devon County Council's highway consultation response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane). Devon County Council has updated its previous highways advice and there is no longer a requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road to Willand Road link).</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU21 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p> <p>However, the removal of contingency site status and bringing forward the site allocation into the housing land supply trajectory will mean that the positive impacts identified in the Equalities Impact Assessment 2017 may happen sooner.</p>
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MM36	Paragraph 3.149	116	<p>Amend paragraph 3.149 of the supporting text as follows:</p> <p>3.149 <del>If this site comes forward for development, it must contribute to the provision of offsite highways infrastructure.</del> Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. <del>Devon County Council has therefore stipulated that development should only take place providing there is sufficient network capacity. If released, the site will need to be phased to come forward after further M5 access improvements are implemented.</del> Any application for development must undertake an assessment of the impact of the proposal on both the capacity of the local road network and Junction 28 of the M5 and permission will only be granted where there are no significant adverse impacts <del>which cannot be mitigated.</del> Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation. The site is expected to contribute to the provision of off-site highways infrastructure. <del>Development in this location would increase traffic through the town centre, so would not be permissible until the Town Centre Relief Road has been provided, offering an alternative route.</del> The development would also be expected to provide two points of access from Siskin<del>s</del> Chase.</p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.</p> <p>Further amendment to remove the words “...which cannot be mitigated” to improve clarity.</p>	<p>The proposed main modification to paragraph 3.149 will have a neutral impact and will not affect the scoring of the previous assessment of Policy CU21 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p>
MM37	CRE5: Pedlerspool, Exhibition Road	121	<p>Amendment to criterion (b) to include reference to <b><u>“with early years provision and children’s centre service delivery base”</u></b>.</p>	<p>Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of</p>	<p>The proposed main modification to Policy CRE5 will have a probable positive impact on the protected characteristic of ‘age’ and ‘pregnancy and maternity’</p>

				Devon County Council's position at the hearings.	where there is now a requirement for early years provision and children's centre service delivery base (that were not previously required).
MM38	J27: Land at Junction 27 of the M5 Motorway	128	<p>Replace criterion b) as follows:</p> <p><del>"Provision of transport improvements to ensure appropriate accessibility for all modes, including new or improved access and egress onto the M5 motorway and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station.</del></p> <p><u>Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 27 and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station"</u></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy J27 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM39	J27: Land at Junction 27 of the M5 Motorway and paragraph 3.184d	128	<p>Delete criterion e):</p> <p><del>"Prior to the approval of any planning permission for the site any required mitigation measures for the Culm Grasslands Special Area of Conservation shall be identified and agreed together with a time scale for their provision and a mechanism for their maintenance."</del></p> <p>Para3.184d, amend as follows:</p> <p><u>"The proposals for a major facility of this nature needs to be considered carefully in terms of its impacts and the policy makes provision for detailed transport assessments, environmental protection and green infrastructure, energy</u></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Deletion of the reference to mitigation measures with regard to the Culm Grasslands Special Area of Conservation to reflect the latest evidence in the J27 proposals: Habitat Regulations Assessment Appropriate Assessment Report (2016) and representation	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy J27 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.



			conservation, provision of improved public transport, pollution and drainage considerations, phasing and importantly, master planning with full public consultation prior to any planning applications being approved. <b><u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including provision of appropriate ecological and biodiversity enhancement.</u></b> Section 106 planning obligations will also make provision for any necessary infrastructure and public transport improvements <del>and would need to ensure appropriate mechanisms are in place to ensure that the integrity of the Culm Grasslands SAC will not be adversely affected."</del>	made by Natural England (6242). Reference to floodplain in response to representation made by the Environment Agency (6734) to the 2017 modifications consultation.	
MM40 Page 255	J27: Land at Junction 27 of the M5 Motorway	128	Include additional criterion in policy as follows:  <b><u>"a) Any planning application which includes a 'designer outlet shopping centre' should be accompanied by a full Retail and Leisure Impact Assessment"</u></b> .	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to ensure the potential impact is appropriately and adequately assessed at the planning application stage. Amendment also reflects comments made by The Crown Estate and TH Real Estate c/o Montagu Evans (6234).	This proposed main modification will have a probable positive impact on the protected characteristics of 'age', 'disability' and 'Pregnancy and Maternity' where the retail and leisure impact assessment can help to safeguard retail and leisure facilities in town centre locations which are accessible by 'Sustainable transport/access to public transport'.
MM41	Paragraph 3.184d	129	Include the following text at the end of the paragraph 3.184d:  <b><u>"Priority habitats exist within the site and in line with criterion c) of Policy J27 should be protected and enhanced."</u></b>	Amendment as agreed with Natural England (see Statement of Common Ground SCG-6 MDDC and Natural England)	The proposed main modification to paragraph 3.184d will have a neutral impact and will not affect the scoring of the previous assessment of Policy J27 in terms

					of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM42	SP2: Higher Town Sampford Peverell	146	<p>Amend Policy SP2 as follows:</p> <p><i>"A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, to come forward following the commencement of development of the M5 Junction 27 allocation, subject to the following:"</i></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be removed."</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy SP2 Higher Town, Sampford Peverell in terms of the five policy areas and the protected characteristics identified in the Equalities Impact Assessment 2017.</p> <p>However, the removal of limitations on development at SP2 Higher Town, Sampford Peverell will mean that the positive impact identified in the Equalities Impact Assessment 2017 may happen sooner.</p>
MM43	SP2: Higher Town Sampford Peverell and paragraph 3.224c	146	<p>Delete criterion b) and re-label the remaining criteria accordingly.</p> <p><del>b) No development until the completion of improved access works to the A361;</del></p> <p>Delete paragraph 3.224c of the supporting text.</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"It was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of improved access works to the A361 is</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy SP2 Higher Town, Sampford Peverell in terms of the five policy areas and the protected characteristics identified in the Equalities Impact Assessment 2017.</p>

			<del>3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction at Sampford Peverell have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.</del>	unnecessary. Criterion b) needs to be removed.”	However, the removal of limitations on development at SP2 Higher Town, Sampford Peverell will mean that the positive impact identified in the Equalities Impact Assessment 2017 may happen sooner.
MM44	SP2: Higher Town Sampford Peverell	146	Include new criterion:  <b><u>“Improved access to the village for pedestrians and cyclists”</u></b>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed to provide greater clarity in response to a number of representations from individuals and through agreement of inclusion of criterion by Devon County Council.	The proposed main modification will have a probable positive impact on the protected characteristics of ‘age’, ‘disability’ and ‘Pregnancy and Maternity’ and the policy area ‘Sustainable transport/access to public transport’ in the Equalities Impact Assessment 2017.
MM45	SP2: Higher Town Sampford Peverell	146	Amend criterion g) as follows:  <b><u>“2 2.5 hectares of Green Infrastructure laid out and managed with landscaping and open space.”</u></b>  <i>Modify the Policies Map as shown on Plan MM45.</i>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. The area of Green Infrastructure has been further extended to limit	The proposed main modification will have an probable increased positive impact on the protected characteristics of ‘age’, ‘disability’ and ‘Pregnancy and Maternity’ and the policy area ‘Affordable Housing’ in the Equalities Impact

				the impact of the setting of the listed building.	Assessment 2017, through an enlarged area of green infrastructure which can be public open space
MM46	DM1: High Quality Design and new paragraph 4.5b	153-154	<p>Insert additional criteria as follows:</p> <p><b><u>“g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</u></b></p> <p><b><u>h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and</u></b></p> <p><b><u>i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M ‘access to and use of dwellings.’</u></b></p> <p>Insert additional supporting text as follows:</p> <p><b><u>“4.5b National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is particularly important for the design of the homes that people live in and the spaces that surround those homes. The aim in Mid Devon is to deliver high quality buildings and spaces that meet the needs of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses. Though compliance is delivered through buildings regulations, criterion i) will be</u></b></p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“Criteria a) and c) [of DM12] seem to me to be more about design and might find a more comfortable home as part of Policy DM1. I take a similar view in relation to criterion b).”</p> <p>“the general size and configuration of a dwelling, and the proper handling of recycling, refuse and cycle storage, are design-based considerations and the reference to the Nationally Described Space Standard seems to be unnecessary.’ If these criteria are adjusted to make plain that they refer to the design of new housing, and relocated in Policy DM1, then that would be a more efficient way of dealing with the matter.”</p> <p>“I am not convinced that the requirement for 30% of houses</p>	<p>The proposed main modification will have a probable positive impact on the protected characteristics of ‘age’ and ‘disability’ and the policy area of ‘adaptable housing’ in the Equalities Impact Assessment 2017.</p> <p>However, this probable positive impact will be offset through the probable negative impact that will arise through the proposed Main Modification to Policy DM12.</p>

			<p><b><u>implemented through a condition attached to the planning permission.”</u></b></p>	<p>on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M has been made out. I believe 20, as a carry forward from the existing policy that refers to Lifetime Homes standards is reasonable but again, this requirement could be moved into Policy DM1.”</p> <p>Reference to the Nationally Described Space Standard is retained in the policy. This is since MDDC’s experience of applying minimum size standards for decision making purposes on development proposals requires that the Nationally Described Space Standards are explicit in local plan policy.</p>	
MM47	DM2: Renewable and low carbon energy	154	<p>Amend the third sentence in Policy DM2 as follows:</p> <p>“Proposals must demonstrate that impacts are or can be made acceptable <b><u>in relation to: and that the development will preserve.”</u></b></p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“I have some concerns about the wording of Policy DM2 because the first part seeks to avoid any significant adverse impacts, but the second part requires renewable and low carbon energy to preserve</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy DM2 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p>

				(which I take to mean cause no harm to) landscape character, the setting of heritage assets, living conditions, and so on. The former is the correct approach and the second part needs to be adjusted to remove the contradiction. This will require a MM.”	
MM48	DM7: Traveller sites and paragraph 4.29	164-165	<p>Amend Policy DM7 as follows:</p> <p><b>1) <u>Planning applications for Pitches and Plots</u></b></p> <p>Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where:</p> <p><del>a) The need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches;</del></p> <p><del>b) Local services can be accessed without the use of a car;</del></p> <p>a) Suitable onsite facilities will be provided including space for children’s play;</p> <p>b) The proposal will have suitable environmental quality for residents including non-isolating boundary treatments;</p> <p><b><u>c) The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;</u></b></p> <p>d) Occupation will be limited to those who meet the Government’s published definition of gypsies and</p>	<p>In response to the Inspector’s post hearings advice note on the provision for Gypsies and Travellers.</p>	<p>The proposed main modification will have a probable mixed impact (positive and negative) on some of the protected characteristics identified in the Equalities Impact Assessment 2017.</p> <p>The amended approach will have a probable positive impact in terms of ‘ethnicity’ through a more favourable outcome for Gypsies and Travellers by securing the delivery of pitches to help meet the housing needs of this part of the community.</p> <p>However, the provision of pitches in locations that are off-site (i.e. that do not form part of larger housing proposals TIV1, CU1, CU7 and CRE5) will have a probable negative impact in terms of</p>

			<p>travellers, including travelling showpeople <u>or their dependents; and</u></p> <p><u>e) Safe and convenient access to local facilities is provided</u></p> <p><del>Where development proposals are considered under S13 “Villages”, local services can be accessed without the use of a car.</del></p> <p><del>Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.</del></p> <p>Sites with associated employment or storage elements <del>may</del> <b>will</b> be permitted where there is specific justification and the location, <u>scale, and nature of the proposed development</u> will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.</p> <p><b><u>2. Provision on allocated sites</u></b></p> <p><b><u>Gypsy and Traveller pitches on allocated sites (sought by Policies TIV1, CU1, CU7 or CRE5) should be provided on site unless it is demonstrated that off-site provision will achieve a more favourable outcome for Gypsies and Travellers taking into account:</u></b></p> <p>i) <u>Pitch numbers;</u></p> <p>ii) <u>Site facilities;</u></p>		<p>‘access to public transport / sustainable transport’, where those locations are situated further away from schools, shops, services, health and other community facilities and places of employment and where there is an increased reliance on the use of private or public transport.</p>
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- iii) Accessibility to services, including health and education;
- iv) Early delivery of serviced pitches or plots which are available for occupation; and
- v) The provision of an effective mechanism for delivery.

Such sites must also meet the requirements of part 1 of Policy DM7 above,

Amend supporting text in paragraph 4.29 as follows:

~~“4.29 There is a need for 35 new pitches for gypsies and travellers for the period 2014-34, and 11 plots for travelling showpeople for the period 2014-34. The majority of this This need is proposed to be met on the largest strategic allocations. The travelling showpeople community is predominately based in one large site at Cullompton, which is at capacity. A need for 11 plots has been identified and the Council is in discussions with a landowner to grant permission for one additional site near to the town which will meet the outstanding requirement. The need for gypsy and traveller accommodation is identified to be in the region of 25 pitches across the plan period. These are to be included within~~  
 allocated developments at Tiverton Eastern Urban Extension, North West Cullompton, and Pedlerspool in Crediton. Pitches must be provided on-site unless the more favourable outcome described by Policy DM7 is demonstrated. Any proposals for more favourable off-site provision must identify and provide serviced sites in accordance with Policy DM7. A clear mechanism to ensure that pitches or plots are delivered in



			<p><u>such a way as to achieve a more favourable outcome for the travelling community must be identified.</u></p> <p><u>This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5.</u> Where gypsy and traveller pitches are provided <u>on-site</u> on housing allocations, these are to be counted against the affordable housing targets for that site.</p> <p><del>There are also existing consented sites in Mid Devon. Proposals for gypsy and traveller accommodation will not be permitted in other locations, unless it is demonstrated that the existing consented or allocated sites will not be available to the prospective occupiers in a reasonable timescale."</del></p>		
MM49	DM12: Housing Standards	170	<p>Delete Policy DM12 Housing Standards (incorporating proposed modifications in the 2017 consultation) and move its content, with amendments in accordance with the Inspector's post hearings advice note, to Policy DM1.</p> <p><b>Policy DM12</b></p> <p><del>Housing Standards</del></p>	In response to the Inspector's post hearings advice note. Please refer to MM46.	The proposed main modification will have a probable negative impact on the protected characteristics of 'age' and 'disability' and the policy area of 'adaptable housing' in the Equalities Impact Assessment 2017.

Page 264			<p><del>New housing development should be designed to deliver:</del></p> <ul style="list-style-type: none"> <li><del>a) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</del></li> <li><del>b) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage;</del></li> <li><del>c) Private amenity space that reflects the size, location, floorspace and orientation of the property; and</del></li> <li><del>d) On sites of 10 houses or more the provision of 30% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'</del></li> </ul>		<p>However, this probable negative impact will be offset through the probable positive impact that will arise through the proposed Main Modification to Policy DM1.</p>
MM50	DM19: Protection of employment land and paragraph 4.60	179	<p>Delete Policy DM19 criterion c)</p> <p><del>c) A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing:</del></p> <ul style="list-style-type: none"> <li><del>i) Mixed use of the site that incorporates an employment generating use, then</del></li> <li><del>ii) Non employment use.</del></li> </ul> <p>Amend para 4.60 of the supporting text as follows:</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"There was some discussion about criterion c) of Policy DM19 which deals with the protection of employment land. In my view, if criterion b is satisfied, and suitable marketing (which might include for mixed use purposes) has taken place at an appropriate price, for at least 18 months without any</p>	<p>The extent of the proposed main modification will have a neutral impact and will not affect the scoring in the previous assessment of Policy DM19 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p>

			<p><del>...“If there is no interest in the site as a result of marketing, the potential of the site for mixed use development including employment must be considered in preference to the total loss of employment. This will involve determining whether the site still has the potential to be developed viably for mixed use development or can only be viable if the whole site is developed for non-employment uses. In all cases, the proposed use must not significantly harm any other existing uses in the area, or be harmed by those uses. For example, housing development may not be acceptable in close proximity to general industry, depending on the nature and scale of the industrial use.”</del></p>	<p>interest, then an alternative use (which may take the form of a mixed use) should be allowed to come forward. Criterion c) which requires an additional sequential viability test is far too onerous a requirement and should be removed through a MM.”</p> <p>Supporting text deleted to accord with proposed MM.</p>	
MM51	DM25: Development affecting heritage assets	186	<p>Amend Policy DM25 as follows:</p> <p>“a) Apply a presumption in favour of <b><u>preserving or enhancing all designated preservation in situ in respect of the most important</u></b> heritage assets <b><u>and their settings</u></b>;</p> <p>b) Require development proposals likely to <b><u>affect the significance of</u></b> heritage assets <b><u>and their settings</u></b>, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;</p> <p>c) Only approve proposals that would <b><u>lead to substantial harm to or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm</u></b> or the requirements of paragraph 133 of the National Planning Policy Framework are met;</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“To comply with statute, criterion a) should apply a presumption in favour of preserving or enhancing all designated heritage assets, not just the most important ones. A reference to their setting would assist too”.</p> <p>“Criterion b) needs to refer to the significance of heritage assets rather than heritage assets and their settings.”</p> <p>“Criterion c) needs to properly reflect the wording of paragraph 133 of the (2012 version of the) Framework by</p>	<p>The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy DM25 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p>

			<p>d) Where a development proposal <del>would will</del> lead to less than substantial harm <u>to the significance of a designated heritage asset, this that</u> harm <del>will should</del> be weighed against <u>the public benefits of the proposal any public benefit</u>, including securing <u>its</u> optimum viable use; and</p> <p>e) Require developers to make a proportionate but systematic assessment of <del>the any</del> impact on <u>the</u> setting <u>and thereby the significance of heritage asset(s) down in the guidance from English Heritage: “The Setting of Heritage Assets” Historic England: ‘The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3.’</u></p>	<p>referring to significance. The direct reference to paragraph 133 should be removed because planning applications will be determined using the latest version of the Framework.”</p> <p>“Criterion d) should properly reflect paragraph 134 of the (2012) Framework and refer to significance.”</p> <p>“Criterion e) could confine itself to ‘require developers to make a proportionate and systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)’ Pointing to HE guidance in the manner proposed seems to me to run the risk of that guidance changing.”</p>	
MM52	Paragraph 4.88	189	<p>Amend paragraph 4.88 as follows:</p> <p>... “Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <u>although developments should recognise that floodplain cannot necessarily provide year-round amenity access.</u>”</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following representation made by the Environment Agency (673) which provides greater clarity of the ability of</p>	<p>The proposed main modification to paragraph 4.88 will have a neutral impact and will not affect the scoring of the previous assessment of Policy DM26 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.</p>

				floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.	
MM53	Paragraph 4.88	189	At the end of paragraph 4.88 include the following sentence:  <b><u>“Development incorporating green infrastructure will be required to submit management and maintenance details for the proposed green infrastructure.”</u></b>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following the representation made by the Environment Agency to ensure green infrastructure is protected and managed beyond the initial construction/development.	The proposed main modification to paragraph 4.88 will have a neutral impact and will not affect the scoring of the previous assessment of Policy DM26 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
MM54	DM27: Protected landscapes, and paragraph 4.94	190	Amend Policy DM27 as follows:  “Development proposals <del>within or</del> affecting the Blackdown Hills, Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:...”  Amend paragraph 4.94 as follows: “Where major developments are proposed within <del>or adjoining</del> protected landscapes <u>or within the setting of or adjoining the protected landscapes or</u> the National Parks,”	In response to the Inspector’s post hearings advice note:  “The phrase ‘development proposals within or affecting’ at the beginning of Policy DM27 is a little confusing. A development proposal within a protected landscape will obviously affect it. If the intention is to offer some protection to views into or out of the protected landscape, which seems reasonable, then it may be clearer to make a	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy DM27 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.

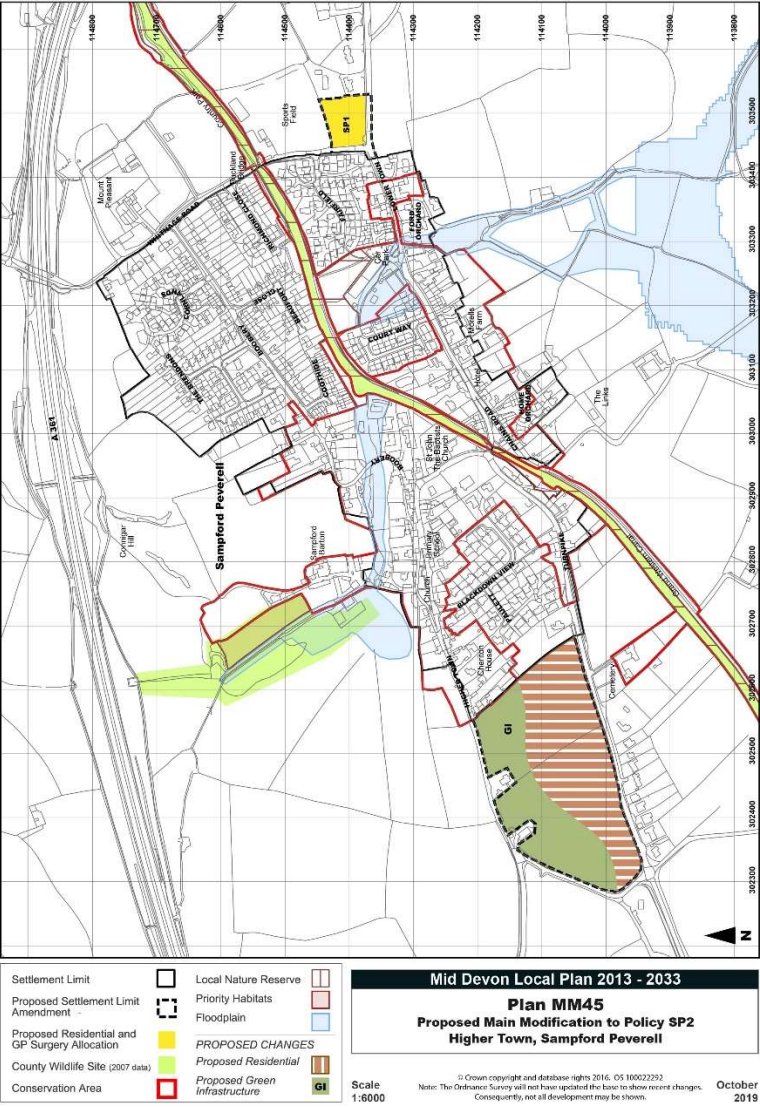
				<p>specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text.”</p> <p>The Council has considered the Inspector’s post hearings advice note and proposes a modification accordingly.</p> <p>The retention of the word “affecting” in the opening sentence of amended Policy DM27 is consistent with Section 62 of the Environment Act 1995, section 11A (2 in respect of National Parks, and also Section 85 (1) of the Countryside and Rights of Way Act 2000 in respect of Areas of Outstanding Natural Beauty.</p> <p>Section 62 of the Environment Act 1995 places a duty on the Council to have regard to the purposes of National Parks in exercising any functions in relation to or <u>affecting</u> land in a National Park. Similarly, Section</p>	
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				85 of Countryside and Rights of Way Act imposes a duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty within an AONB in exercising any functions in relation to or <u>affecting</u> land in an AONB.	
MM55 Page 269	DM28: Other protected sites and paragraphs 4.102 and 4.95		<p>Amend Policy DM28 as follows:</p> <p>Delete the final paragraph:</p> <p><del><b>“Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental integrity of the features of the Natura 2000 site would not be affected</b></del></p> <p>Replace the deleted final paragraph with:</p> <p><b><u>“Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.”</u></b></p> <p>Amend supporting paragraph 4.102 as follows:</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“I have a concern that Policy DM28, and in particular the way it approaches mitigation and compensation in criterion c), fails to comply with ‘People over Wind’ and subsequent judgements. I suggest at this stage that the Council checks this point with their expert advisors.”</p> <p>MDDC has taken expert legal advice that has considered the wording of Policy DM28 and its supporting text at paragraph 4.102 require modification.</p> <p>Two modifications will be required to paragraph 4.95 to</p>	The proposed main modification will have a neutral impact and will not affect the scoring of the previous assessment of Policy DM28 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.

			<p>Delete the sentence:</p> <p><del>“... In the case of Natura 2000 sites, compensatory measures may only be considered if the proposal is deemed to be of overriding public interest and would involve engagement with both Central Government and European Commission.”</del></p> <p>Replace the deleted sentence with:</p> <p><b><u>“... In the case of European sites, where the risk of harm to the integrity of a site has not been ruled out in an appropriate assessment planning permission may be granted for the development only if there is no alternative solution and the development must be carried out for imperative reasons of overriding public interest. In such cases, any necessary compensatory measures must be secured.”</u></b></p> <p>Amend the paragraph 4.95 through the deletion of the words <b><u>“Natura 2000 sites”</u></b> and <b><u>“Natura 2000 site”</u></b> and the replacement of these words with the words <b><u>“European Sites”</u></b> and <b><u>“European Site”</u></b>.</p>	<p>make this consistent with the modifications to Policy DM28 and paragraph 4.102.</p> <p>Modification to paragraph 4.94 taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following representation made by Natural England (6242) to reflect the fact that the special character of protected landscapes includes the setting rather than only the adjoining land and follows National Planning Policy Guidance.</p>	
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<p>Plan MM35</p> <p>CU21: Land at Colebrook</p> <p>Policies Map</p>			<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>The notation on the Policies Map has been modified to show site allocation CU21 as a proposed residential allocation. This modification is necessary to reflect the proposed Main Modification to the wording of site allocation Policy CU21.</p> <p>Please refer to proposed Main Modification MM35.</p>	<p>Please refer to proposed Main Modification MM35.</p>
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<p>Plan MM45</p> <p>Page 272</p>	<p>SP2: Higher Town, Sampford Peverell</p>	<p>Policies Map</p>	 <p>Mid Devon Local Plan 2013 - 2033</p> <p><b>Plan MM45</b></p> <p><b>Proposed Main Modification to Policy SP2</b></p> <p><b>Higher Town, Sampford Peverell</b></p> <p>Scale 1:6000</p> <p>October 2019</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p> <p>The notation on the Policies Map has been modified to show the increased area of Green Infrastructure to reflect the proposed Main Modification to criterion g) in the site allocation Policy SP2 Higher Town, Sampford Peverell</p> <p>Please refer to proposed Main Modification MM45.</p>	<p>Please refer to proposed Main Modification MM45.</p>
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**CABINET**  
**21 NOVEMBER 2019**

## **REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION**

### **GREATER EXETER STRATEGIC PLAN AND LOCAL DEVELOPMENT SCHEME UPDATE 2019**

**Cabinet Member(s):** Councillor Graeme Barnell, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer:** Mrs Jenny Clifford, Head of Planning, Economy and Regeneration

**Reason for Report:** To update the Local Development Scheme (LDS) to take account of the new Greater Exeter Strategic Plan timetable agreement.

#### **RECOMMENDATIONS:**

1. That Cabinet approves the revised Local Development Scheme attached as Appendix 1 to come into effect on 29 November 2019.
2. That Cabinet agree the proposed scope and timetable for the Greater Exeter Strategic plan as detailed in this report and summarised in Appendix 1.

**Financial Implications:** The Local Development Scheme part of the report itself has no direct financial implications, however the preparation of planning policy documents have associated production costs. There is currently a budget for the examination of the Local Plan and production of the Greater Exeter Strategic Plan (GESP) within the planning service. As a collaboration between the four councils, the funding of GESP has in the past and should in the future continue to be shared by the four councils with the shared funding mechanism to be established once the scope and timetable has been agreed. Budgetary provision will be earmarked for the preparation of a new Local Plan for Mid Devon in future budgets.

**Legal Implications:** A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 as amended by Section 111 of the Localism Act 2011. It must specify (among other matters) the documents which, when prepared will comprise the Local Plan for the area. It must be made available publicly and kept up to date.

**Risk Assessment:** Preparing and updating local plans is a statutory requirement. A plan may be subject to challenge if it can be demonstrated that it was not drawn up in compliance with the LDS. The proposed LDS provides an accurate, updated timetable for the production of development plans.

**Equality Impact Assessment:** The Local Development Scheme sets out the Council's project plan and timescales for the development of local development documents. It would not in itself lead to any impacts on the equality strands protected under the Equality Act 2010 (the "protected characteristics"). The Local Plan Review was subject to a full Equalities Impact Assessment, as will the Greater Exeter Strategic Plan be in due course.

**Relationship to Corporate Plan:** The new LDS, appended to this report, sets out a revised timetable for the final stages of the Mid Devon Local Plan Review 2013 - 2033 which will set the strategy for guiding new development in the district, allocating sites for housing, employment and retail uses, the provision of infrastructure, as well as policies for the protection of the environment and managing development. The Greater Exeter Strategic Plan (GESP) will set out a shared vision, strategic policies and proposals for development and conservation in the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge up to 2040. The new Local Plan for Mid Devon will sit alongside the GESP and adopted Neighbourhood Plans, and will include both strategic policies (other than those included in the GESP) and non-strategic policies for the use and development of land and buildings in Mid Devon. These plans will help meet the Corporate Plan priorities: 'Economy', 'Homes', 'Community' and 'Environment'

**Impact on Climate Change:** The preparation of local plans is a key method for achieving climate change mitigation and environmental protection, through appropriate policies and development strategy.

By its nature, climate change is something which cannot be considered in one isolated area, but can only be tackled through work which reflects cross-boundary transport movements and other strategic matters. Involvement in the Greater Exeter Strategic Plan provides the opportunity to consider carbon emission and climate change impacts of development and transport over a wider, larger-than-local scale. Involvement in GESP is therefore likely to be beneficial to climate change policy compared with seeking to achieve carbon neutrality in just one district. The key impacts will arise from the specific policies and strategy chosen however. These implications will arise as the GESP is prepared.

## 1.0 Introduction/Background

1.1 Local Planning Authorities are required to prepare and keep up to date a development plan for their area. It is important that the development plan is kept up to date to ensure that it reflects recent changes in the planning system, the Council's current corporate objectives and provides a sound basis for decision making. Therefore a project plan needs to be put in place to ensure the review is completed efficiently.

1.2 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 requires local authorities to prepare and maintain a LDS for the district. The LDS provides interested people and organisations with the Council's project plan for the preparation of local development documents. The Council's adherence to the LDS is part of the legal compliance check applied to Local Plans at their examinations. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 has introduced a legal requirement to review local development documents within certain time periods. In respect of a local plan, a review must be completed every five years starting from the date of adoption of the local plan. Consequently, this LDS review incorporates an indicative timescale for the production of a new local plan post-adoption of the Local Plan Review 2013 - 2033.

1.3 The purpose of this report is to present a revised version of the LDS to take account of the new Greater Exeter Strategic Plan timetable agreement.

## 2.0 The Local Plan Review 2013 – 2033, the Greater Exeter Strategic Plan and a new Local Plan for Mid Devon

### *Mid Devon Local Plan Review 2013 – 2033*

2.1 The Mid Devon Local Plan Review was submitted on 31<sup>st</sup> March 2017 to the Planning Inspectorate for Examination. The appointed Inspector held preliminary hearings on the 20<sup>th</sup> and 21<sup>st</sup> September 2018 specifically in relation to Policy J27, Policy SP2 Higher Town, Sampford Peverell and Policy TIV16 Blundell's School, Tiverton. Main Hearings into the Plan were conducted on the 14<sup>th</sup>, 15<sup>th</sup>, 19<sup>th</sup> and 20<sup>th</sup> February 2019 and the Inspector issued his post hearings advice note on 21<sup>st</sup> May 2019.

2.2 In summary, the Inspector:

- Was content that the objectively assessed need (OAN) figure of 7,860 (393 new homes each year) is soundly derived;
- Considered the vision, and general approach of the Plan, directing development, and housing in particular, to Cullompton, in the main, is reasonable, in principle;
- Did not see the need for any changes to Policy J27 or Policy CB1;
- Requested amendments to Policy SP2 Higher Town, Sampford Peverell, through the removal of the tie to Policy J27 and the removal of the limitation on development until the completion of improved access works to the A361;
- Was concerned at the Plan's approach to provision for Gypsies and Travellers in relation to Policies S14 and DM7;
- Suggested revisions to some of the Development Management policies (Policies DM1, DM2, DM12, DM19, DM25, DM27) and had a concern with Policy DM28;
- Acknowledged that a number of changes to the Plan had been agreed in various Statements of Common Ground submitted before and during the hearings and others accepted by the Council at the hearings, which would need to be considered to ascertain whether these changes would necessitate main modifications.

2.3 However, the Inspector expressed concerns about the housing trajectory in the early years of the Plan in particular, and he suggested the Local Authority consider either in isolation or combination four possible remedies to maintain a five-year supply of deliverable housing sites (that may require potential Main Modifications to the Plan). The Council provided a Draft Housing Land Supply Update 2019 and Sustainability Appraisal Implications Report to address the Inspector's concerns. The Inspector then invited participants at the hearings related to housing land supply and Policy SP2 Higher Town, Sampford Peverell and Policy CU21 Land at Colebrook, Cullompton to comment on these documents. Ten representations were received from the hearing participants. Officers carefully considered all of the comments made and provided the Council's response to these representations to the Inspector on 6<sup>th</sup> September 2019.

2.4 The Inspector has now advised that he has *"no further questions at this stage. On that basis, The Inspector is content for the Council to publish its draft Main*

*Modifications for consultation as soon as it is ready to do so*". This is subject to a separate Cabinet Report, however there is a need to update the LDS to reflect the Council's revised expected date for adoption. Appendix 1 amends the timetable for the Local Plan Review accordingly.

### *Greater Exeter Strategic Plan*

2.5 In 2016, the four councils of East Devon, Exeter, Mid Devon and Teignbridge agreed formally to prepare a statutory joint local plan to be known as the Greater Exeter Strategic Plan (GESP). A joint planning team has been set up and work has progressed on various aspects of the plan. The reasons then given for preparing a joint plan between the councils are still highly relevant today and are summarised below:

- The Greater Exeter area geography reflects economic, housing and transport patterns. Coordinated planning and infrastructure provision will be enhanced to the wider benefit of councils taking part.
- Related to this, the legal requirement on local plans to be prepared under the Duty to Co-operate will be significantly easier than through the separate publication of individual plans by the four councils on differing timetables.
- Strategic decisions taken previously by the Regional Spatial Strategy and Structure Plans have now been effectively completed, so a new vision and strategy for the area is needed.
- Joint working and planning gives the Greater Exeter authorities greater profile and weight when applying for national and regional infrastructure funding and in other relationships with other bodies.

### **Current Local Development Scheme (LDS)**

2.6 The description and timetable of GESP is contained within a common section in the four LDSs as follows:

**"The Greater Exeter Strategic Plan will cover the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge (i.e. those Councils' administrative areas excluding Dartmoor National Park). It will be prepared jointly by those four local planning authorities with the support of Devon County Council under Section 28 of the Planning and Compulsory Purchase Act. It will:**

- **set an overall vision and strategy for the development of the area in the context of national and other high level policy;**
- **include overarching, cross-boundary and strategic targets, policies and proposals for development and conservation;**
- **guide the overall level and distribution of development;**
- **make strategic development and infrastructure proposals;**
- **contain other strategic policies necessary to implement the vision and strategy; and**
- **cover the period 2020 to 2040.**

**Once adopted it will supersede specified strategic parts of the East Devon Local Plan, Exeter Core Strategy, Exeter Local Plan, Mid Devon Local Plan (once adopted), Teignbridge Local Plan and any other Development Plan Documents**



as necessary. The preparation timetable is as follows:

- February 2017 – Issues consultation
- June 2019 – consultation on draft plan
- September 2020 – Publication (Proposed Submission)
- March 2021 – Submission
- May 2021 – Inspector’s Hearings
- December 2021 – Adoption”

## Revised Timetable

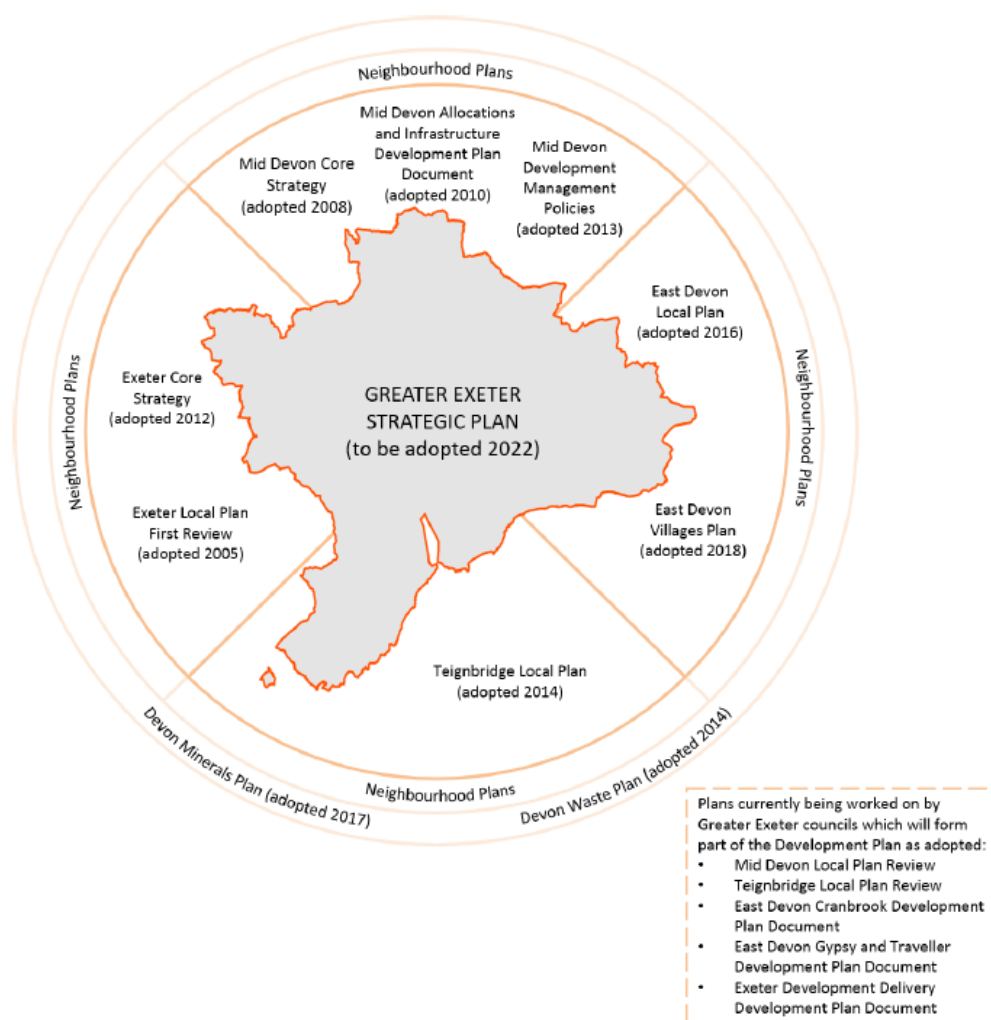
2.7 However, with changes in administration arising from the recent elections it has been necessary to ensure that the GESP is proceeding in a way and on a timetable which continues to meet the objectives of the four councils. Discussions between lead officers and members have therefore been taking place and the planned June 2019 consultation was put “on hold”. Recently, at a meeting of the GESP Leadership Group (see below), the Council’s leaderships confirmed their commitment to continuing GESP preparation but with a revised timetable. It is necessary that the new timetable is formally inserted into the Councils’ Local Development Schemes.

2.8 The following milestones are now proposed to replace those set out in the previous Local Development Scheme, including an explanation of their role in the plan preparation process:

Stage	Notes	Date
Draft Policies and Site Options	A document containing the proposed strategic policies for comment, together with a number of potential strategic site options. There will be more options than will eventually be contained in the GESP, giving communities and others the opportunity to respond in the light of a wide range of alternative sites.	June 2020
Full Draft Plan	The full draft will contain revised policies, taking account of the consultation and any further work undertaken. More controversially, it will have narrowed down the strategic allocations to the final list, and seek further comments on those. The “rejected” options will no longer be within the plan.	November 2020
Proposed Submission	The form of the plan which the council wishes to submit, based on the full draft, but taking account of any comments received to the draft. This is the last formal consultation on the plan before it is submitted. Also known as the “publication” stage.	February 2022
Submit Plan	The plan and all its evidence is sent to the Planning Inspectorate and the examination process starts.	July 2022
Examine Plan	An Inspector leads an examination into the plan through a series of hearings. The focus is on whether the plan is “sound”. There may be further changes to the plan in the form of “Main Modifications” recommended by the Inspector.	September 2022
Adopt Plan	The Plan can only be adopted with a positive recommendation from the Inspector with any Main Modifications proposed by them.	April 2023

## GESP Scope Revisited

2.9 The Greater Exeter Strategic Plan, as its name indicates, is intended to provide an overarching strategy for the area, but will not include the full suite of policies and proposals. Each council will continue to update their own individual local plan (or plans) covering issues not included in GESP. In addition, Neighbourhood Plans will continue to be prepared by local communities. The various plans, once adopted, will be read together to provide the “Development Plan” against which planning applications are to be assessed. The diagram below helps explain the relationship between the various plans:



2.10 The Council’s existing LDS, describes the scope of GESP in general terms. The Leadership Group considered the matter afresh, and supported an updated version, containing a clearer description, as follows. This version is outlined below and reflected in the revised LDS attached as Appendix 1.

**The Greater Exeter Strategic Plan will cover the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge (i.e. those Councils’ administrative areas excluding Dartmoor National Park). It will be prepared jointly by those four local planning authorities with the support of Devon County Council under Section 28 of the Planning and Compulsory Purchase Act. It will:**

- **Set an overall vision and strategy for the area in the context of national and other high level policy and in particular climate emergency declarations and the NPPF;**
- **Contain policies and proposals for strategic and cross boundary issues where these are best dealt with at larger-than-local scale;**
- **Set the overall amount of growth for the period 2020 – 2040;**
- **Promote the Liveable Exeter vision by allocating urban regeneration sites in the city;**
- **Implement the overall vision and strategy by allocating strategic sites of 500 or more homes which may include urban extensions and new settlements;**
- **Provide districts' local plans with targets for non-strategic development**

2.11 This updated scope provides the following key benefits:

- It is legally “sound” because GESP will contain enough detail to be justified by evidence and by comparison with other potential strategy approaches, the proposals will be worked up in enough detail for their effectiveness to be tested and confirmed, and it will deal with the strategic matters facing the area rather than deferring them.
- The policies can be applied as soon as the GESP is adopted, rather than waiting for a later plan to add further detail. This is highly beneficial in matters of urgent policy renewal like climate change. At the same time, GESP will not be filled with policies which are better dealt with in district local plans.
- It means that communities will be aware of the detail of proposals early in the process, ensuring that they have the opportunity to comment on them with a good understanding of the plan and the potential alternatives. Once the GESP is adopted, communities will have clarity and certainty about the policies and proposals.
- The allocated strategic development sites, including the “Liveable Exeter” brownfield sites and any strategic greenfield sites could start to develop earlier. This reduces the number of other sites needed within GESP or the districts' own local plans.

2.12 The Leadership Group considered potential scope options with less detail and fewer sites, but these were not supported by them. These alternative options would provide less certainty for communities and later delivery of strategic sites. This latter issue would lead to the need to allocate additional development sites either within GESP or within the later local plans.

### **Governance – how will GESP decisions be made?**

2.13 There have been suggestions made that the Greater Exeter Strategic Plan removes decision-making authority from the individual councils. However, this is not the case, since despite being a joint plan, the GESP must be approved by all four of the participating councils at each stage. As a result of this it is clearly important that there a coordinated approach to member involvement in plan decisions if decision-making is to be effective. The governance of the plan is set out below, for information.

- GESP Officer Team

Working on evidence development and plan preparation and making recommendations as necessary to the other bodies and to individual councils on GESP matters. The team consists of informally seconded officers from the partner authorities, with a Team Manager. The team works out of Exeter Civic Centre and manages the joint GESP budget which has been agreed by the partner authorities.

- **Project Assurance Group:**  
Provides a regular steer and decision making on detailed matters to the GESP officer team, including considering reports, evidence and plan drafts. Gives advice to the Principals Group. It generally meets monthly and consists of the Head of Planning or equivalent from each of the partner authorities.
- **Principals Group:**  
Acts as the main officer board for the project, providing high level corporate input and direction. Considers reports, evidence and plan drafts including recommendations from the Project Assurance Group. It generally meets monthly and consists of the Chief Executives or equivalent from each of the partner authorities.
- **GESP Leadership Group:**  
Primary Member Group which provides political advice and steer to the work of the GESP, oversees progress on the plan and secures political agreement and support for GESP proposals. Considers advice and recommendations from the GESP Officer Team, Project Assurance Group, and Principals Group including reports and draft plans. It will meet approximately six times per year, but this will be varied to reflect GESP workload. Consists of the Leader and Planning Portfolio Holder (or equivalent) of each of the Partner Councils. The first meeting has been held, and supported the timetable and scope as recommended by this report.
- **Member Reference Forum:**  
Provides wider, informal councillor input to plan preparation through workshop, discussion and other appropriate methods. Will support the preparation of plan policies and proposals including discussion of draft plan proposals before they are formally considered by each council. It will meet as and when it is needed. Consists of 10 councillors, politically balanced, from each of the four local planning authorities (total 40 councillors). Meetings are usually also attended by members of the Principals Group, Project Assurance Group and Leadership Group. Meetings have been arranged starting in November through to March with invitations going out shortly.
- **Local Planning Authorities:**  
The formal decisions on plan contents up to and including its adoption are made by the four local planning authorities through their own decision making structures. The governance bodies referred to above are intended to ensure the GESP progresses through these formal processes without undue delay. The councils will be considering the Draft Policies and Site Options consultation document in or around May 2020 in time for June consultation.

## **Conclusion**

2.14 The preparation of the Greater Exeter Strategic Plan has been somewhat on hold while the implications of new administrations in three of the councils have been absorbed. The council leaders have now met and agreed a preferred way forward for the plan, including an updated description of the plan and a new timetable. The proposed new Local Development Scheme attached to this report reflects that agreement, and you are recommended to adopt it.

### *New Mid Devon Local Plan*

2.15 As set out in paragraph 1.2, there is now a legal requirement for councils to complete a review of their local development documents every five years. The procedure for preparing a local plan requires the development of a robust evidence base, extensive public consultation and detailed consideration of the economic, social and environmental issues facing the area. Therefore a project plan needs to be put in place to ensure the review is completed efficiently.

2.16 A review will also be required as the Greater Exeter Strategic Plan reaches more advanced stages of preparation. The GESP will be a formal statutory document, providing the overarching spatial strategy and level of housing and employment land to be provided in the period to 2040. The document will provide the high level strategic planning policy framework for the area and will therefore supersede specified parts of the Mid Devon Local Plan Review 2013 – 2033. This will create a need for a future review to identify other strategic policies and also non-strategic policies for the use and development of land and buildings in Mid Devon.

2.17 An indicative timetable for a new Local Plan for Mid Devon is provided in Appendix 1.

## **3.0 Groups Consulted**

3.1 The Planning Policy Advisory Group (PPAG) was advised of the timings within the new LDS at its meeting on 7th November 2019 and recommended that the new LDS is reported to the Cabinet.

## **4.0 Approval of the LDS**

4.1 The Cabinet Report of 9<sup>th</sup> June 2016 'Planning policy documents for consideration by the Planning Policy Advisory Group, Cabinet and Council' states that Cabinet is the only body that needs to give approval to the adoption of a new LDS. There is no longer a requirement for the LDS to be signed off by the Secretary of State. If approved, the new LDS will be published on the Council's website.

4.2 It is recommended that the LDS is approved and is published on the Council's website with effect from Friday 29<sup>th</sup> November 2019.

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**Circulation of the Report:**

Cabinet Member [Councillor Graeme Barnell, Cabinet Member for Planning and Economic Regeneration],

Leadership Team

**List of Background Papers:**

# Appendix 1

## Mid Devon District Council

### Local Development Scheme – 29 November 2019

#### 1. INTRODUCTION

1.1 Mid Devon District Council is required to prepare and maintain a Local Development Scheme (LDS) for the district. The LDS provides interested people and organisations with the Council's project plan for the preparation of local development documents. The Planning and Compulsory Purchase Act 2004 states that the LDS must specify:

- The local development documents which are to be 'development plan documents'
- The subject matter and geographical area to which each development plan document relates
- The timetable for preparation and revision of the development plan documents

1.2 Local authorities can update their LDS at such times as considered appropriate. The previous Mid Devon version has been in place since November 2018.

1.3 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 has introduced the requirement to review local development documents within certain time periods. In respect of local plans, a review must be completed every five years, starting from the date of adoption of the local plan. Consequently, this LDS incorporates an indicative timescale for the production of a new local plan post-adoption of the Local Plan Review 2013 - 2033.

#### 2. THE LOCAL PLAN

2.1 The National Planning Policy Framework (NPPF) states that Local Plans are key to delivering sustainable development and that local authorities should produce a Local Plan for their area. The Local Plan can then be reviewed in whole or in part to respond flexibly to changing circumstances.

2.2 Mid Devon's Local Plan is currently made up of three parts, all of which are development plan documents. The three documents are:

Document	Adopted	Scope	Subject matter
Local Plan Part 1 - Core Strategy 2006 to 2026	July 2007	Mid Devon	The Core Strategy is part 1 of the District's Local Plan. It was adopted in accordance with the timetable set out in the Council's first Local Development Scheme. It sets out a spatial strategy and strategic policies for Mid Devon and its settlements.
Local Plan Part 2 – Allocations and Infrastructure Development Plan Document (AIDPD)	October 2010	Mid Devon	The AIDPD is part 2 of the District's Local Plan. It allocates sites for housing, retail and employment development, whilst setting necessary infrastructure requirements, with policies on the Community Infrastructure Levy, public

			open space, affordable housing, education provision, green infrastructure and carbon footprint reduction.
Local Plan Part 3 – Development management policies (LP3)	October 2013	Mid Devon	LP3 is part 3 of the District’s Local Plan. It provides the detailed development control policies to deal with the specifics of planning applications

2.3 Devon County Council has a strategic planning role and is responsible for minerals and waste planning in Devon including the production of mineral and waste plans. The Devon Minerals and Waste Plan is currently made up of two parts which are development plan documents. The two documents are:

Document	Adopted	Scope	Subject matter
Devon Minerals Plan 2011-2033	February 2017	Devon	The Devon Minerals Plan contains the County Council’s vision and objectives for minerals planning and provides the policy framework and site proposals to maintain the supply of minerals and limit the impacts of their working.
Devon Waste Plan	December 2014	Devon	The role of the Devon Waste Plan is to establish the overarching principles and policy direction for waste planning in Devon, it also identifies strategic sites for energy recovery across the County and a series of planning policies for making decisions on planning applications. The Plan covers the period to 2031.

2.4 Neighbourhood Plans were introduced through the Localism Act 2011. Neighbourhood Plans are a community-led framework for guiding the future development and growth of an area which conform to the strategic policies of the Local Plan. Neighbourhood Plans, once ‘made’ will be adopted as part of the overall development plan. The following Neighbourhood Plans are currently under development within the Mid Devon area:

- Crediton Neighbourhood Plan
- Cullompton Neighbourhood Plan
- Silverton Neighbourhood Plan
- Tiverton Neighbourhood Plan

2.5 Supplementary Planning Documents (SPDs) are not part of the Local Plan, nor are they development plan documents. Therefore, information on their production is not set out within the LDS. Instead, such information can be found on the Mid Devon website at:

<https://www.middevon.gov.uk/residents/planning-policy/supplementary-planning-documents/>



### 3.0 LOCAL PLAN REVIEW 2013 - 2033

#### Local Plan Review (Core Strategy, AIDPD and LP3)

##### Adoption Target: 2020

3.1 The existing Core Strategy has been in place for approximately twelve years and the AIDPD for nine years. A review process began prior to the adoption of LP3 in October 2013 to reflect the need to adhere to the provisions of the NPPF. This review process includes all strategic policies and allocations for the district, and incorporates development management policies such as those in LP3. The updated document will replace the existing Core Strategy, the AIDPD and LP3 to produce a single Local Plan for the district (effectively a review of parts 1, 2 and 3 of the current Local Plan). The new document will extend the time period of the plan to 2033.

3.2 The reviewed Local Plan will contain:

- Strategic policies guiding housing, employment and retail distribution across the district;
- The development focus for each of the three towns of Tiverton, Crediton and Cullompton, the villages of the district and the open countryside;
- Site allocations for housing, employment, retail development, community facilities and infrastructure; and
- Development management policies.

3.3 The evidence base for the Local Plan includes a Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment, Open Space and Play Area Strategy, Viability Assessment, Gypsy and Traveller Accommodation Assessment, Renewable and Low Carbon Energy Screening Study, Landscape Character Assessment, Habitat Regulations Assessment, Transport Assessment, Town and Village Character Assessment, Retail Study, Employment Land Review, Infrastructure Delivery Plan and Strategic Flood Risk Assessment. A Community Infrastructure Levy charging schedule has also been produced alongside the Local Plan review.

3.4 Coverage: Mid Devon District (excluding part of the district within the parish of Cheriton Bishop that is situated within the Dartmoor National Park. The Dartmoor National Park Authority is responsible for preparing a Local Plan for the Dartmoor National Park area).

3.5 Conformity: the document will be produced in conformity with the NPPF.

3.6 The following table sets out the timetable for production and adoption of the Local Plan review:

Stage	Date
Sustainability Appraisal Scoping	May 2013 (completed)
Preparation Stage Consultation	January 2014 (completed)
Publication Stage Consultation	February – April 2015 (completed)
Modifications Consultation	January – February 2017 (completed)
Submission	March 2017 (completed)
Hearings	September 2018 (Preliminary hearings completed) – Main Hearings February 2019 (completed)
Adoption	April 2020
Review	2020

\*subject to consultation on Main Modifications and receipt of the Inspector's Report.

## 4.0 Greater Exeter Strategic Plan

4.1 The Greater Exeter Strategic Plan will cover the local planning authority areas of East Devon, Exeter, Mid Devon and Teignbridge (i.e. those Councils' administrative areas excluding Dartmoor National Park). It will be prepared jointly by those four local planning authorities with the support of Devon County Council under Section 28 of the Planning and Compulsory Purchase Act 2004. It will:

- Set an overall vision and strategy for the area in the context of national and other high level policy and in particular climate emergency declarations and the NPPF;
- Contain policies and proposals for strategic and cross boundary issues where these are best dealt with at larger-than-local scale;
- Set the overall amount of growth for the period 2020 – 2040;
- Promote the Liveable Exeter vision by allocating urban regeneration sites in the city;
- Implement the overall vision and strategy by allocating strategic sites of 500 or more homes which may include urban extensions and new settlements;
- Provide districts' local plans with targets for non-strategic development.

4.2 Once adopted it will supersede specific strategic parts of the East Devon Local Plan, Exeter Core Strategy, Exeter Local Plan, Mid Devon Local Plan, Teignbridge Local Plan and any other Development Plan Documents as necessary.

4.3 The following table sets out the timetable for production and adoption of the document:

Stage	Date
Issues Consultation	February 2017 (completed)
Draft policies and site options	June 2020
Draft Plan Consultation	November 2020
Publication (Proposed Submission)	February 2022
Submission	July 2022
Hearings	September 2022
Adoption	April 2023

## 5.0 NEW LOCAL PLAN

5.1 A new Local Plan will be prepared following the adoption of the Local Plan Review 2013 – 2033. This new Local Plan will cover Mid Devon District (excluding part of the district within the Dartmoor National Park. Once adopted, it will form part of the Development Plan for Mid Devon together with other development plans (once adopted) including the Greater Exeter Strategic Plan, Devon Minerals and Waste Local Plans and Neighbourhood Plans. The new Local Plan will include strategic policies (other than those included in the Greater Exeter Strategic Plan) and non-strategic policies for the use and development of land and buildings in Mid Devon.

5.2 The new Local Plan, once adopted, will supersede specified parts of allocations, infrastructure and development management policies within the Local Plan Review 2013 - 2033. The Greater Exeter Strategic Plan will provide the overall vision and strategy for development in Mid Devon.

5.3 The following table sets out the timetable for production and adoption of the document, which is subject to the successful achievement of the Greater Exeter Strategic Plan:

Stage	Date
Issues Consultation	November 2020
Draft Plan Consultation	November 2021

Publication (Proposed Submission)	November 2022
Submission	February 2023
Hearings	August 2023
Adoption	February 2024

## 6.0 PROGRESS REPORTING

6.1 The Council produces an Annual Monitoring Report (AMR) in December each year, covering the 'monitoring year' (of the preceding April-March period). The AMR sets out the list of documents that are included within the LDS, their timetable for preparation, the stage they are currently at, and if they are behind schedule the reasons for this.

6.2 The AMR is made available on the Mid Devon website and can be seen at:  
<https://www.middevon.gov.uk/residents/planning-policy/monitoring/annual-monitoring-reports/>

## 7.0 IMPLEMENTATION

7.1 This LDS will have effect from 29 November 2019.

## 8.0 REVIEW

8.1 The Planning and Compulsory Purchase Act 2004 states that local authorities can revise their LDS at such times as they consider appropriate. The Mid Devon District Council website will be updated to set out if the LDS has been subject to further revision. Proposed changes are subject to ratification by Cabinet.



**CABINET**  
**21 NOVEMBER 2019**

## **MID DEVON DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

**Cabinet Member(s):** Councillor Graeme Barnell, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer:** Mrs Jenny Clifford, Head of Planning, Economy and Regeneration

**Reason for Report:** To approve the draft Mid Devon Design Guide Supplementary Planning Document for Public Consultation

### **RECOMMENDATION:**

1. **That Cabinet approves the draft Mid Devon Design Guide Supplementary Planning Document (comprising Appendices 1 to 5 to this report), the Strategic Environmental Assessment Screening Report (Appendix 6 to this report) and the Habitat Regulations Assessment Screening Report (Appendix 7 to this report) for public consultation.**
2. **That delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the material and arrangements for consultation.**

**Financial Implications:** There is existing budgetary provision for the preparation of the Design Guide SPD. There will be some limited additional costs associated with consultation which may involve printing and postage, for which budgetary provision also exists.

**Legal Implications:** The process of preparing the Design Guide SPD will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Adoption of the Mid Devon Design Guide will help raise design standards in development proposals that are submitted to the Council for determination and help guide planning decisions made on these.

**Risk Assessment:** The Design Guide SPD will provide guidance on design issues in Mid Devon. The document will reduce the risk of costs being awarded against the Council where decisions are based on its content.

**Equality Impact Assessment:** A full Equality Impact Assessment has been prepared as part of the Mid Devon Local Plan Review evidence base. The assessment undertaken for Policy DM1 "High Quality Design" indicates a high possibility of a positive impact in regard to the protected characteristics. This policy will provide the policy baseline for the more detailed guidance to be included in the Design Guide SPD.

**Relationship to Corporate Plan:** The Design Guide SPD will contain guidance on the urban, village and rural design issues for development in Mid Devon. It will therefore help deliver all four objectives of the Corporate Plan.

**Impact on Climate Change:** One of the core principles of the Design Guide SPD is to support, through design, the Council's commitment to achieving net zero carbon emissions by 2030. The Design Guide SPD has regard throughout to climate change.

## 1.0 Introduction

- 1.1 Mid Devon District Council is proposing to expand on local plan policy for design through a new Supplementary Planning Document (SPD) to provide detailed guidance on urban, village and rural design issues in Mid Devon. It is intended that the Design Guide SPD will raise design awareness and standards throughout the planning process.
- 1.2 The National Planning Policy Framework (2019) paragraph 124 makes clear "the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectation, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process." Paragraph 126 adds "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design." The Mid Devon Design Guide is consistent with the National Planning Policy Framework.
- 1.3 The Government published the National Design Guide in October 2019. This provides a common overarching framework for design based on ten characteristics reflecting the Government's priorities for design. It also highlights the importance of local Design Guides in setting out and understanding the local context and analysis of local character and identity. The Mid Devon Design Guide complements the National Design Guide by doing this.
- 1.4 The Design Guide SPD will be prepared in accordance with Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. The Design Guide will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications. The Mid Devon Local Plan Review 2013 – 2033 Policy DM1 "High Quality Design" will provide the policy baseline for the Design Guide SPD. This policy is currently subject to a proposed main modification as part of the examination of the Local Plan Review, following advice in the Inspector's Post Hearings Advice Note. The Design Guide SPD can also complement design policies in the current adopted local plan for Mid Devon.

- 1.5 The Design Guide SPD (attached as Appendices 1-5) have been prepared by consultants DHUD Ltd in conjunction with Hilton Barnfield Architects and Hyas Associates Ltd.

## **2.0 Process of Preparing the Design Guide**

- 2.1 The overall aim of the Design Guide is to equip all parties in the planning process to more easily identify contextual factors which influence design response and enable them to prepare a coherent and evidenced response to these. Regular and meaningful stakeholder engagement is therefore essential in shaping the Design Guide.

- 2.2 A series of stakeholder engagement sessions were held as follows:

- Informal Member Workshop (March 2018) – Members were asked to consider key design challenges in Mid Devon and identify top design priorities for the Design Guide. This information was provided to the consultant team during project inception.
- Technical Stakeholder Session (November 2018) - This was aimed towards a wide range of local architects, agents and developers as well as statutory consultees and other public sector organisations involved in the planning process. A total of 15 stakeholders attended. A good balance of delivery and debate was achieved throughout the day and attendees were exposed to each other's, as well as the consultant's and the Council's perspectives on a wide range of design issues. This allowed all stakeholders to develop an understanding of each other's varied interests in preparing a robust Design Guide.
- Design Guide Training Session (March 2019) – This was aimed towards the Council's Elected Members, Planning Officers, town and parish councils and neighbourhood plan groups. A total of 34 stakeholders attended. The aim of the event was to equip interested parties with the skills and knowledge to apply the Design Guide alongside their existing involvement in the planning process and 'road-test' the emerging Design Guide material on sample development proposals.

- 2.3 These sessions have usefully helped to shape both the methodological approach, and usability of the Design Guide. Since these workshops, officers have been working closely with the consultant team to finalise the content and structure of the Design Guide.

## **3.0 Structure of the Design Guide**

- 3.1 The content of the Design Guide is structured into four volumes and a Pocket Toolkit as follows:

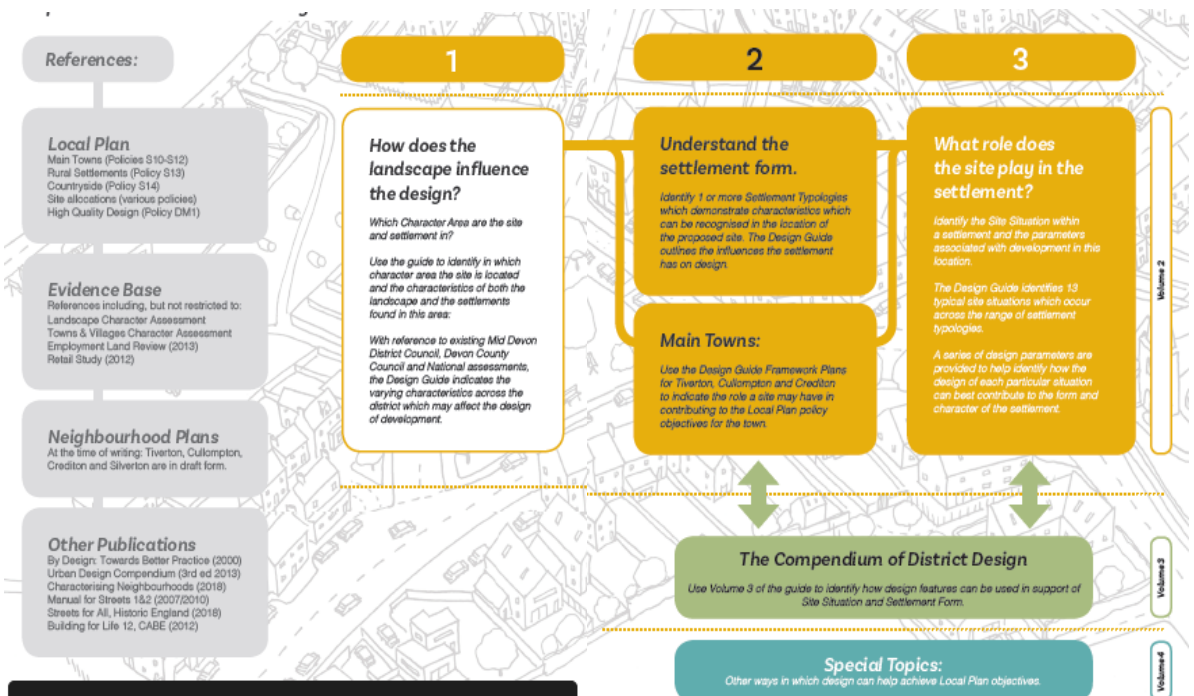
- Volume 1: Procedural Guidance (Appendix 1)
- Volume 2: Designing for Landscape & Settlement Form (Appendix 2)

- Volume 3: Compendium of District Design (Appendix 3)
- Volume 4: Special Topic Guides (Appendix 4)
- Pocket Toolkit (Appendix 5)

3.2 A brief description of each volume and the Pocket Toolkit is provided below:

### Volume 1: Procedural Guidance

3.3 This volume sets out overarching core principles for the Design Guide and as well as background and context. It provides guidance and instructions on how to use the Design Guide to enable all users to help shape the design of sites and ensure that they are influenced by and respond to the district's contrasting distinctiveness. The diagram below provides an overview on how to navigate through the Design Guide:



### Volume 2: Designing for Landscape & Settlement Form

3.4 This volume provides a step by step guide to preparing design responses to landscape, settlement form and site situation. Initially, this volume should be used to understand a site's context with reference to Landscape Character descriptions associated with its location, the form of the settlement the site lies within. Users can then identify the role of the site within the settlement. A framework of design guidance is also provided for each of the 3 main towns in the district, providing a spatial interpretation of the policy objectives for each of these towns. Finally, additional guidance is provided for development in the countryside in accordance with the Local Plan policies for this part of the district.

### Volume 3: Compendium of District Design



- 3.5 This Compendium of District Design represents a study of the features of the built environment throughout the Mid Devon District. Each feature is presented and analysed in a separate chapter. These chapters cover public realm, proportion and scale, frontages and elevations, boundaries and thresholds, doors and porches, windows, materials, roofs and dormers, chimneys, extensions and alterations, parking and transport and agricultural and commercial buildings. Each chapter includes a summary of the treatment of each feature and the contribution it can make to good design when carefully considered as part of a robust design process. The summary also provides a brief overview of how each feature has been used in examples across the district in both historical and more contemporary contexts.

#### **Volume 4: Special Topic Sheets**

- 3.6 This final section provides guidance on a range of specific ‘special topics’ and outlines how design considerations in these areas can help to achieve the objectives of the Local Plan. The ‘special topics’ include:

- Designing for Community
- Designing for Health and Wellbeing
- Design, Housing Delivery and Viability
- Design, Accessibility and Inclusiveness
- Employment and Commercial Development
- Designing for Custom and Self Build

- 3.7 In most cases, information and guidance provided under these special topics refers to established national guidance and best practice. Where this is the case additional relevant documents are referenced. Whilst previous volumes in the Design Guide have encouraged a bespoke approach to landscape, settlement and site there are also a series of more generic principles applicable to good place making and which all development should have concern for. This series of special topics are areas within the Local Plan in which design can have a key role in facilitating good outcomes.

#### **‘Pocket Toolkit’**

- 3.8 Finally, the Design Guide also includes a ‘Pocket Toolkit’ to enable the Council’s Officers and applicants easy ‘table-top’ use of the Design Guide to help inform discussions about the design of development proposals at the pre-application stage and throughout the application process.

#### **Strategic Environmental Assessment / Habitats Regulation Assessment Screening**

- 3.9 The Design Guide SPD has been ‘screened’ to establish whether it requires a Strategic Environmental Assessment (SEA). The SEA Screening Report (Appendix 6) has identified that the Design Guide SPD is unlikely to have significant effects on the environment. The SEA

Screening Report has also found that there is no requirement for the Design Guide SPD to be subject to a full SEA.

- 3.10 The Design Guide SPD has been ‘screened’ for the purpose of the Habitat Regulations Assessment (HRA) to assess whether it may affect the protected features of a European ‘habitats site’ identified under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended). The HRA Screening Report (Appendix 7) identifies that the Design Guide SPD is not likely to have significant adverse effects on the integrity of Habitat sites, either alone or in-combination with other plans or projects and further ‘Appropriate Assessment’ is not required.

#### **4.0 Public Consultation**

- 4.1 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council’s Statement of Community Involvement, a six week public consultation exercise is proposed to be undertaken, commencing on a date to be agreed. Once the consultation has ended and all comments have been taken into account, the final version of the Design Guide and a statement of public participation will be presented to a future meeting of the Cabinet with a recommendation to adopt the Design Guide as a SPD.

#### **5.0 Groups Consulted**

- 5.1 The Planning Policy Advisory Group (PPAG) considered the Design Guide SPD at its meeting of 7<sup>th</sup> November 2019 and the group recommended that Cabinet approves the document for public consultation subject to the following minor changes:
- Review the Mid Devon Settlement Character Area (SCA) naming conventions. It was felt that a number of the SCA titles were unclear and did not reflect the geography of the area.
  - Add an additional reference to make clear that the document can be amended (particularly in relation to the climate emergency) as planning policies are reviewed.
  - Ensure that images are correctly referenced and cover a broad range of settlements (i.e. avoiding repeating images in a given section).
  - Add a reference to encouraging ‘trim trails’ and the health and wellbeing benefits of these to the special topic guide ‘Health and Wellbeing’.

Officers will work with the consultant team to complete these changes prior to commencing public consultation.

#### **Contact for more Information:**

Arron Beecham (Forward Planning Officer) [abeecham@middevon.gov.uk](mailto:abeecham@middevon.gov.uk) / 01884 234221

Tristan Peat (Forward Planning Team Leader) [tpeat@middevon.gov.uk](mailto:tpeat@middevon.gov.uk) / 01884 234344

**Circulation of the Report:**

Cabinet Member

Leadership Team

**List of Background Papers:**

**Appendix 1: Volume 1: Procedural Guidance**

**Appendix 2: Volume 2: Designing for Landscape and Settlement Form**

**Appendix 3: Volume 3: Compendium of District Design**

**Appendix 4: Volume 4: Special Topic Sheets**

**Appendix 5: Design Guide ‘Pocket Toolkit’**

**Appendix 6: SEA Screening Report**

**Appendix 7: HRA Screening Report**

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# DESIGNGUIDE

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Procedural Guidance

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VOLUME 1

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# Foreword



Mid Devon District Council is pleased to have worked collaboratively with stakeholders, district and parish Councillors as well as Neighbourhood Plan Groups to prepare this Design Guide. This guide is provided to supplement the principles and objectives established in the Local Plan (2013-2033) with the intention of achieving the very highest levels of design quality in development of all scales across the district.

In July 2019 Mid Devon District Council adopted the statements of the Devon Climate Change Declaration, however, since the Council is significantly concerned that the environmental crises must be a priority, it's aim is for Mid Devon to be carbon neutral by 2030 and all decisions made by the council will be considered in light of the climate crisis.

This Design Guide, while formulated in the main before the Climate Change declaration was made, represents an approach to development and distinctive design which contributes to the long term sustainability of the district and its communities. It therefore provides a good basis for decision making in light of the climate crisis. Furthermore as an adopted SPD the Design Guide can provide immediate assistance (in development management as well as policy evolution), through many aspects of design, to address climate change and influence current as well as future planned developments.

*Signed:*





## ***The Principles of this Guide:***

This Design Guide is intended to be a readily accessible and easily usable tool to facilitate better quality design across the district.

Design Guidance is not just a document however. Many of the principles assisting the implementation of high quality design relate to the process of preparing the guide and the buy-in achieved evolving the guide through engagement with a wide variety of interested parties and stakeholders.

The overall aim of this Guide is to equip all parties in the planning process to more easily identify contextual factors which influence design response and prepare a coherent and evidenced response to these.

The National Design Guide published in October 2019 provides a common overarching framework for design based on ten characteristics reflecting the Government's priorities for design. It also highlights the important role of local Design Guides in setting out an understanding of the local context and analysis of local character and identity. The Mid Devon Design Guide complements the National Design Guide by doing this.

The core principles of this Design Guide which run through the document and which design guidance is aimed at achieving are:

- CP1. Supporting, through design, Mid Devon District Council's and Devon County Council's commitment to creating a carbon zero district and county by 2030;
- CP2. Identifying and facilitating local distinctiveness;
- CP3. Representing in design, the unique landscape and settlement form of Mid Devon and the interaction between the two;
- CP4. Providing a variety of non-prescriptive guidance usable in a range of ways;
- CP5. Facilitating and maintaining design conversation which remains focussed on, and is proportionate to relevant issues;
- CP6. Enabling continuity of approach and decision making;
- CP7. Labour saving (providing a rich source of contextual information and other analysis);
- CP8. Bringing political awareness

of distinctiveness and the tools available to uphold high quality design;

- CP9. Enabling a comprehensive design consideration through context appreciation;
- CP10. Enabling better, more evidenced, policy compliance;
- CP11. Enabling the preparation of evidenced Design & Access statements which demonstrate how planning proposals contribute positively to landscape and settlement distinctiveness by using the framework the Guide provides.



# BACKGROUND

**The importance of high quality, locally distinctive design is intrinsic to Mid Devon District Council's intention to deliver sustainable development across the district.**

Within this Design Guide, significant emphasis is placed upon discovering and contributing to the distinctive pattern and form displayed by Mid Devon settlements within the varied landscape across the district.

## **The importance of good design in Mid Devon**

This guide seeks to reveal how the identity of Mid Devon resides in its landscape, its settlement form and how these have shaped communities. In this way it places people at the heart of the identity of the place and results in putting people first in the development process. By maintaining distinctiveness and the inherent value this espouses in environmental, social and economic terms, coupled inextricably to the character of the landscape, this guide underpins the Local Plan vision for a prosperous and sustainable rural district and supports the Council's commitment to zero carbon by 2030.

The distinctiveness of the Mid Devon landscape is at the core of its identity within the county, let alone the country. This has influenced settlement form over time and to carry out development which ignores these unique characteristics is to miss opportunities which are important in creating identity and long lasting value.

This Design Guide provides a step by step process to identifying the unique characteristics of the district and how to respond to them in a way that maintains contrast and establishes

successful places which are based on broadly recognised design principles for good placemaking of connecting places, creating a vibrant mix of uses and diverse housing mix to support a diverse community and economy and to establish a structure of safe streets and spaces which become public places.

Good design seeks to meet current demand while also considering future needs, and addressing climate change in the process. It should allow for the adaptability of physical space and as far as possible not prohibit the adoption of future technologies.

## **Understanding the District**

Identifying sustainable locations for growth across the district has been the responsibility of the Local Plan Review 2013-2033 which has defined the distribution, accessibility and availability of land for development of a variety of types by a series of allocations and other policies.

Mid Devon has a diverse landscape ranging from high plateaux to steep valley incisions. Spread among this variety of settings are an equally varied series of settlements whose form is heavily influenced by the topography, the geology and the constraints on the pattern of use of the land by communities over a long history.

## **Design and the Local Plan**

As a Supplementary Planning Document (SPD) this Design Guide sits alongside the Local Plan and elaborates

on the approach to design outlined in Policy DM1: High Quality Design.

The Local Plan establishes a broad structure which defines the development pattern across this rural district:

- **Main Towns** (Tiverton, Cullompton & Crediton);
- **Rural Settlements** (a list of 22 villages meeting a set criteria defining their sustainability);
- **Countryside** land outside of main towns or villages.

It remains for this Design Guide to encourage and facilitate a design led approach to development across the district in accordance with the Local Plan policies, allocations and commitment to addressing climate change. Design Guidance is structured according to the development hierarchy described above and should be read in conjunction with the policies relating to these areas.

## **Responding to Character**

The Design Guide follows a sequential process to identifying and then responding to character beginning with an appreciation of the landscape character. It then identifies the influence this has had on settlement form and the role sites have within the settlement form. The detail comes later, considering how architecture, materials and other features help reinforce the characteristic structure of a place.



# USING THIS GUIDE

*The Design Guide provides easy steps to ensure the design of sites throughout the district are influenced and respond to the district's contrasting distinctiveness:*

## References:

### Local Plan

Main Towns (Policies S10-S12)  
Rural Settlements (Policy S13)  
Countryside (Policy S14)  
Site allocations (various policies)  
High Quality Design (Policy DM1)

### Evidence Base

References including, but not restricted to:  
Landscape Character Assessment  
Towns & Villages Character Assessment  
Employment Land Review (2013)  
Retail Study (2012)

### Neighbourhood Plans

At the time of writing: Tiverton, Cullompton, Crediton and Silverton are in draft form.

### Other Publications

The National Design Guide (2019)  
By Design: Towards Better Practice (2000)  
Urban Design Compendium (3rd ed 2013)  
Characterising Neighbourhoods (2018)  
Manual for Streets 1&2 (2007/2010)  
Streets for All, Historic England (2018)  
Building for Life 12, CABE (2012)

1

## How does the landscape influence the design?

*Which Character Area are the site and settlement in?*

*Use the guide to identify in which character area the site is located and the characteristics of both the landscape and the settlements found in this area:*

*With reference to existing Mid Devon District Council, Devon County Council and National assessments, the Design Guide indicates the varying characteristics across the district which may affect the design of development.*

2

## Understand the settlement form.

Identify 1 or more **Settlement Typologies** which demonstrate characteristics which can be recognised in the location of the proposed site. The Design Guide outlines the influences the settlement has on design.

## Main Towns:

Use the **Design Guide Framework Plans** for Tiverton, Cullompton and Cridton to indicate the role a site may have in contributing to the Local Plan policy objectives for the town.

3

## What role does the site play in the settlement?

Identify the **Site Situation** within a settlement and the parameters associated with development in this location.

The Design Guide identifies 13 typical site situations which occur across the range of settlement typologies.

A series of design parameters are provided to help identify how the design of each particular situation can best contribute to the form and character of the settlement.

Volume 2



## The Compendium of District Design

Use Volume 3 of the guide to identify how design features can be used in support of Site Situation and Settlement Form.

Volume 3

## Special Topics:

Other ways in which design can help achieve Local Plan objectives.

Volume 4

# THE DESIGN PROCESS

***While represented here in linear form, the design process in reality is an iterative one. Regardless of this, each of the individual stages below should be included even if they are repeated or revisited later.***

## Site & Context Appraisal

Thorough analysis includes looking at the wider picture as well as site features.

The Design Guide offers already established general analysis of settlement form for rural settlements and main towns. Carried out across the district this can provide a body of ready made analysis to be adopted by any party as a labour saving device.

Form a view based on your impression of the whole place not just the site and include multi dimensional observations which include appreciation of social and economic factors as well as physical form.

Conservation area assessments and Heritage appraisals may be required in historic environments.

## Review of Planning Policy

Consult the various tiers of planning policy to determine the relevant requirements and restrictions on development and design as a whole:

**The National Planning Policy Framework.**  
available at [www.gov.uk](http://www.gov.uk)

**The Mid Devon Local Plan 2013-2033.**  
available on MDDC's website

**Neighbourhood Plans** for specific areas of the district.  
Details can be found on the MDDC website.

## Early Engagement

Establishing common ground at an early stage in the process is key to developing a design which at a later date does not suffer unnecessary objection. The guide can encourage and facilitate effective pre-application discussion

Use the Design Guide at this stage to identify and agree upon the factors influencing the design of the site: Landscape Character, Settlement Form and Site Situation; and form an initial design brief for site.

Check for other local advisory groups such as Design Review Panels, Heritage, Community or local interest groups who usually welcome early engagement and can be a valuable source of assistance and information.

Where to use the Design Guide in the process:

**Landscape Character, Settlement Form & Site Situation** (Design Guide Volume 1: Landscape Character)

**The features which shape a place** (Design Guide Volume 3: Compendium of District Features)

## Community, Stakeholder and Local Authority Engagement

*Include a process of engagement which establishes continuous participation in design. Avoid a single event which 'consults' the community. Involving the Community can bring value in providing a much greater depth of analysis, more rigorous design proposals, and early engagement at a Pre-Application stage with the Local Authority and with a Design Review Panel reduces risks and sur*

*The Mid Devon District Design Guide supports an iterative design process and can be on hand as a tool to assist in each of the stages below. It does not negate the need for design input, and it is not prescriptive. Effective use of the guide relies on willing engagement in the discovery of solutions which are distinctive to Mid Devon and in doing so achieve mutual value and benefits .*

**Constraints & Opportunities**

Before coming up with ideas for the design of the site it can be useful to summarise the existing situation in a series of constraints and opportunities.

These can be represented in a variety of ways graphically, and accompanied by written description.

Agreement on this summary is a good way to create a foundation for forthcoming design ideas.

In their commitment to zero carbon by 2030, Mid Devon District Council welcome identification of opportunities to address climate change through the design of places and buildings and appreciate this commitment is likely to be realised through a variety of methods.

**Initial Plans & Proposals**

Preliminary thoughts on how the layout of the site can address the constraints and opportunities.

Concentrate on how the design can enable good relationships with its surroundings, create connections, the scale and form of buildings and the spaces between them and ensure that the site fulfills its role relative to the settlement form (see Site Situations guidance in Volume 2).

At this stage avoid getting into too much detail about materials or other features. Use the Compendium of District Design to identify how features can help reinforce the broader principles the guide.

It is helpful to maintain a variety of options and use the engagement process to discuss the pros and cons of one approach compared to another.

**Refining the design and submitting a planning application**

Evolve the design with reference to various comments and contributions.

Liaise with the Local Authority to ensure all requirements have been met to register a Planning Application. Use the Design Guide as a checklist of design considerations.

The preparation of a Design & Access statement is an opportunity to commentate on the design process and provide justification, supported by the Design Guide, for how the design contributes to settlement form and responds to its site situation.

Cabe (now the Design Council) have published more general advice on preparing Design & Access statements.

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# DESIGNGUIDE

Designing for Landscape & Settlement Form

VOLUME 2

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# Introduction



**This volume provides a step by step guide to preparing design responses to landscape, settlement form and site situation.**

*Initially this volume should be used to understand a site's context with reference to relevant Landscape Character descriptions associated with its location, the form of the settlement the site lies within -described as 7 distinct settlement typologies, and then identify the role of the site within the settlement in relation to where the site is positioned within the settlement. The guide indicates 13 different site situations to choose from and design parameters for each.*

*Users may find a variety of characteristics apply to a given settlement or site, in which case consideration should be given to the range of guidance and parameters provided.*

*A framework of design guidance is also provided for each of the 3 main towns in the district, providing a spatial interpretation of the policy objectives for each of these towns. Design in these locations should also take account of landscape and settlement characteristics as described in other sections.*

*Additional guidance is provided for development in the countryside but it should be acknowledged that this will only occur under certain circumstances in accordance with the Local Plan policy for these areas.*

*Distinctive places form the basis of more sustainable places. This Design Guide, in supporting a process of distinctive Mid Devon design, supports the Council's commitment to a carbon zero district.*





# THE MID DEVON LANDSCAPE

**Mid Devon is a large district, comprising a rich variety of landscapes and natural features which have shaped the settlements which lie within it. As such the landscape remains the primary source of the district's distinct identity and should therefore be the foundation of the design process.**

Influencing and regulating the design process and its outcomes can take a variety of forms and have a variety of objectives. For example: to stimulate growth in a particular area, topical or geographic; to conserve particular assets; to mitigate the impact on areas of sensitivity. However, since the landscape is not simply an aesthetic resource interventions are in order to guide social and economic outcomes and to support the commitments made by Mid Devon District Council and Devon County in declaring a climate emergency and subsequently achieving a carbon zero district by 2030.

The responsibility for much of the strategy controlling intervention across the district falls to the Local Plan which includes a hierarchy of social, economic and environmental objectives. It remains for this Design Guide to expand on how the strategic policy objectives of the Local Plan can be implemented. The Design Guide also provides the basis for embedding a zero-carbon requirement on all future development taking place in Mid Devon in order to respond to the climate emergency.

The first step in guiding the design of development across Mid Devon is to recognise the way in which the landscape of the district has already

guided, and continues to guide human's activity and their response to the strategic constraints placed upon them by the landscape in which they have lived over the ages.

The landscape has not been a static canvas upon which human habitation and activity has occurred over the ages. The landscape as seen today displays a combination of geological and human pattern making which are interlinked. As one exerts pressure on the other, each has undergone adaptation. There continues an iterative process of cause and effect resulting in the inextricable relationship between landscape and buildings.

Just as the course of a river is guided by the geological features around it but at the same time it cuts its own path through the same geology, so the path of human history has been affected by, and shapes, the landscape through which it passes.

Landscape and buildings together combine to create a unique expression of life and location and it is in this context that this Design Guidance exerts the appropriate influence in order to help all those involved in planning and development to firstly be aware of the composition of character throughout the district and secondly,

be confident to respond in ways which pro-actively pursue the positive contribution new development can bring to this character.

At the same time new character may emerge by virtue of changing conditions and context and these influences should not be ignored. For example building design and landscape change in response to the climate change emergency.

Use of this guide should be in conjunction with the Mid Devon Landscape Character Assessment (2011) and the Mid Devon Towns and Villages Character Assessment (2012).

With a view to keeping the Design Guide concise and usable it relies on referencing the more comprehensive information available in the Mid Devon Landscape Character Assessment (2011) and the Mid Devon Towns and Villages Character Assessment (2012).

Both these studies have carried out extensive analysis in the field and on desktop to accumulate a vast resource of observations and other data from around the district. Carried out by the Local Authority, these documents form part of the evidence base for the Local Plan and should be considered a companion resource to the Design Guide.



# Mid Devon Landscape Character Types:

Landscape character assessment is:

- The process of identifying and describing variation in character within the landscape. It includes all landscapes, whether outstanding, everyday or degraded.
- A tool for guiding landscape change and allowing the distinctive character and special qualities of landscapes to be taken into account in the planning, management and design of sustainable development.

The identification of character has been carried out in a hierarchical way across Devon and in turn across Mid Devon:

National Character Assessment identifies broad character similarities occurring throughout the country;

The Devon Character Assessment identifies geographically unique areas within the county and;

The Mid Devon Landscape Character Assessment work carried out in 2012 by Mid Devon District Council maps the Landscape Character Types (LCTs) which share common characteristics but which can occur throughout the county. This study identifies 12 LCTs,

chosen from the Devon Menu and are colour coded opposite.

## Administrative Boundaries

Variations in Landscape Character rarely coincide with administrative boundaries. Because of this a hybrid methodology for the application of Landscape Character Assessment through design has been adopted within this Guide.

## Landscape Character and Design Guidance

This Design Guide has as its foundation the variation in Landscape Character across Mid Devon and the influence these variations have on settlement form.

While Landscape Character Assessment provides a basis for assessments of sensitivity and capacity for specific development types some interpretation is required to provide an adequate platform on which to base meaningful and useful Design Guidance.

## Preservation of Landscape Character

By understanding the relationship between buildings and the landscape, the contribution buildings and human activity has on the character of the landscape the Design Guide is more accurately able to shape how development

can continue to maintain the distinctiveness of settlement form and in turn the preservation of the landscape character across Mid Devon.

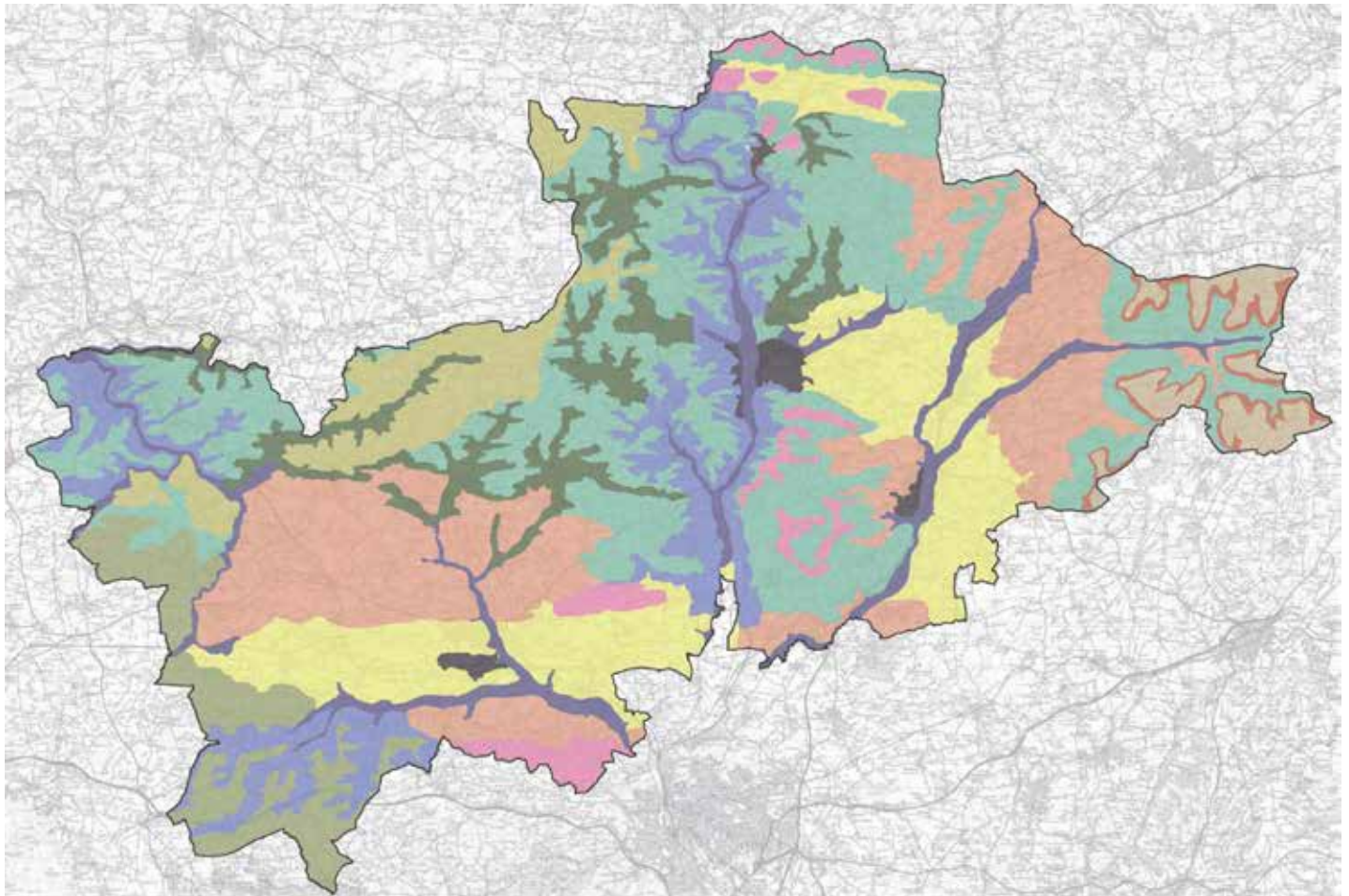
The second purpose of Landscape Character Assessment is to provide a tool for further guidance and it is this purpose that the Design Guide looks to the above documents to perform.

It is for this purpose that the Design Guide turns to the Mid Devon Town & Settlement Character Assessment as a representation of a combined assessment of Landscape and Settlement form.

## Mid Devon Town & Settlement Character Assessment

The Town & Settlement Character Assessment carried out by Mid Devon District Council established a thorough assessment of the majority of settlements, large and small, throughout the district. It acknowledges that buildings and settlement form are an intrinsic part of the landscape character of Mid Devon.

While it stopped short of identifying objectives for design or any intervention to address issues within each of the settlements it did establish a structure of character areas.



- LCT 1A: Open inland planned plateaux
- LCT 1E: Wooded ridges and hilltops
- LCT 1F: Farmed lowland moorland and Culm grassland
- LCT 2A: Steep wooded scarp slopes
- LCT 3A: Upper farmed and wooded valley slopes
- LCT 3B: Lower rolling farmed and settled valley slopes
- LCT 3C: Sparsely settled farmed valley floors
- LCT 3E: Lowland plains
- LCT 3G: River valley slopes and combes
- LCT 3H: Secluded valleys
- LCT 5A: Inland elevated undulating land
- LCT 7: Main cities and towns

# Mid Devon Settlement Character Areas:

## Settlement Character Areas

10 Settlement Character Areas are identified, each of which are a composite of river catchment, main town catchment, landscape character, topography and geology, all of which contribute significantly to the character and appearance of the district's built environment and landscape. For ease of mapping and analysis, catchment areas follow parish boundaries, though several parishes may be included within a

character area.

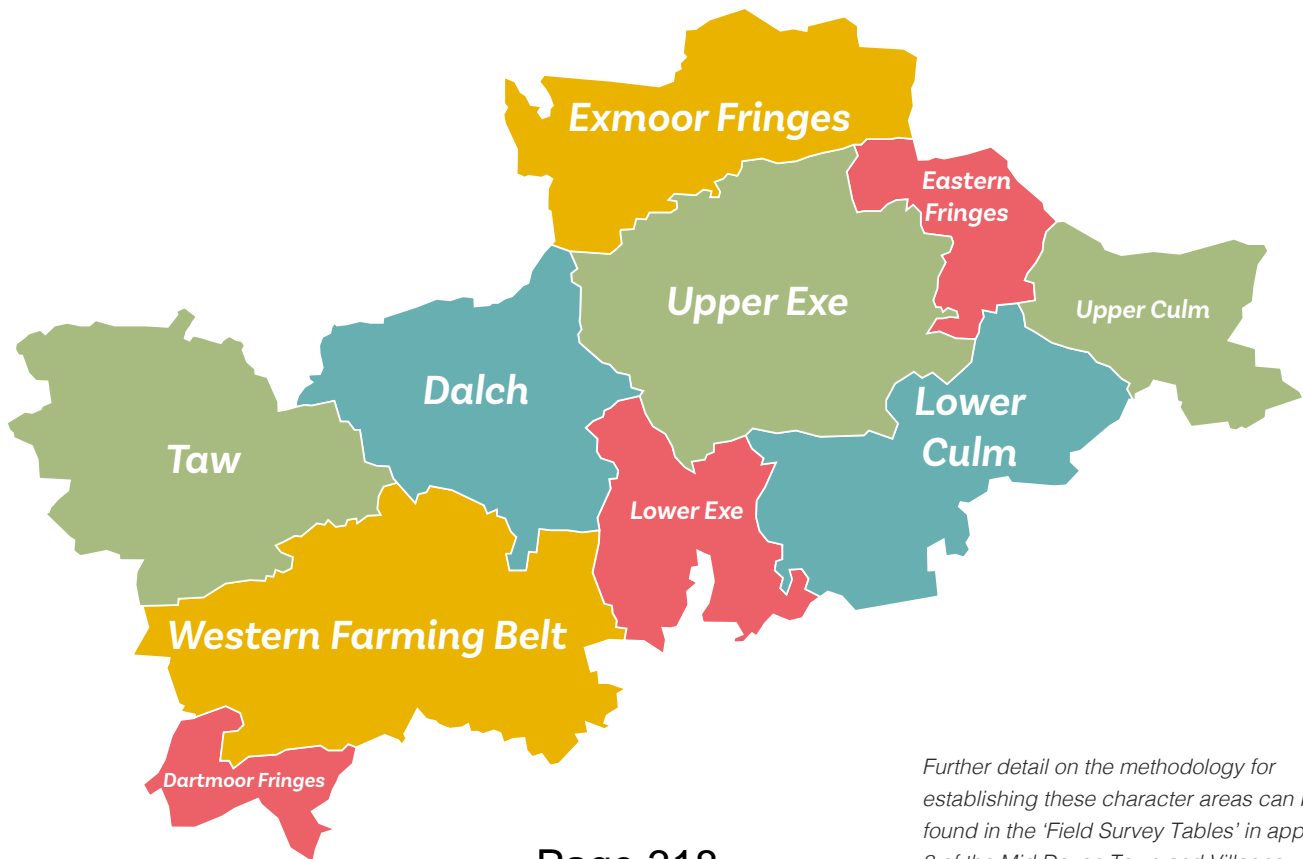
The Settlement Character Areas (SCAs) describe physical and human influences, such as patterns of settlement, influences from pre-historic times to the present day, as well as perceptual characteristics.

### A Foundation for Design Guidance

It is due to its synthesis of the variety of baseline studies which this Town & Settlement Character Assessment

carried out that this Design Guide now adopts these Settlement Character Areas as the foundation of the initial approach to design across the District.

The table opposite identifies some of the main design considerations for each of the SCAs. Users should identify the location of their site within this framework.



Further detail on the methodology for establishing these character areas can be found in the 'Field Survey Tables' in appendix 3 of the Mid Devon Town and Villages Character Assessment Document



Settlement Character Area	Description and references	Main Design Considerations
<b>1. Upper Exe</b> Including: Tiverton, Sampford Peverell, Uplowman, Halberton.	Centred around Tiverton with this and other settlements occupying flat lowland areas. Other more sporadic buildings among wooded valleys sides of the Exe Valley and on higher ground to the north of the area.	Contrasting development approach to low and level areas to sloped and higher areas contribute to the diversity of the landscape character. Permian sandstone exposed in lower areas gives rise to the <b>distinctive red</b> soil and buildings.
<b>2. Dalch</b> Including: Cheriton Fitzpaine, Kennerleigh	Comprises two contrasting types of landscape: the exposed plateau moorland with sweeping views of irregular rolling flattish hills and the more intricate rolling landform which includes coniferous woods, stream filled valleys and meadows and pastures.	Buildings often <b>clustered</b> on flat plateaux allow distant views. Development remains sparse with access to services difficult but the remote <b>rural feel</b> is distinctive of this area.
<b>3. Exmoor Fringes</b> Including: Bampton.	A steeply rolling landform. Lush fertile land primarily within the Exe Valley gives rise to tracts of medium scale fields in permanent pasture.	<b>Limestone</b> quarried locally is prevalent in historic parts of settlements. Built form can contribute to the <b>sequence of views</b> along key routes and in long views.
<b>4. Lower Culm</b> Including: Cullompton, Bradninch, Kentisbeare, Uffculme, Willand,	Low lying flat Culm Valley, an open landform surrounding the Culm river floodplain, and the strongly undulating landform of the Blackdown Hills to the east. See also the Blackdown Hills AONB Management Plan 2019-24) and Design Guide.	Settlement form along the Culm Valley is generally linear. <b>Long reaching views</b> enjoyed across lowlands but therefore prominent within the wider landscape. Buildings contribute to the unique Blackdown Hills AONB character.
<b>5. Upper Culm</b> Including: Culmstock, Hemyock	A gently rolling and undulating landscape with low lying land along rivers and featuring the steep ridges and high plateaux of the Blackdown Hills. Small hedged fields, beech hedges and isolated mature trees. Located within the AONB national designation.	Limited C20th development means <b>traditional building materials</b> : Cob, Chertstone, Thatch still proliferate the area. Since settlement location and form has developed along springlines development <b>does not break/dominate skylines</b> .
<b>6. Lower Exe</b> Including: Bickleigh, Silverton, Thorverton	Located east and west of the River Exe. Upper valleys have steep wooded sides with strong sense of enclosure and lush valley landscape. Landform becomes more gently rolling further from the River Exe, with medium scale arable and pasture fields.	Reflect typical settlement association with the River. Space for new development away from the river form contends with <b>rising slopes and varied orientation and outlook</b> . Landform offers mix of views and enclosure, obscuring views.
<b>7. Western Farming Belt</b> Including: Crediton, Bow, Copplestone, Newton St Cyres, Sandford, Shobrooke, Yeoford.	Open, low lying, gently rolling landscape, prosperous agricultural area. Medium to large scale arable fields, some areas of improved grassland. Moving north, the landscape becomes more steeply undulating, rolling landform.	Settlement growth is a result of good access via rail and road along the valley bottom. <b>Promoting connectivity</b> with these maintains relationships between landscape, movement and the settlement form which results from these.
<b>8. Eastern Fringes</b> Including: Holcombe Rogus, Burlescombe	Gently to strongly undulating landscape with small to medium scale farming. Dense, beech hedgerows are well managed and bound regularly shaped, medium to large scale enclosures of pasture.	Enclosed landscape form results in <b>short views</b> with mature trees and green close by forming a <b>landscape back drop</b> to many buildings.
<b>9. Taw</b> Including: Chawleigh, Lapford, Morchard Bishop, Zeal Monachorum	Dramatic 'Taw Valley', and contrasts with the surrounding open elevated farmland. Wooded slopes, bends and spurs. Away from the river landform is more gently rolling, small scale pasture.	Settlements mainly on valley sides or hilltops. Those on high land afford <b>expansive views</b> but are present in many views. Building <b>orientation relative to contours</b> influences overall appearance.
<b>10. Dartmoor Fringes</b> Including: Cheriton Bishop	A strong cultural association with that of Dartmoor, as it forms part of the setting of the moor. There is a strong sense of isolation with far reaching views from higher areas.	Views from higher ground may influence building orientation and positioning of landmarks within the landscape.







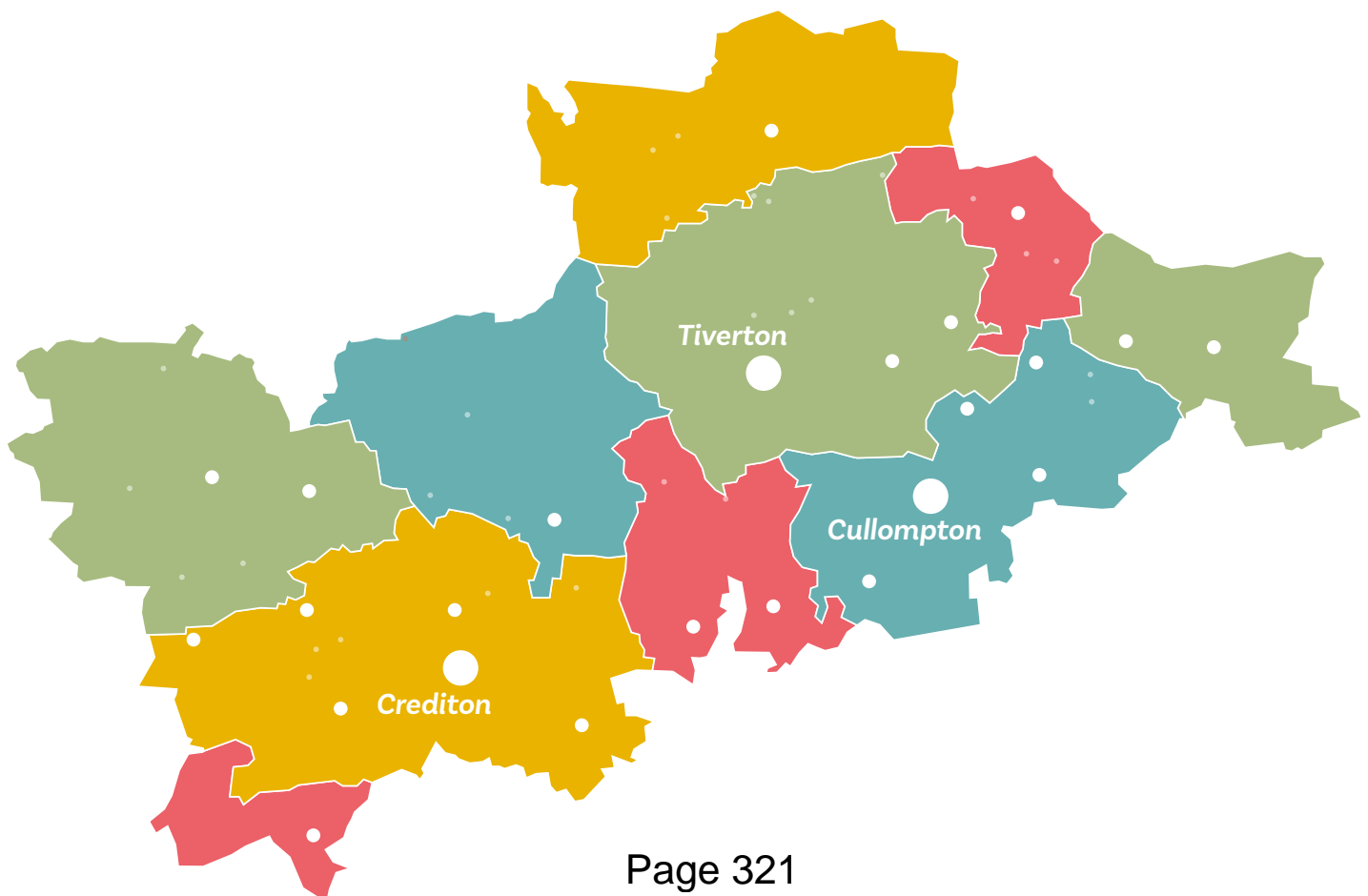
# MAIN TOWNS

**Cullompton, Tiverton and Crediton are the focus of development in the district. In achieving the scale and mix of development set through the Local Plan, the Design Guide can assist in retaining each town's individual identity.**

The Local Plan's sustainable development priorities (Policy S1) and specification of amount and distribution of development (Policy S2) outline the strategy in the district for development to be concentrated in the most sustainable locations at Cullompton, Tiverton and Crediton.

Within the scale and mix of development set by the Local Plan, the Design Guide determines a framework by which Design Guidance can effectively assist in reinforcing local identity at all scales of planned development. Work in preparing this Design Guide has included a broad assessment of, and collating of sources which have helped identify, the existing

strengths and weaknesses of each of the 3 main towns. In each case the Local Plan policy for each town (Tiverton: S10; Cullompton: S11; Crediton S12) has been the foundation for a spatial interpretation of these strengths and weaknesses, however these should not be construed as masterplans or development frameworks for the main towns, they exist purely to structure the design guidance.



## Coordinated Design and Development in the Main Towns

The Design Guide's purpose in relation to the Main Towns is to amplify the existing Local Plan policies relating to each location:

- *Policy S10: Tiverton*
- *Policy S11: Cullompton*
- *Policy S12: Crediton*

Each of these towns comprises a variety of development opportunities and allocated sites and it is not within the scope of this guide to consider each site on its own merits. Furthermore, as new sites are identified, the guide can remain relevant to all future development opportunities where it is not site specific.

The Design Guide therefore recommends development coming forward in the main towns is considered in the context of the framework plans which have been prepared as part of this design guide and which reflect an initial spatial interpretation of the Local Plan policy objectives for each town (policies S10-S12).

In each individual site scenario, it will be necessary to carry out further site and context analysis to understand more thoroughly the contribution each site can make in addressing the policy objectives for each town and any opportunities they provide to respond to the climate emergency declaration and subsequent commitment to zero-carbon development in Mid Devon by 2030.

A site needs first to be appreciated within the context of the whole town, the challenges the town faces and the role the site has to play in contributing to a joined up solution. The Design Guide can assist this process by providing broad spatial interpretations of the challenges articulated as framework plans for each of the 3 main towns.

In some cases, for neighbourhoods, or distinct districts within towns, area or themed masterplans may be advantageous in coordinating a number of sites and development pressures. Identifying objectives for these areas in the context of the whole town can bring clarity of vision, avoid piecemeal development and ensure the added value of every project is harnessed but at minimum additional effort or cost. It can also help adopt an holistic view of development across the town which contributes to the sustainable whole and can be brought about in an integrated way.

It is also important to coordinate work with those areas embarking on, or having completed, a Neighbourhood Plan to understand the community objectives for various distinct parts of each town.

## Settlement Form

It is difficult to generalise about the settlement form of the 3 Main Towns. As larger settlements they display various patterns of development across different parts of the settlement. It is also difficult to identify concise rules or guidance of how the design of various sites across these settlements as a whole contributes to the overall form and structure of the settlement and the landscapes within which they lie.

Design Guidance for the main towns therefore is more usefully steered towards encouraging the enhancement of recognisable assets and strengths of the towns and overcoming weaknesses and threats.

An initial broad observation of how each settlement is positioned in the Landscape in order to identify the main drivers of identity and distinctiveness in each of the 3 places:

**Tiverton:** is positioned at the junction of the valley landforms of the River Exe and Lowman. The majority of the town is on level ground within the valley bottom and straddling the two river course. The rising slopes on all sides enclose the town and define its setting.

**Cullompton:** stretches in a linear form along the sloped side to the River Culm corridor. More undulating landscape form to the west has shaped the layout of development to that side of the town and the river corridor constraints the settlement form to the east.

**Crediton:** is a linear settlement hidden in a valley. North and south facing slopes address each other proximately across the valley and the town centre is nestled along the bottom of the valley. There is a strong sequence of built form, spaces and events along the length of the valley. As the town has grown, development has spilled out of the ends of the valley posing new challenges to its identity as a contained and discrete valley settlement.



CREDITON

## Methodology for establishing a framework for Design Guidance in the Main Towns:

*Broad observations from research carried out as part of the preparation of this Design Guide and considered along side the policies for each of the 3 Main Towns combine to form a framework for Design Guidance which can establish a strategic approach to design for a variety of development which may occur in each of the 3 Main Towns. Design for individual development will need to build on this broad framework and follow design guidance in order to identify more specifically the approach appropriate in each site's case.*

*The following process has been followed to ensure an evidenced and Local Plan led Design Guide framework:*

1. *Cross reference policies with main town strategy maps;*
2. *Assessment town wide strengths and weaknesses;*
3. *Align Local Plan policies with Strengths & Weaknesses;*
4. *Identify Local Plan policy challenges spatially;*
5. *Identify assets of the town which Local Plan policies aim to retain/protect;*
6. *Create a photographic catalogue of strengths & weaknesses;*
7. *Undertake townscape assessment;*
9. *Identify opportunities with reference to townscape assessment for addressing Local Plan policy challenges;*
10. *Establish a Design Guide framework plan;*
11. *Articulate Design Guidance for a variety of site situations.*





# TIVERTON

## *Strengths & Weaknesses*

Tiverton is currently the largest town within the district but its assets are also its constraints to further growth.

The town is enclosed by moderately steep slopes to the south east and south west. To the north the town is constrained by the route of the north devon link road and sensitive landscape and the setting of the Knightshayes Estate beyond this. The town was originally formed around the river but topography has dictated it expanded eastwards. This natural growth continues with the delivery of the Eastern Urban Extension.

Maintaining a sustainable network of pedestrian and cycle links to the town centre becomes more difficult for neighbourhoods extending to the east of the town and opportunities exist to explore how connectivity and integration can be achieved.

There are opportunities to improve pedestrian and cycle connectivity within neighbourhood areas, overcoming

the difficulty in accessing local facilities. The presence of a variety of barriers to movement and interaction limit communities' capacity to develop in a sustainable way despite good physical and economic conditions in which to do so.

Improvements in the quality of the environment in and around the town could encourage more sustainable patterns of living to emerge and for the town to grow and attract the inward investment and confidence of its residents as a place to be proud of. Tiverton's parks and green spaces could be linked to become more prominent and accessible resources, particularly for residential areas to the north east of the town. The public realm within and around the town centre can be used to enhance its appeal and improve the perception of its proximity as a good quality and unique local resource for residents.

The town has a variety of good quality heritage assets which could contribute more effectively for the benefit of the towns identity and legibility.

## Strengths



The surrounding landscape is visible throughout the town.



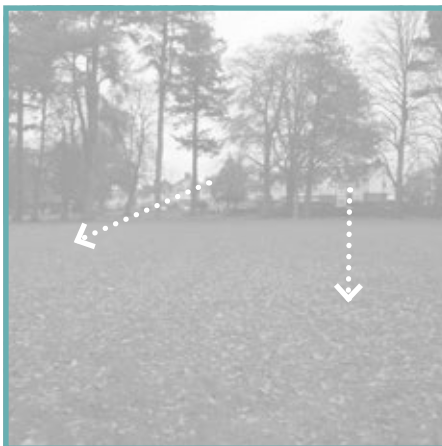
Developments near the town centre create interesting sequences of connections.



Heritage assets within the town centre area create distinctive environment.



Narrow streets and building enclosure link the town centre to its surrounding neighbourhoods.



Mature parkland with buildings overlooking the space.



Historic streets and buildings have been adapted for traffic and a mix of uses.

## Weaknesses



Pedestrian connections among new estates are an after thought.



Oversize highways through neighbourhoods result in poor public realm and car dominance.



Large junctions to small infill, cul-de-sac developments in outlying areas.



Pedestrian and cycle links around the town not integrated well with neighbouring areas.



Highways dominating the scene among the newest neighbourhoods around the town.



Town setting and surrounding landscape not referenced in sensitive way in new developments.



# A Framework for Design Guidance in Tiverton

The preparation of the Design Guide provides an opportunity to improve the quality of future development in Tiverton and ensure it can contribute to the continuing vibrancy and sustainability of the town as a whole and any opportunities it may offer to respond to the climate change emergency.

This broad framework identifies a series of components to the town which together can provide some guidance regarding the role new development can play in structuring

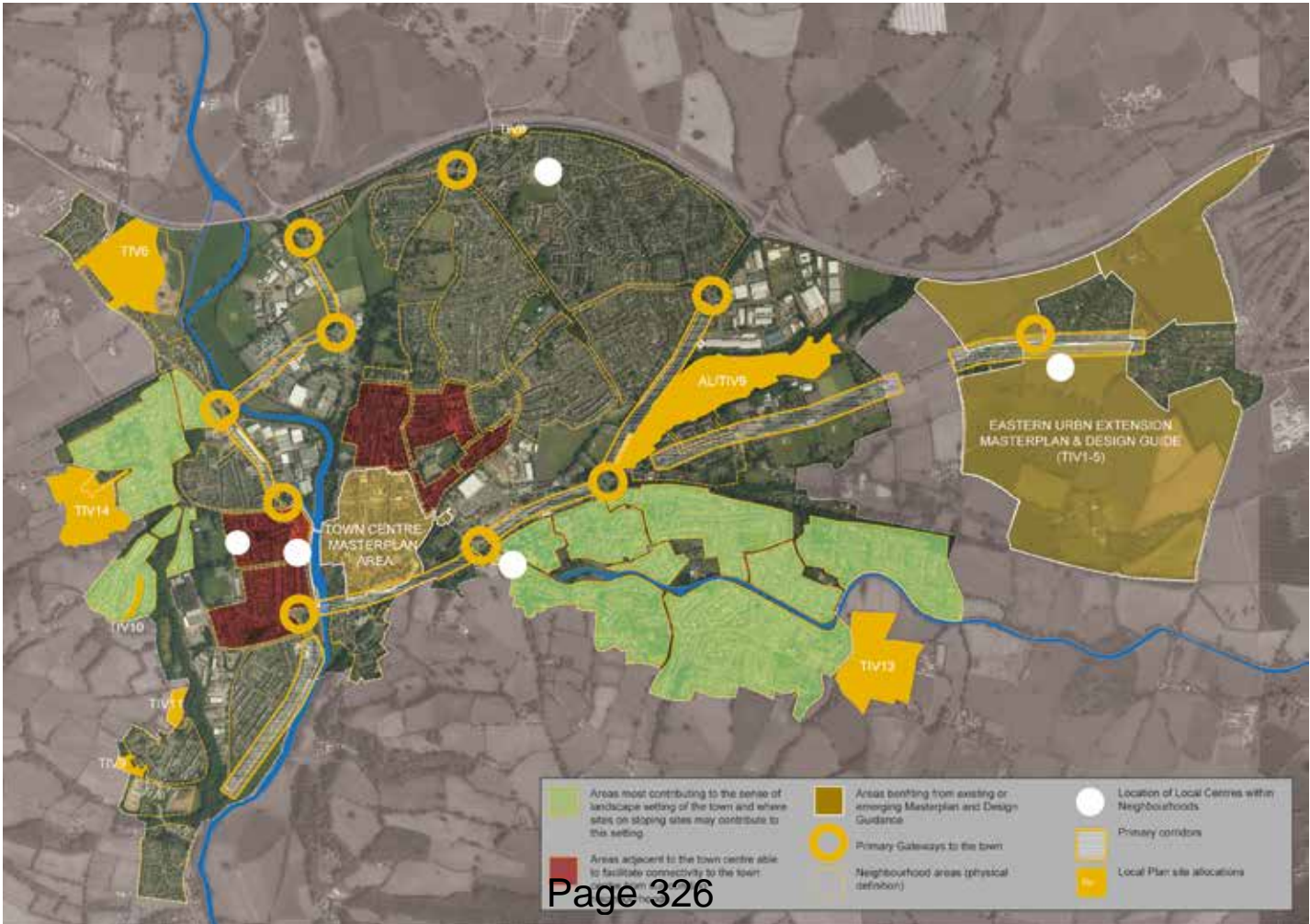
the town and enhancing its distinctiveness.

Design proposals for even the smallest of sites should consider the contribution they can make to the overall structure of the town and initial analysis of the site and its context should look to the wider setting within the town to reveal the opportunities within a broader framework which any development may have.

This framework for design guidance

is only intended to guide further investigations into the role of a site in its context. All design proposals should be justified against their own appreciation of the context and the wider townscape form and function and not rely on this framework alone.

Tiverton displays the remnants of a settlement which was formed initially around an enclosed core. It also grew up either side of the River Exe and therefore demonstrates characteristics of a divided settlement.





Town component	Main Design Considerations and references
<b>1. Town Centre</b>	<p>Reference Town Centre Masterplan for town centre issues.</p> <p>Sites around the margin of the town centre area can <b>enhance legibility</b> and wayfinding towards the town centre by <b>creating landmarks</b> and a <b>clear street hierarchy</b>.</p> <p>Sites at the periphery of the town can contribute to improvements to accessibility and sustainability of the town centre by establishing <b>better pedestrian and cycle movement</b>.</p>
<b>2. Corridors</b>	<p>The approaches into the town can better reflect the towns setting in the wider landscape.</p> <p>Sites along these corridors, regardless of use, can assist in creating a town more connected to its surrounding landscape by considering key views, <b>placing key landmark buildings</b> and providing a higher quality environment which introduces the town to those approaching by all means. Buildings should avoid turning their backs on currently highways dominated corridors. Public realm and pedestrian and cycle movement should be an integral part of proposals for any sites located along the main corridors into the town. Most corridors approach along shallow gradients and while topography is not a major constraint in most cases, <b>building heights and orientation</b> can contribute to an awareness of the surrounding landscape and legibility of the town.</p>
<b>3. Gateways</b>	<p>Tiverton will benefit from a much <b>clearer series of gateways</b> when approaching from all directions around the town and between areas within the town. Building form and use of public realm can be effectively utilised to <b>create more recognisable features</b> along key routes and to aid pedestrian legibility generally around the town. Prominent features and their locations within views and the <b>sequence of movement</b> around the town should be consideration on every site.</p>
<b>4. Neighbourhoods</b>	<p>New development around the town, even where modest in size, should consider the contribution it can make to achieving a more <b>integrated series of neighbourhoods</b>. Significant barriers exist between neighbourhoods currently from busy or wide roads to boundaries or large impermeable cul-de-sac estates. The strategic opportunity of every site to make connections should be considered and for layouts not to prohibit further the movement around the town.</p>
<b>5. Local Centres</b>	<p>Local centres are limited throughout Tiverton. For day to day needs the lack of local shops and facilities can encourage short car journeys to the town centre (or to out of town destinations) which contributes to the dominance of the car throughout the town. Development should contribute to the <b>legibility and accessibility by foot or cycle</b> of nearby Local Centres. The design of Local Centres should be founded on them being <b>safe, walkable and sociable places</b> with the public realm quality a priority above car parking and highways arrangements.</p>
<b>6. Eastern Urban Extension</b>	<p>Reference the Eastern Urban Extension Masterplan and Design Guide which establishes a framework for the distinctiveness of the Urban Extension as a series of neighbourhoods and public open spaces with facilities at the centre. Care should be taken in other development opportunities which arise to the east of the town to consider the Urban Extension and its design principles as part of the context.</p>
<b>7. Surrounding Slopes</b>	<p>Development on sites around the town on rising ground often adopts unconventional layouts allowing for the topography of theses areas. Awareness of these development patterns in <b>views from the town out</b> must be a factor in design for these sites since the surrounding slopes are a defining characteristic of views out of the town, giving the town its sense of having a distinct setting. <b>Tree canopy and detached built form</b> within the landscape contribute to this. Buildings which break the skyline should be avoided. Gaps through which vistas of the town can be glimpsed assist the overall sense of place from within these sloped margins.</p>
<b>8. Employment Areas</b>	<p>Improvements to <b>public realm and pedestrian connectivity</b> in these areas, typically vehicular dominated business parks, are essential to <b>integrate more sustainably with the town</b>. Where employment areas are positioned on the edge of the town they have the potential to perform a strategic gateway role, but they fail to do so. New developments should <b>turn buildings to face the street</b> and consider <b>landscape as a more usable resource</b> for the public and employees. Distribution of functions within an employment building can <b>create active frontage</b> and <b>provide overlooking</b> to the street (e.g. office space and taller built form at a corner).</p>



# CULLOMPTON

## Strengths & Weaknesses

Cullompton is located on gentle slopes which rise to the west of the Culm river corridor. This corridor, as well as the M5 and the mainline railway, have created significant constraints to the town's growth to the east. As a result the town has grown further to the west occupying increasingly more undulating land. The landform creates challenges for the design of legible and well connected development.

Cullompton is distinct in its positioning within the river corridor landscape type with no other settlements in the district occupying the same position in relation to the landform. This location affords distinctive views out over an expansive low lying landscape with the backdrop of the Blackdown Hills. In the foreground however, the motorway and railway dominate the environment.

Proposals to create a Garden Village to the east of the river corridor will mean Cullompton becoming the largest town in the district and while infrastructure and access support this strategic aim, there are challenges for the design of existing areas of the town retaining their identity and for new areas becoming effectively integrated and becoming a larger sustainable settlement.

The main route through the town which includes Fore Street, leading to the High Street and in turn leading to Station Road and access to the motorway runs parallel to the contours. This accentuates the town's historic linear form although at either end of the route through the town the approaches to the town are of poor quality. Development either side does not reflect the opportunity to create gateways to the town centre, or provide any sequence to the arrival to the town. This is particularly true on the approach from the motorway and the former location of the railway station (potentially reopening).

## Strengths



A well defined town centre: Fore Street and High Street offer space and diversity.



The legibility and connectivity to the town centre is good in the immediate surroundings.



Good examples of buildings complementing landform outside of the town centre area.



The town has a variety of historic routes connecting to Fore Street and the High Street.



Alleys and pedestrian links directly from Fore Street surrounded by dense building form.



Access to a mix of uses and spaces in the immediate surroundings to the town centre.

## Weaknesses



Beyond the linear form of the historic town centre, landform sometimes divides areas.



Development has not always responded well to the river corridor - a distinct landscape setting.



Recent development adjacent to the town centre has not retained the linear form.



Boundaries and fronts of properties have not contributed to attractive streets and spaces.



There has not been an integrated approach to development and public space.



Piece meal development has failed to create easy links for pedestrians (a historic characteristic).



# A Framework for Design Guidance in Cullompton

Cullompton's primary linear form, stretches along the uniformly gentle slope to the west of the Culm, concentrated around Fore Street and the High Street and this should become the focus of design of sites throughout the town.

Development proposals in areas directly adjacent to Fore Street and High Street offer opportunities to improve the legibility of the town centre throughout the town. These areas could be suitable for a mix of uses which are complimentary to

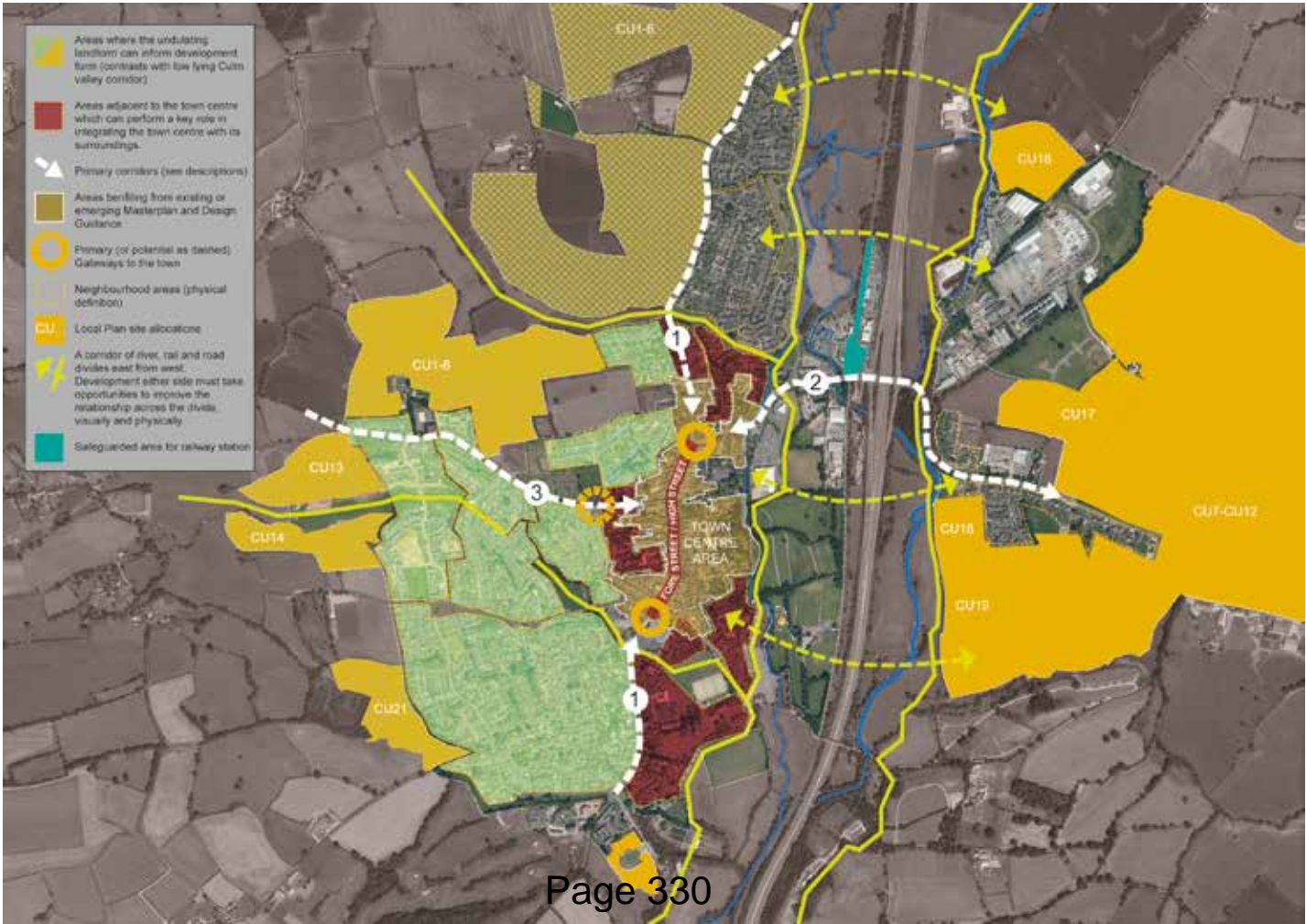
the town centre subject to the site's suitability in planning terms and relevant planning policies.

Development peripheral to the town centre can contribute to improving the ease of access by foot and attractiveness of the town centre whereby the sustainability of the town centre is supported.

Sites large and small, throughout the town should initially consider their role in addressing the focus and connectivity to the town centre

by bringing about incremental improvements to the integrity of the street hierarchy throughout the town.

Routes towards the town centre from all directions would benefit from structuring of building frontage and public realm to create sequence of views and safe space for pedestrians and cyclists. No single site by itself can affect these changes and therefore the coordination of site by site design is also required.



Town component	Main Design Considerations and references
<b>1. Fore Street &amp; High Street</b>	Maintain distinction between the narrow enclosure of Fore Street and the wider framed space of the High Street. Sites fronting the street should ensure the <b>continuity of building line</b> with no setbacks. Along Fore Street there should be as few gaps as possible between all storeys of buildings. Along the High Street while most buildings are still attached at ground floor the roof form is more detached providing a more open feel to the skyline. Variety in the height, materials and roof form and orientation can <b>perpetuate the existing diversity</b> as long as the building line is constant. Any vehicular access ways which are required should be kept as narrow and discrete as possible but <b>pedestrian alleyways and cut throughs can be frequent</b> .
<b>2. Fore Street &amp; High Street Margins</b>	Sites at the margins of the town centre area located behind Fore Street and the High Street should have a <b>highly permeable layout</b> with routes orientated towards and connecting to Fore Street and High Street. Intensification of these areas can provide the opportunity for a <b>mix of residential and other uses</b> subject to other policy. These areas are suitable locations for <b>prominent landmarks</b> , visible from around the town.
<b>3. Primary Corridors</b>	<p><b>1. North/South approaches.</b> Greater enclosure and sense of <b>sequence and gateway</b> in the built form achieved through the use of the undulating landform and development of sites which front onto this route.</p> <p><b>2. Approach from motorway/reopened railway station and East-West connecting route.</b> Recognition of the contrast between the open river corridor and the enclosure of the town centre and reflection of this in the development of sites either side of this route. The opportunity of the reopening of the railway could attend to the need to create a more significant <b>sense of arrival</b> on the approach to the town from the former station location. The station road corridor would benefit from a coordinated <b>public realm strategy</b>.</p> <p><b>3. Tiverton Road.</b> Occasional, individual /detached <b>prominent buildings</b> positioned along this route would help mark <b>routes to surrounding neighbourhoods</b> and punctuate the <b>approach to the town centre</b>.</p>
<b>3. Neighbourhoods</b>	Any opportunity to establish a <b>greater sense of street hierarchy</b> should be taken including the strategic use of corner plots, differentiation between street character through common boundary and threshold treatment, street trees and public realm treatment and variation in the highways specification for residential areas. <b>Mitigate divisions caused by the landform</b> by including topographically difficult areas as public open space with streets and buildings surrounding and overlooking the spaces.
<b>4. Low lying, river corridor margin</b>	The open aspect of the area between east and west should be retained. Sites to either side can be organised to make the most of <b>expansive views</b> to the north and the south and where possible <b>encourage public access</b> to footpaths and routes through the space.
<b>5. Western variable topography</b>	The undulating topography to the west requires a contrasting building form to that of the town centre and its margins however this should not be at the expense of the <b>integrity and legibility of streets and public realm</b> . All sites should ensure <b>distinction between public and private</b> areas. This is generally achieved by buildings which face the street and enclose private space at the rear. Safe, and obvious connectivity through these areas is key to ensuring connected communities and sustainable patterns of movement. Undevelopable parts of the landform and strategic <b>green infrastructure should be used to effectively link communities</b> and the town centre placing <b>landscape at the heart of the area's identity</b> .
<b>6. River/Road/Rail corridor</b>	While infrastructure capacity and accessibility is key to the town's growth and sustainability, design response to negative aspects such as noise or visual intrusion should <b>take care to avoid equally detrimental consequences</b> such as additional barriers to views and east-west movement or a highways dominated environment.
<b>7. East of Cullompton Garden Village</b>	The proposed Garden Village to the east of the town is the subject its own masterplanning exercise to structure development and coordinate design. This should however be carried out in the context of the whole town's setting and take the opportunity to address any of the issues above in a <b>coordinated</b> way.
<b>8. North West Urban Extension</b>	As a strategic scale development, the NW Urban Extension benefits from its own masterplan, however, its integration with the town is very important to ensure it also <b>contributes to the issues and opportunities for the town</b> as outlined in the Local Plan and in all the areas above.





# CREDITON

## *Strengths & Weaknesses*

Crediton's strengths and weaknesses stem directly from the constraints imposed upon its form by the landscape. Located within a steep sided east-west orientated valley, it is one of the most distinctly linear settlements in the district, the town centre displaying a series of linear segments linked together as one.

The historic linear form of the settlement occupies the space along the bottom of the valley form but the rising slopes to the north and the south of the town increase the perception of the enclosed linear form and the ridges of the hills facing one another echo the building line along either side of the high street.

Constraints on the expansion of the town to the north and south have meant that more recent development has been to the east and west ends of the valley where there is exposure to views from the surrounding landscape. To the west this has comprised residential development which has been relatively sensitive to these views from

the west and occupied an undulating landscape without a large impact to the surrounding landscape.

In the east, the predominant land use is employment. This has created an impermeable and vehicle dominated environment. As development continues to the east the town risks causing damage to its own setting as it creeps closer to the historic park landscapes of Shobrooke to the east, Creedy to the north and Downes to the south east.

The topography which constrains (and defines) Crediton's development form presents a significant challenge to the town being able to remain accessible using sustainable means. Design innovation and problem solving which enable development to respond to the challenge of climate change in this particular regard will be welcomed.

## Strengths



The town centre supports a range of facilities, retail and vibrant spaces.



The East Town area displays distinct urban form and assembly of historic buildings.



St Lawrence Green is a unique feature of the historic form of the settlement.



The linear form of the town is made up of distinct segments and transitions.



New interventions like the public plaza enhance the surroundings to the town centre.



The sense of the town in the valley is appreciated from locations across the town.

## Weaknesses



The approaches to the town are let down by the lack of landmark buildings and their uses.



The quality and safety of the public realm between the station and town centre is poor.



Development affects the setting of surrounding historic parklands.



The sense of enclosure in the valley is threatened by buildings on the ridge.



Development turns the end of the valley into surrounding landscapes.



Congestion and poor quality public realm impact the air quality and environment.



## A Framework for Design Guidance in Crediton

The smallest of the main three settlements in the district and yet most complex in terms of the constraints which have influenced the growth of the town and which continue to influence the need for a variety of design responses.

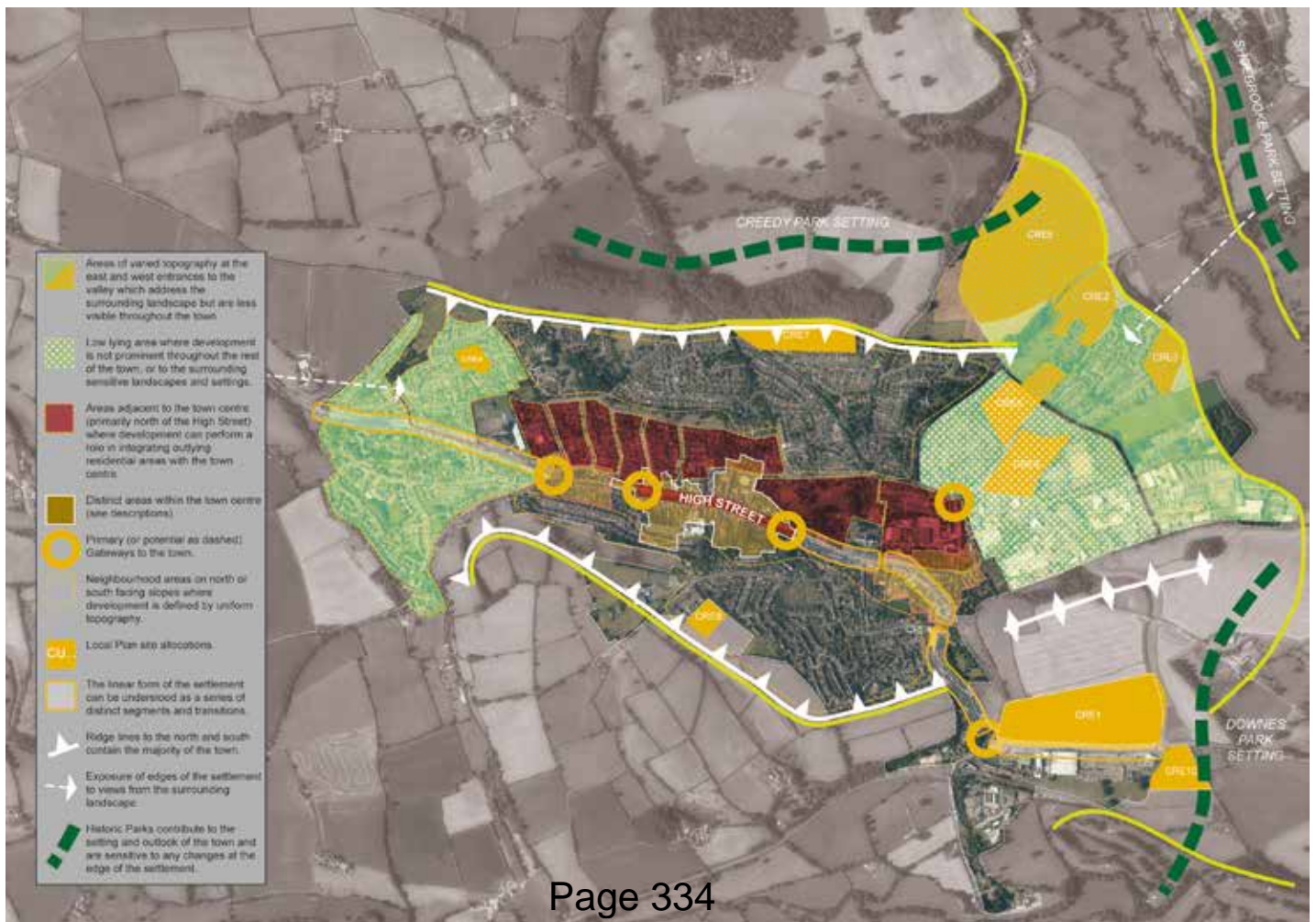
A compact town centre form, positioned at the centre of the 'arena' created by the valley landform such that surrounding neighbourhoods look down and over the town. As a result the town centre area and its immediate surroundings can

continue to support a dense form and opportunity for a variety of landmarks which feature in views and aid navigation throughout the town. Development on sites within this area can assist the overall legibility of the town centre and its integration with and accessibility to the outlying neighbourhoods.

There is also justification for a mix of uses in and around the town centre area, subject to other policy requirements and needs assessment, but which contributes to

reducing carbon emissions by promoting a self sustaining local neighbourhood which does not rely on the car for access.

Overall the design should seek to retain the towns identity as a hidden place to be discovered within the valley, but with highly prominent areas at the west and east entrances to the valley the visibility of the current edges and potential new development this concealed identity becomes prominent within the wider landscape.





Town component	Main Design Considerations and references
1. The High Street, north side	<i>The High Street stretches East West resulting in the north side of the street enjoying more sun. This should be reflected in the design of a <b>generous public realm</b>. The dominant material on the north elevation is <b>red brick</b>. Buildings should <b>retain the existing building line</b> and <b>maintain the continuity</b> along the street which in turn maintains the strong linear form. Most buildings are 3 storeys, with <b>ridges parallel to the road</b>, although <b>eaves height and parapet details vary</b>. There are very few side streets, spaced at more than 100m apart and few pedestrian alleyways between these.</i>
2. The High Street, south side	<i>The south elevation has more <b>painted and rendered buildings</b>. Buildings are typically long side on to the street with <b>no setback</b>. At ground floor shop fronts are single (up to 6m) fronted and double (approx 9m) fronted, where as above ground floor <b>colour and materials usually span the building width</b>. Windows are generally symmetrical. Traditional joinery shop fronts provide <b>variety of colour and ornamentation</b> and are of a higher quality to modern upvc printed signs.</i>
3. High Street margins	<i>In and around the town centre area <b>development can afford to be dense</b> where access is easy to the centre. <b>Layout is adhoc</b> which helps ensure the linear form of the High Street remains distinct. However, in this adhoc, patchwork layout, some <b>wayfinding and additional permeability</b> is needed to <b>improve connectivity</b> between surrounding neighbourhoods and the High Street. The area around the western end of the High Street and St Lawrence Green are some of the oldest parts of the town and incorporating or referencing their heritage and public realm value into development proposals will help to improve their contribution to the identity of the town.</i>
4. South facing slopes	<i>Development on the north of the valley (south facing slopes) enjoys a lot of sunlight throughout the day. Consequently <b>larger gardens and public green areas</b> are found throughout this area. Despite this, development should seek to maintain the <b>integrity of streets</b> with buildings facing the street and enclosing private space to the rear. The <b>legibility of streets</b> which descend the slope directly to the High Street should be enhanced where possible.</i>
5. North facing slopes	<i>The south side of the valley is steeper and with the shading here this results in less development which is north facing. As a result, views south from the other side of the valley generally have a green backdrop and any further development on north facing slopes should <b>avoid breaking the ridge line</b> so that the landscape setting in the valley can be appreciated. More frequent <b>links down the hill</b> to the High Street should be explored to <b>improve access</b> to the neighbourhoods on this side of the valley.</i>
6. East valley entrance	<i>The town has seen its most recent expansion to the east, the majority of this being employment space in the form of industrial estates. New development provides the opportunity to <b>rationalise the building form</b>, reestablishing the distinctiveness and <b>identity of East Town</b> and vastly <b>improving legibility</b> and the approach into the town from the east. <b>New gateway features</b> are needed to the north east and to the east where the supermarket development and bypass road contribute little to the townscape. New edge of settlement condition and views into the valley here need to consider the <b>setting of the 3 historic parklands</b> as part of their context and justify their layout and design with respect to these views.</i>
7. West valley entrance	<i>To the far western end of the valley the landform is more undulating resulting in a variety of <b>open, glimpsed and obscured views</b> of the wider landscape beyond. The design response will vary according to localised topography however, preserving the <b>sense of discovery</b> of the town in valley will depend on considerate development at the valley entrances.</i>
8. Beyond the valley	<i>Where possible constraining development form to <b>within and below the ridge lines</b> to the north and south of the town assist in preserving the distinct linear and contained form of the town. Beyond this, various development proposals must seek to <b>create distinction</b> between themselves and the town in the valley. They must consider the <b>wider landscape setting</b> as part of their context.</i>







# VILLAGES

**The settlements have a unique character, with a variety of building styles, materials and ages. These settlements have diverse relationships with their surrounding landscape, either hidden in wooded valleys, nestled within the folds of rolling hills or sited on fairly flat elevated plateaux.**

There are 22 designated villages set out in Local Plan policy S13 which are considered to be appropriate for a limited level of development based on their physical characteristics and availability of services.

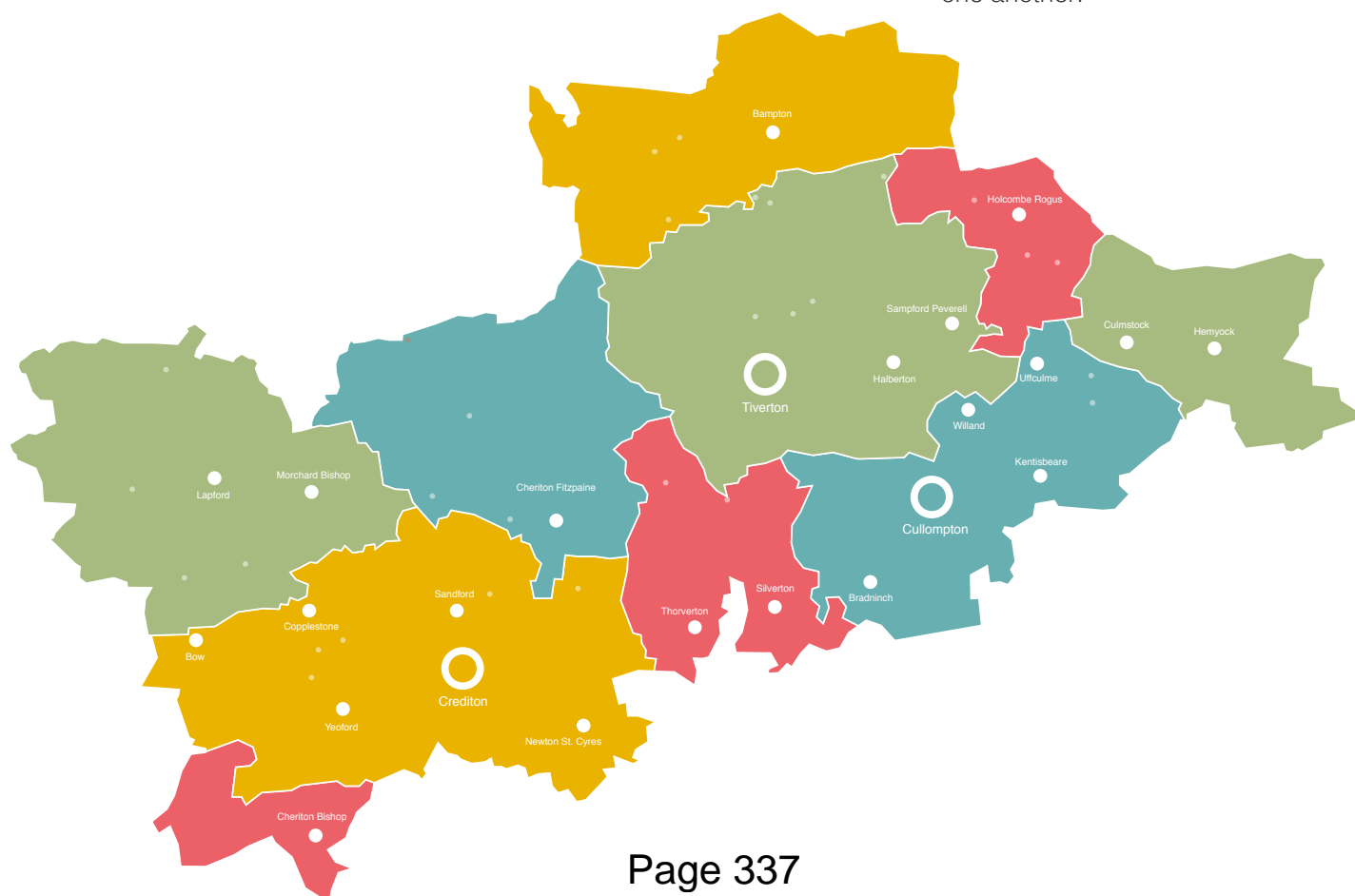
While the Local Plan makes policy provision for development at the 22 designated villages and 3 main towns, design guidance in this chapter can also be applicable to

development (where permitted) at other settlements in Mid Devon..

While the Local Plan only makes provision for about 10% of total new housing provision in Mid Devon to be outside the 3 main towns, this small proportion can nevertheless have potential for profound effect on the form of rural settlements and consequently the landscape character as well as facilitating

smaller communities meaningfully responding to the climate change emergency.

The methodology for preparing this Design Guide has included characterising (by a process of field surveying and desktop study) the 22 designated villages and other settlements across the district into a series of typologies which display common characteristics and forms to one another.



## Settlement Typologies

The process of field survey work and desktop analysis has arrived at the summary of 7 settlement typologies which can be recognised across Mid Devon.

### Generalisations of settlement form.

The Design Guide for rural settlements is based primarily based on the characterisation of 22 Villages as defined within the Local Plan (Policy S13) but is also relevant to the form of the main towns: Tiverton, Cullompton and Crediton, as well as settlements without a boundary which fall with the Local Plan 'Countryside' policy (S14).

Settlements may demonstrate a variety of characters and it is unlikely that any one settlement is as simple in form as these generalised typologies.

The typologies are intended as a guide to assist observations of settlement characteristics but to provide a catalyst to the more comprehensive description of the characteristics of the context of sites and development.

In some cases the form of settlement may have changed over time as development is added and the settlement has grown and changed. In these cases it is worth identifying the characteristics of the historic form and identifying whether the changes over time have retained the settlement's distinctiveness in the landscape.

In some cases change will have been positive, in others negative. The analysis of settlement form in each site and settlement case will be

a bespoke process.

As an initial guide this document has identified the form of a range of settlements (listed over) but other characteristics may be observed too.

### Main Towns

In the cases of Tiverton, Cullompton and Crediton and to some extent in the larger villages within the District (e.g. Willand and Bampton), different areas of the settlement display different settlement forms. One neighbourhood or district may be structured around a linear feature, another around an open space and another still may display dispersed parcels of development with no particular focus or centre due to topography or infrastructure.

The guide is applicable here and users should translate the characteristics which have been observed and described to each individual situation.

### Landscape Character

This guide, as identified in the previous chapter, outlines how the form of settlements across Mid Devon are first and foremost a product of the diverse landscape character across the district. For this reason, these typologies should not be adopted without further assessment within each individual design process. This process should ask the question whether the characteristics observed within a settlement and its context are contributing to the distinctiveness of the landscape character.

For instance, a settlement maybe observed as having a dispersed form, but this has come about as a function of infrastructure, planned industrial estates which are designed for operational requirements, not as public areas, isolated housing estates etc. In this case it is not the landscape character which has determined the form of the settlement and it may be decided that the settlement form actually detracts from the distinctive character of the landscape.

Care should be taken to observe those characteristics which originate from the landscape character and which are distinctive to Mid Devon.

### Selecting a Settlement Typology

After defining which settlement character area a development site is located within and identifying the relevant Design Guidance, the next step is to identify which of the Settlement Typologies most suits the place where the development will be located.

The 7 settlement typologies are generalisations of the settlement forms of all the settlements across Mid Devon and it is unlikely that a settlement conforms exactly to any one generalisation.

It may be that some of the features of 2 or a number of the settlement typologies seem to match the development location, in which case a judgement can be made as to which elements of the Design Guide are applicable to creating a development which contributes in the best way possible to the settlement form of the given location.



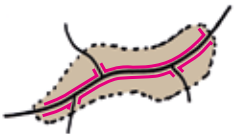
## Central Square or Green

Uffculme  
Morchard Bishop  
Cullompton



## Patchwork

Willand  
Tiverton



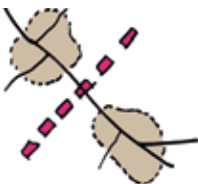
## Linear

Chawleigh Halberton Sampford Peverell Cheriton Fitzpaine Kennerleigh Oakford Bow	Bradninch Uffculme Colebrooke Lapford Cheriton Bishop Culmstock Crediton Cullompton
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## Enclosed Core

Thorverton  
Sandford  
Holcombe Rogus  
Halberton  
Tiverton



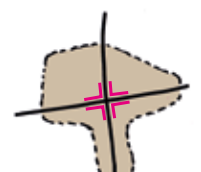
## Divided

Culmstock  
Newton St Cyres  
Yeoford  
Burlescombe  
Tiverton



## Dispersed

Hemyock  
Bickleigh  
Westleigh  
Zeal Monochorum  
Cheriton Bishop  
Cullompton



## Cross Roads

Bampton Kentisbeare Silverton Coppelstone Morchard Bishop	Bradninch Hemyock Newton St Cyres Sandford Colebrooke Zeal Monochorum
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## Landscape Variations

Some settlements of a similar form perform a very different function in contributing to landscape character by virtue of their topographical position.

For example, a linear settlement maybe located along a valley bottom and the hidden nature of its form within the landscape changes how it and the surrounding landscape is perceived as well as affecting the sense of the surroundings experienced from within the town.

Alternatively, the same linear form found on the top off a hill, or situated along the contours of a valley side create landmarks within the landscape. These linear settlements, in being visible and prominent when approaching from far off, create a very different sense of arrival and a wider awareness of the settlement size and form. Again from within the settlement positioned on higher ground, views, glimpses and the sense of the wider setting looking out from the settlement is very different to that of the valley setting.

Once an understanding of the form of the settlement and the relevant settlement typologies have been selected, consideration of the topographical setting should be made.

A summary of 5 typical topographical settings are listed below. Again it is unlikely that a location's topography is similar only to one of these 5. In which case consideration should be given to the effect of a variety of topographical factors on the design of a development within a given settlement form.

Understanding variations in landscape form includes identifying any differences in micro-climatic conditions. Different landscape forms may present different opportunities to respond to the climate change emergency by orientating for maximum solar gain as well as structuring development to create the most walkable development form.





## Valley

Within a valley setting, the characteristics of any settlement typology are exaggerated as the settlement is squeezed into a more constrained location. The prominence of the settlement in the wider landscape will be limited and development can make the most of the sense of discovery that can be enjoyed on arrival within a settlement in a valley.



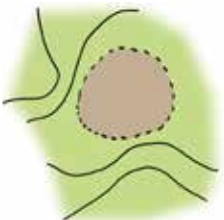
## Hillside

A sloped situation can be the most challenging topography for most of the settlement typologies. To achieve access and connectivity through and around a development unconventional building orientations and arrangements are often used. The design of streets and integrity of public/private definition of space can be threatened as a result. Consider varying the approach to access and connectivity (non-vehicular routes) and how overlooking is achieved (side windows and visually permeable garden boundaries). These constraints and design solutions can lead to the most distinctive places.



## Hilltop

Positioned on a hilltop, any settlement typology becomes a prominent feature in the landscape. Development in these locations is a distinctive feature of parts of the district however and the automatic approach should not be to screen or hide development. Rather careful consideration of the opportunities to make the most of views out and vice versa, looking from afar and on approach to a settlement to consider how a development stands out or is integrated with a settlement which is prominent in the landscape.



## Low Lying

Settlements in low lying locations are defined as much by the surrounding rising ground as they are by the opportunity for development on the lower level areas. Care should be taken to acknowledge the setting as part of the character of the settlement. Views can often be short distance, but with very mature, green backdrops. Where development is to be located on the rising ground surrounding a settlement there should be a realisation that this itself becomes the backdrop to the town. Openings in the landscape too can be opportunities for contrasting approaches to orientation and views but that these locations be sensitive to the wider exposure they have to a wider landscape still.



## Undulating

Often this type of topography has forced a settlement to become dispersed or divided as it has negotiated development in the easiest locations first. Many of the macro conditions above exist at a micro level within an undulating topography as additional development is left with no choice but to tackle the more difficult topography. The rising slopes around a settlement can define parts of a settlement. Even small sites may find they are on a locally prominent high point. Some development maybe squeezed into small valley features where density and enclosure are a result.



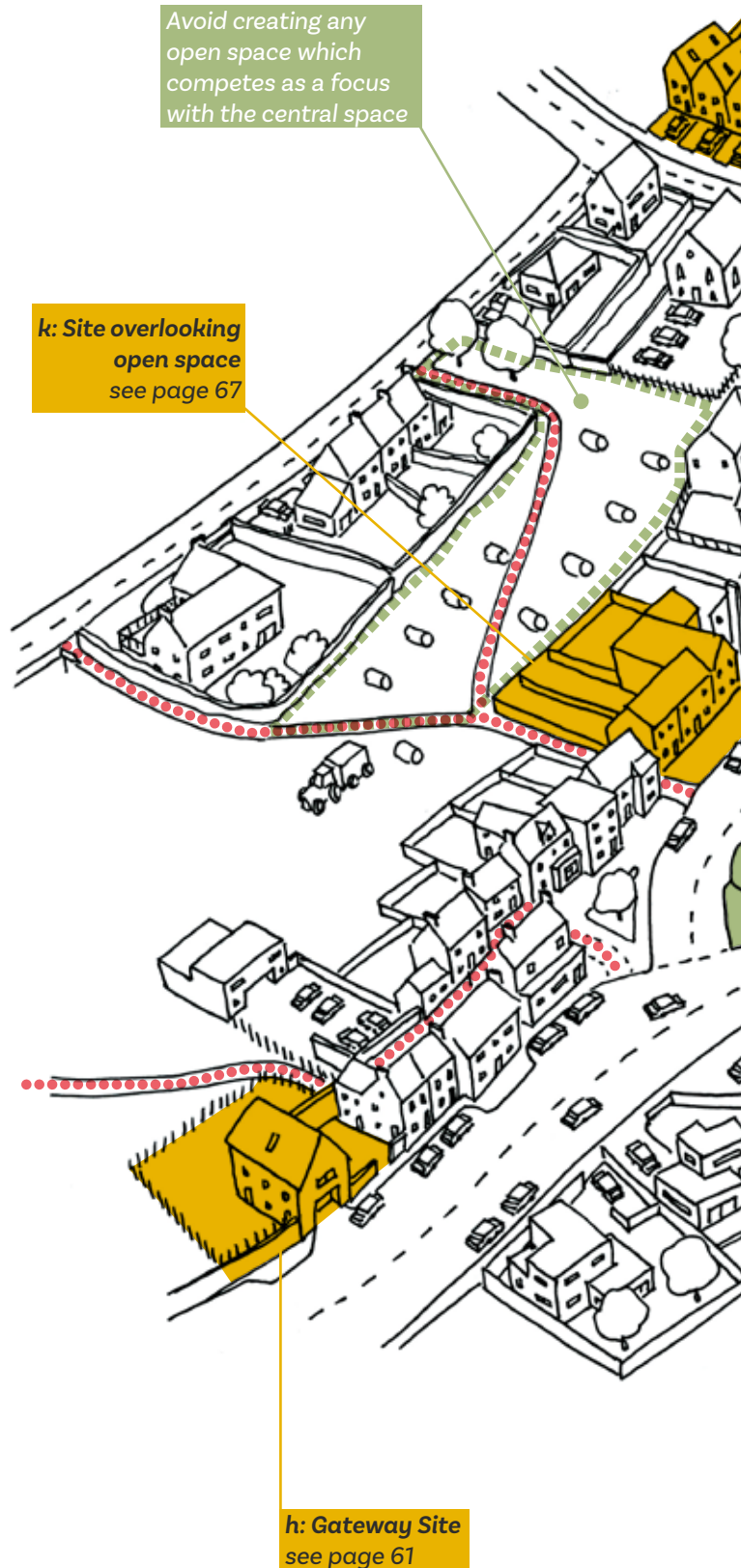


## Central Square or Green

A settlement which is focussed around a square or a green has a recognised centre where activity and uses are concentrated. Development increases in density and scale around the central space providing a clear sense of arrival. Navigating and sense of direction around these settlements is always with reference to the centre and development form assists in indicating in which direction the centre is located.

Design of development within these settlements should:

- Maintain the density and scale of development at the centre and overlook the square or green;
- Locate any mix of uses at the centre and celebrate the opportunity for diversity of materials and form which this presents;
- Ensure development away from the centre is well connected and helps orientation around the centre;
- Avoid inadvertently creating a substitute for the central space by the provision of similar open space, or location of non-residential uses elsewhere.





d: Edge Site  
see page 53

m: Site along a Thoroughfare  
see page 71



**Central Square or Green**  
Any development within the settlement should seek to preserve a focus on and access to this central space.

**Lanes & Alleys**  
Preserve, and where possible create, paths which lead to and provide short cuts to the central space



## Patchwork

A series of blocks of development are organised around an often grided or permeable and interconnected street network but with no clear sense of a single centre to the settlement. Community facilities and non-residential uses are widely distributed throughout the settlement and require a well connected street network to make accessibility easy. Sometimes there is a small historic part of the settlement which displays the characteristics of a different settlement typology, e.g. linear or crossroads.

Design of development within these settlements should:

- Avoid creating a distinct centre;
- Maintain an interconnected street network and avoid any cul-de-sacs;
- Add to the distribution of occasional landmarks which mark corners and views along streets;
- Maintain the integrity of development blocks with buildings which face the street and enclose private space to the rear;
- Acknowledge any historic development pattern and cross reference with relevant design guidance.

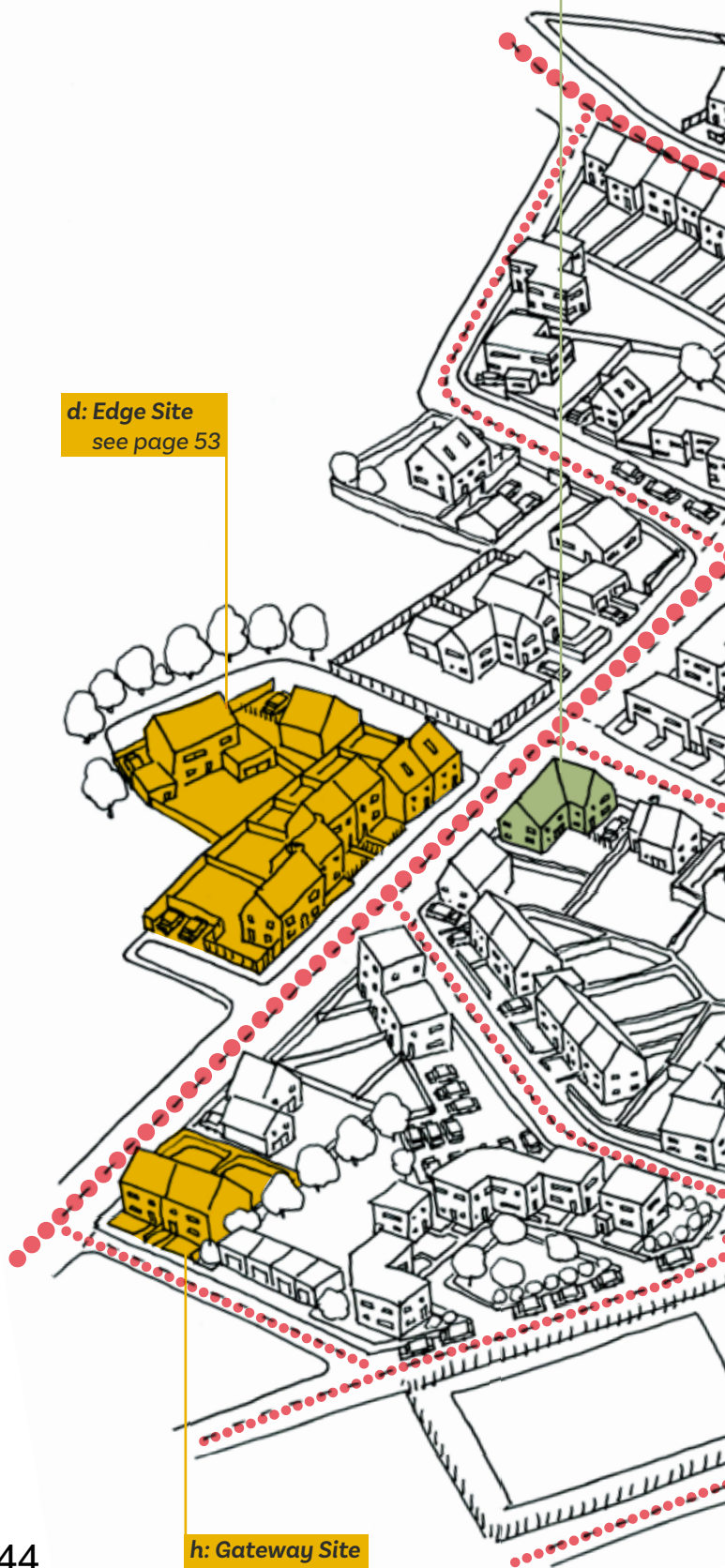


CREDITON

**Distributed Landmarks**  
Prominent buildings in a variety of locations throughout the settlement marking corners and views assisting wayfinding.

**d: Edge Site**  
see page 53

**h: Gateway Site**  
see page 61





### Additional Gateways

The distributed nature of the settlement means there are a number of approaches which can benefit from gateway buildings.

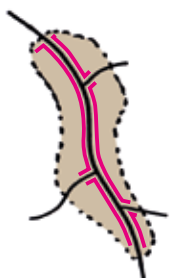


i: Infill Site  
see page 63

### Connected Street Network

A grid of connected streets.  
One or two routes have  
subtly greater priority. No  
dead ends.





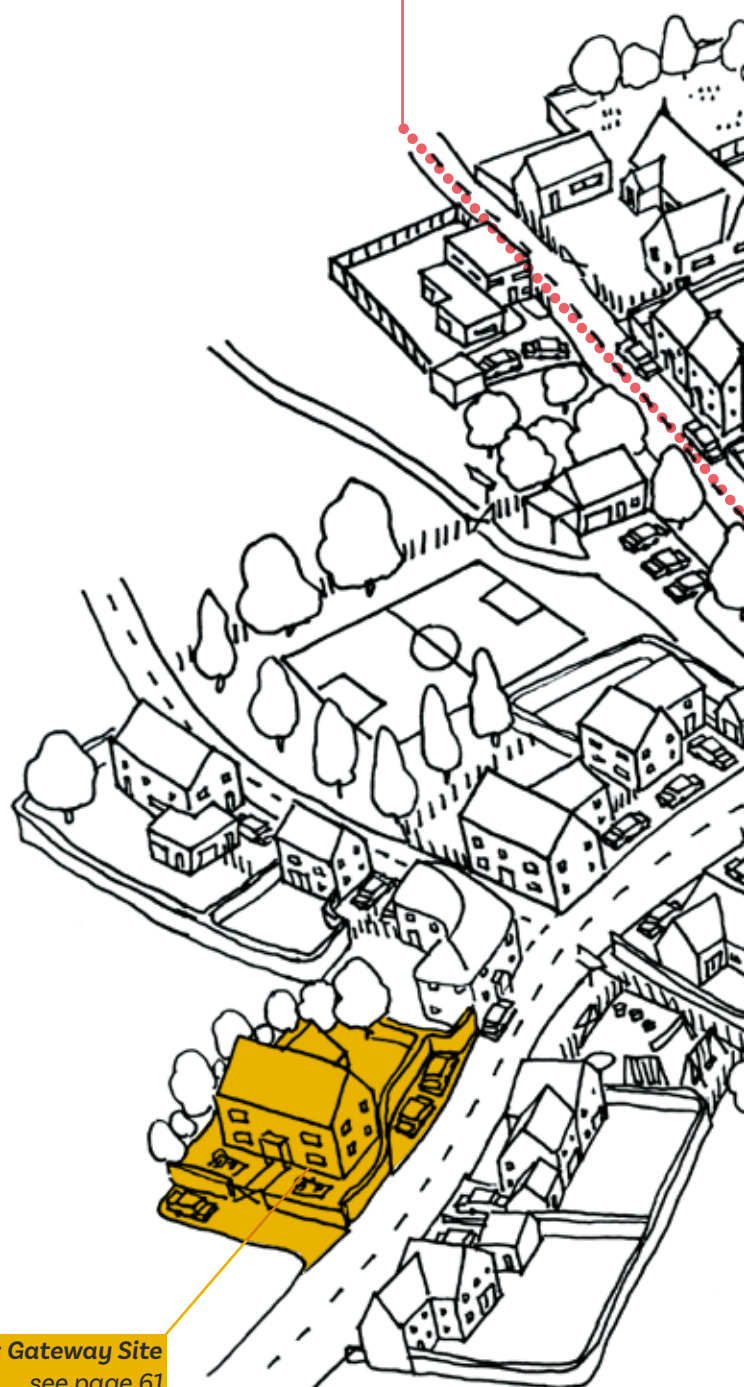
## Linear

This is one of the most common settlement forms across Mid Devon although it exists in a variety of topographical situations which require a variety of design approaches in order that the settlement form maintains its integrity:

- A primary objective of design is to maintain the continuity of built form along the main route;
- A sequence of views and events along the linear route is created starting with the use of gateways at either end of the settlement and then varying building scale and the continuity of elevations along the route;
- Towards the centre, buildings are positioned immediately against the back of the pavement, or at the edge of the carriageway if no pavements to increase the sense of enclosure and linear form;
- Routes leading off of the linear form should be overtly secondary with discrete junctions;
- From the surrounding area looking in, the settlement appears to turn its back towards the landscape. This is reinforced by development always orientating inwards towards the main route and the rear of development being planted and having a fragmented edge to the landscape.

### Secondary streets

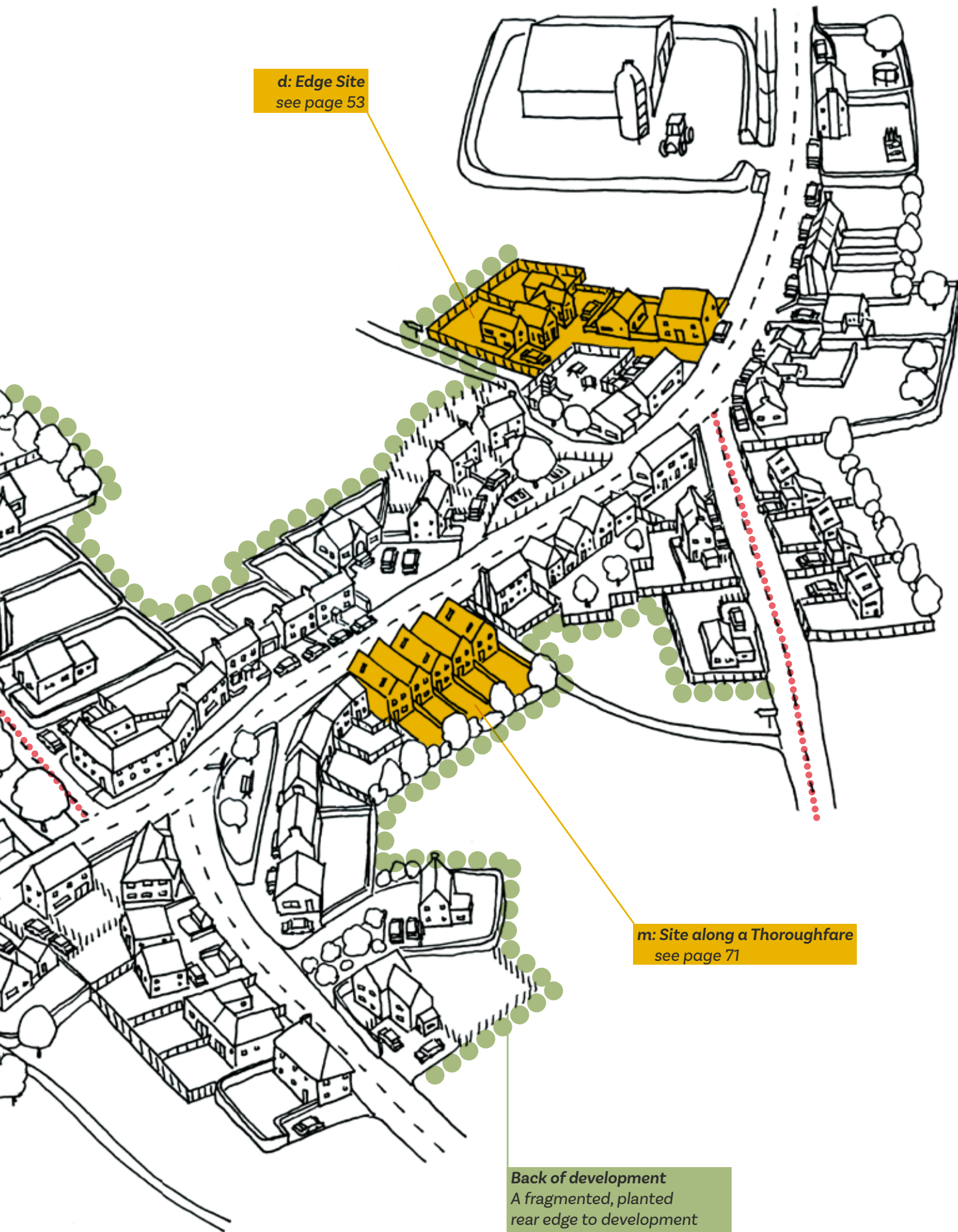
Routes off of the linear route are minor and have discrete junctions, not disrupting the continuity along the main route.



h: Gateway Site  
see page 61



CHAWLEIGH



d: Edge Site  
see page 53

m: Site along a Thoroughfare  
see page 71

**Back of development**  
A fragmented, planted  
rear edge to development  
maintains the impression  
of the settlement looking  
inwards along the linear route.





## Enclosed Core

The settlement has a compact form arranged around a distinct development block at its centre. This central development block has a virtually continuous perimeter (sometimes some discrete driveways or accesses exist) which faces outwards. The continuity of the perimeter can be accentuated by a uniformity of building line, ridge line and eaves line although there can also be variety around the block. There is no specific centre to the settlement. Facilities and non-residential uses tend to be distributed around the outside of the settlement, not within the historic core. There are usually a number of routes which approach the settlement with no particular priority between streets.

Development in these settlements should:

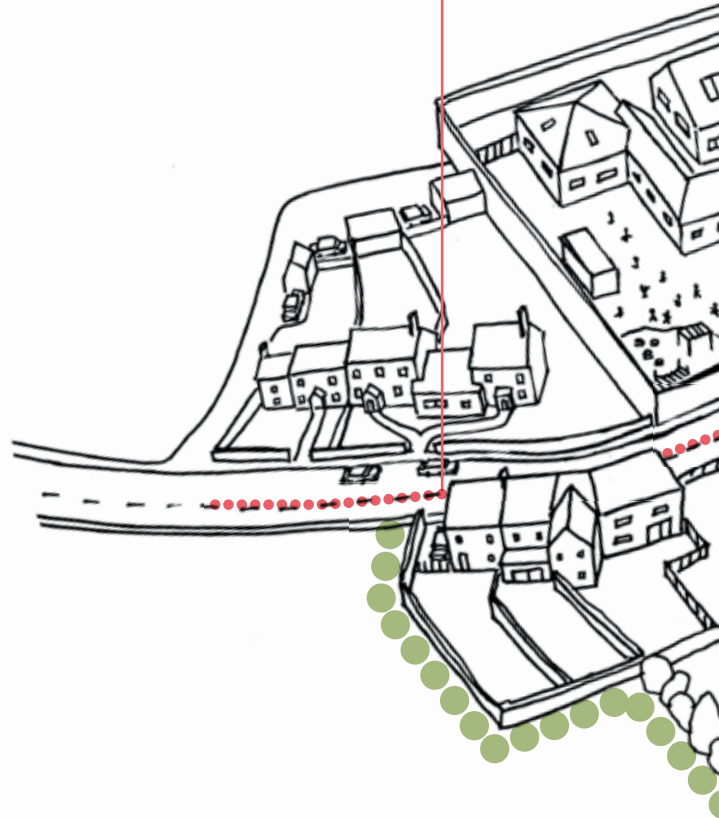
- Maintain the integrity of the core with outwards facing, dense, continuous development;
- Distribution of facilities around the settlement to decentralise its layout;
- Avoid creating additional routes and access to development around the town which does not first use the streets surrounding the core;
- Maintain a fragmented, planted outer edge.



HOLCOMBE ROGUS

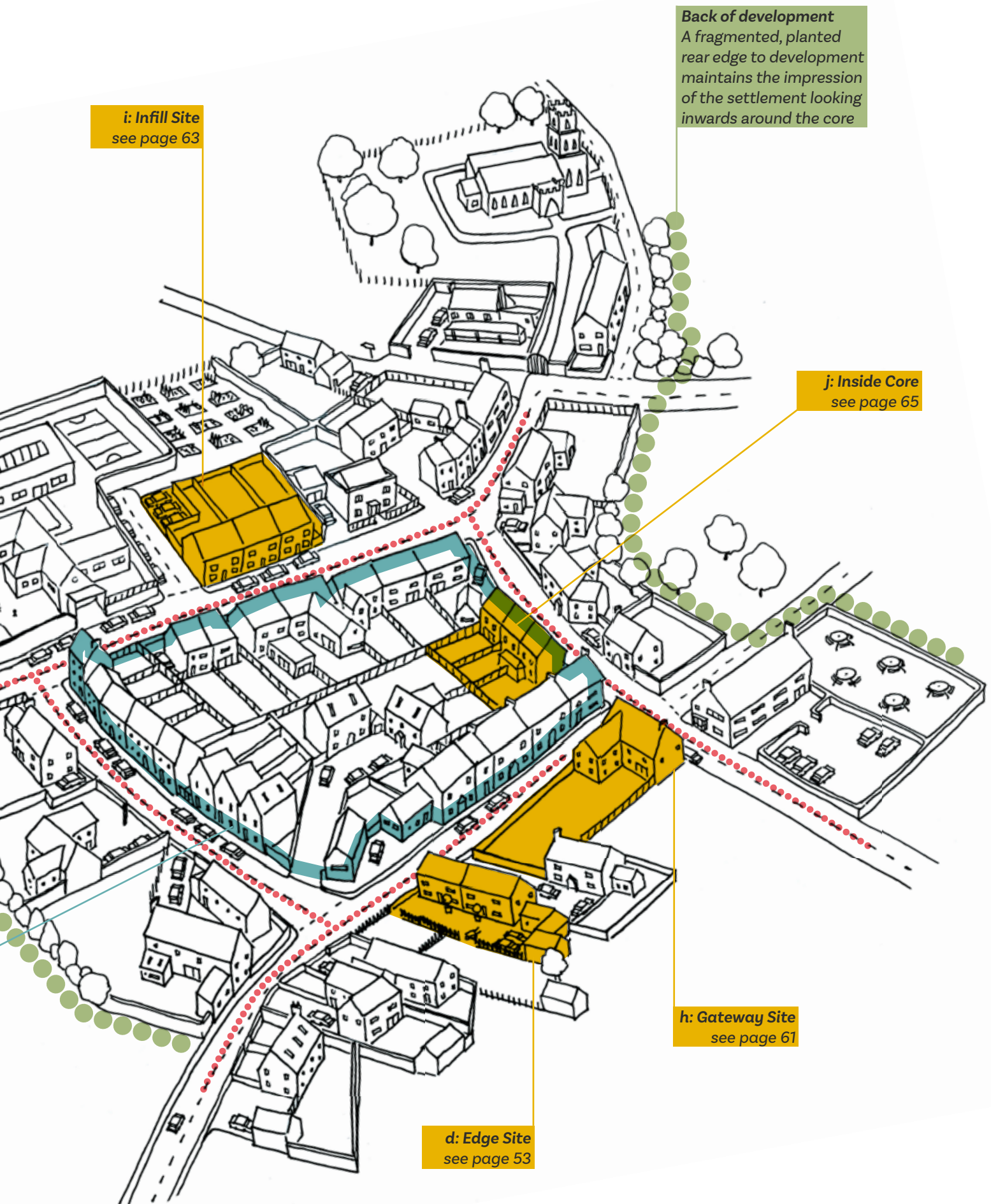
### Surrounding Streets

Various approaches to the settlement have equal priority and encircle the core area.



### The Core

Maintain the integrity of the core with continuity of built form.



**i: Infill Site**  
see page 63

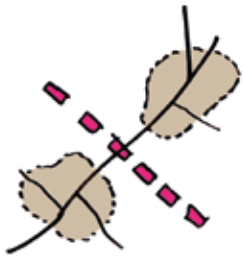
**Back of development**  
A fragmented, planted  
rear edge to development  
maintains the impression  
of the settlement looking  
inwards around the core

**j: Inside Core**  
see page 65

**h: Gateway Site**  
see page 61

**d: Edge Site**  
see page 53





## Divided

A divided settlement retains two distinct parts located either side of a natural or man-made feature (e.g. a river or railway line). The settlement in two parts draws attention to the features of the landform with development form and orientation influenced by the divide. The settlement avoids becoming two separate places however by the sharing of facilities one side to another, and by virtue of the two parts being proximate enough to remain well connected.

Design of development can contribute to these characteristics by:

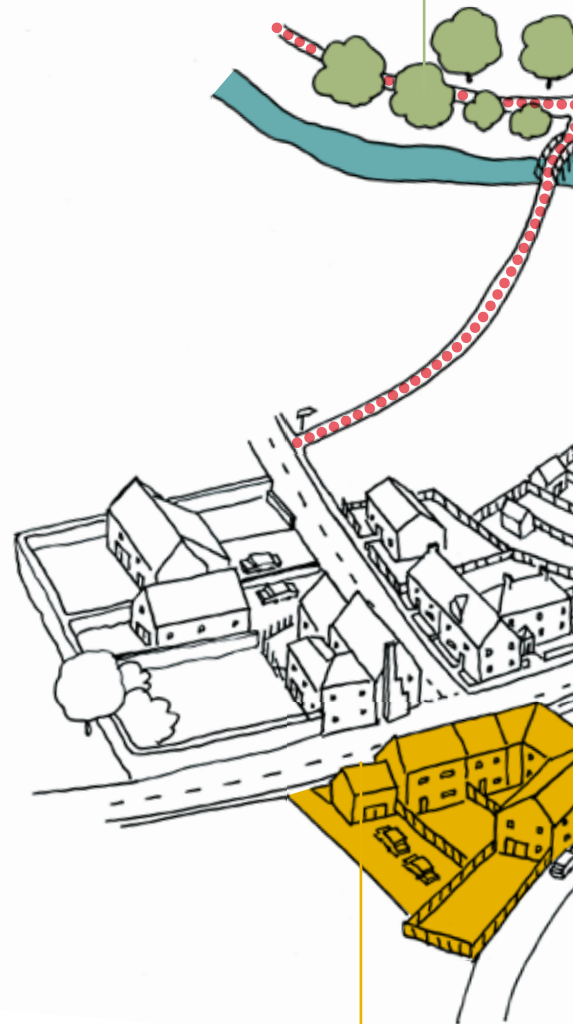
- Maintaining the integrity of the two distinct parts of the settlement;
- Improving connections between the two parts but not duplicating facilities;
- Avoiding development encroaching into the gap.



### Dividing Feature

The divide between settlement parts can be manmade or natural but should be acknowledged as a feature and where possible utilised for public access.

**b: Site located between settlement parts but joined**  
see page 49



**f: Site at the edge, on a limb**  
see page 57



i: Infill Site  
see page 63

l: Site out on a limb  
see page 69



e: Site located at the edge  
between settlement parts  
see page 55

**Connections**  
Links across the divide  
help maintain a unified  
community and draw  
attention to the landscape.



## Dispersed

Development can be dispersed in the landscape and result in a settlement of multiple parts. This can be due to various elements dividing the settlement, or development having negotiated various landscape features over time. The approach in these settlements is to attempt to maintain the various individual parts as distinct elements as this reflects the landscape form. At the same time efforts should be taken to link the community together and facilitate the ability to share facilities. There is no defined centre to these settlements. There is often a variety of building form to attend to a variety of topography.

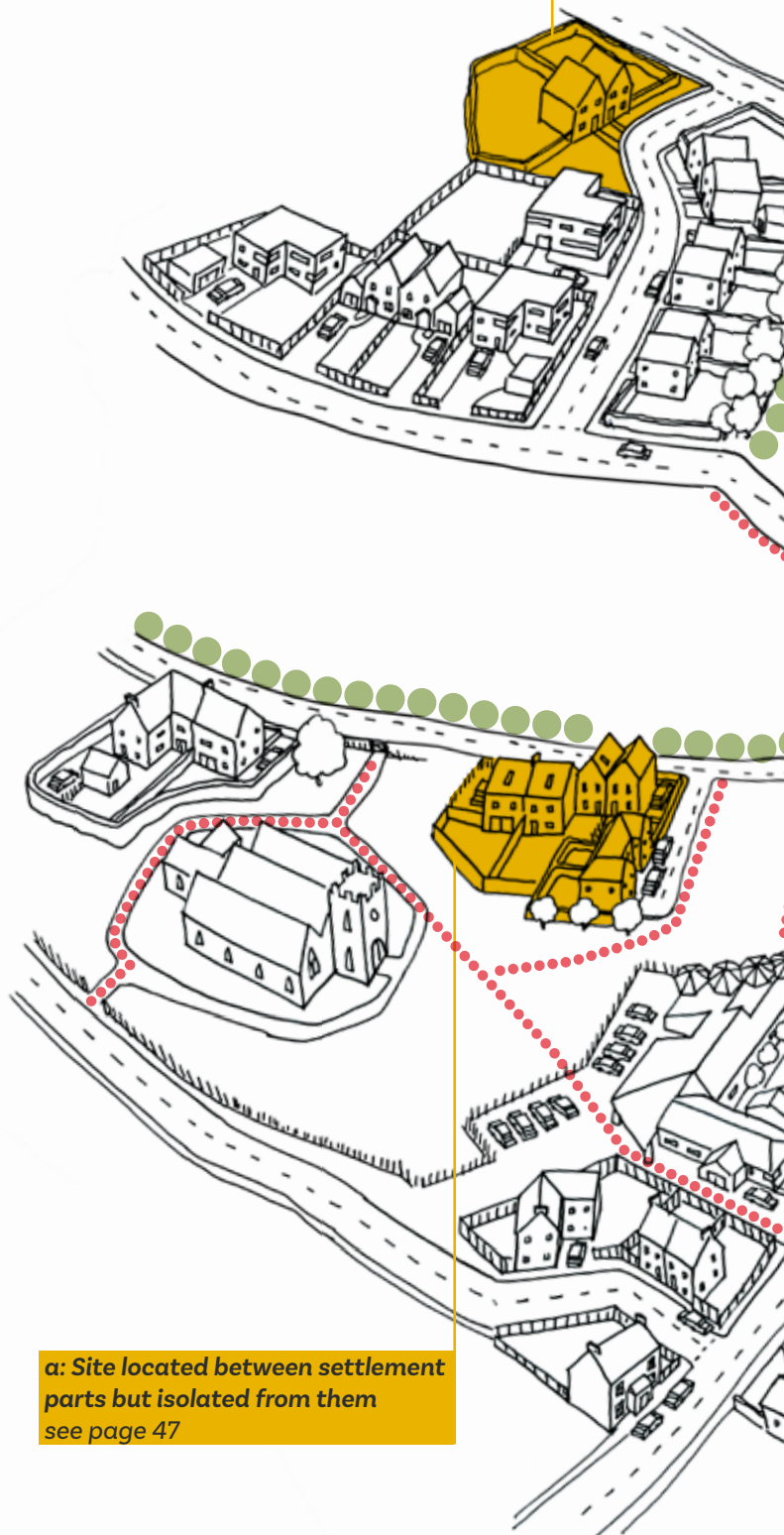
Design of development can contribute to these characteristics by:

- Where possible, maintain the integrity of the individual distinct parts of the settlement;
- Avoid creating a defined centre;
- Facilitate various connections to help the community integrate and share facilities;
- Consider a variety of approaches to building form to respect a variety of topographical situations.



MORCHARD BISHOP

**g: A site at the edge of a satellite to the settlement see page 59**

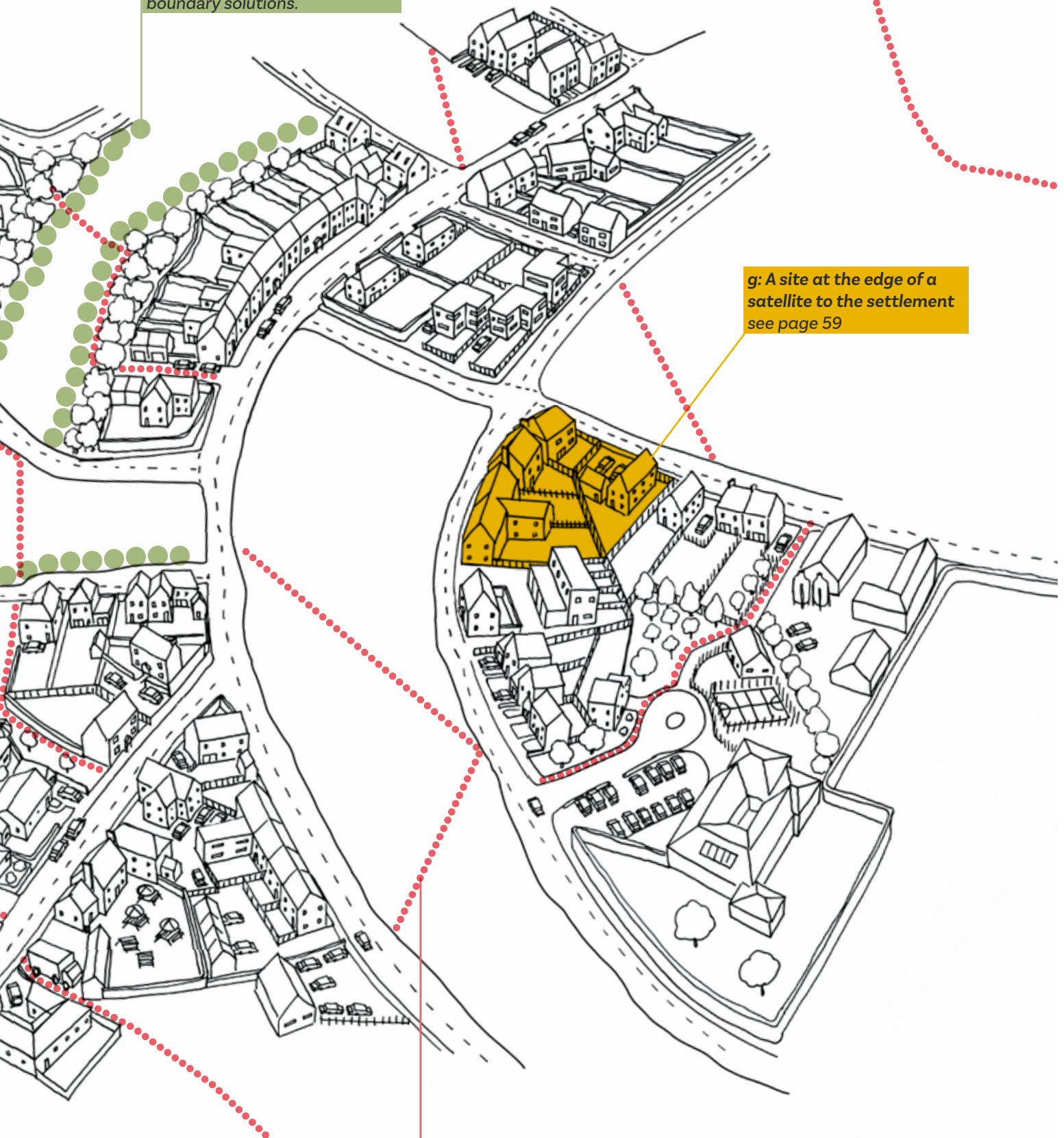


**a: Site located between settlement parts but isolated from them see page 47**



### Edges to Landscape

A variety of different relationships with the landscape require different building and boundary solutions.

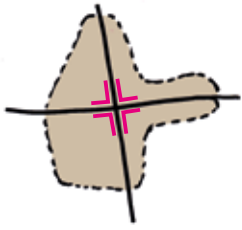


g: A site at the edge of a satellite to the settlement see page 59

### Connections

Paths and links help maintain a unified community and draw attention to the landscape.

Page 353



## Cross Roads

Where historically a settlement has formed around two significant routes the development pattern is focussed around this crossroads. The density and enclosure increase towards the junction and there is usually equal priority between the two routes with a distribution of commercial and community uses along both axis.

Development in these settlements should:

- Maintain the continuity of buildings around the crossroads using a uniform building line, common ridge alignment and minimum gaps between buildings;
- Create landmarks at corners of the crossroads;
- Create permeability throughout the various quarters of the settlement;
- Allow landmarks (new and historic) away from the crossroads to be visible throughout the settlement.



BAMPTON

**d: Edge Site**  
see page 53

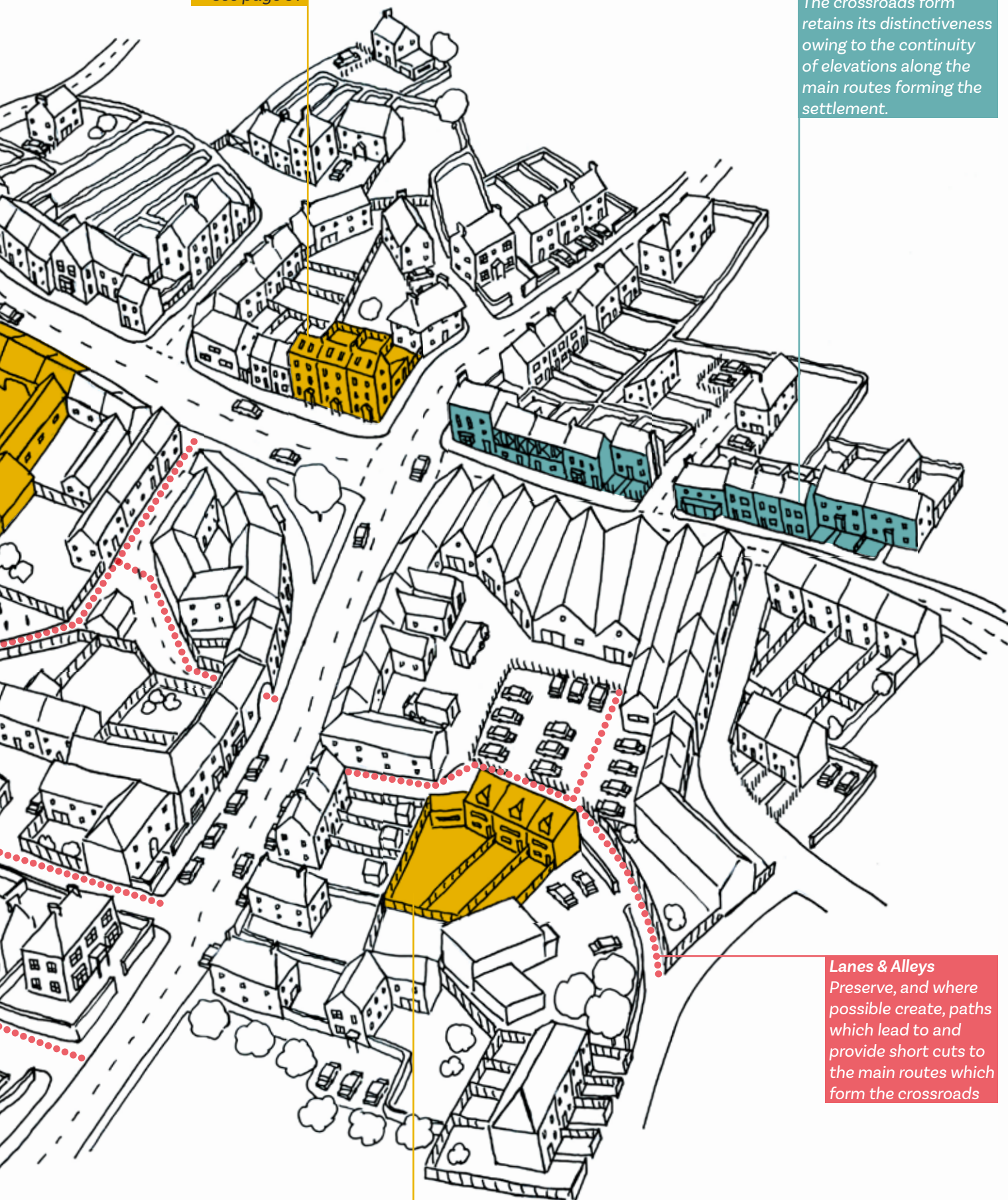
**m: Site along a Thoroughfare**  
see page 71

**Features and Landmarks**  
The legibility of the settlement is established by features and landmarks (new or historic) located in prominent throughout the settlement.



c: Corner Site  
see page 51

**Continuity of main routes**  
The crossroads form  
retains its distinctiveness  
owing to the continuity  
of elevations along the  
main routes forming the  
settlement.



**Lanes & Alleys**  
Preserve, and where  
possible create, paths  
which lead to and  
provide short cuts to  
the main routes which  
form the crossroads

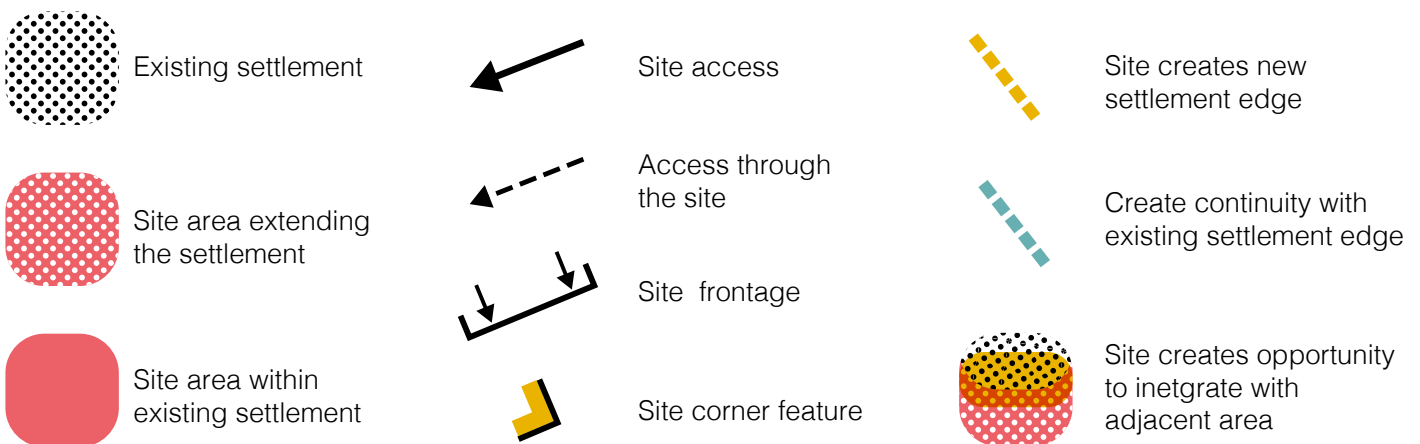
i: Infill Site  
see page 63

## Site Situations

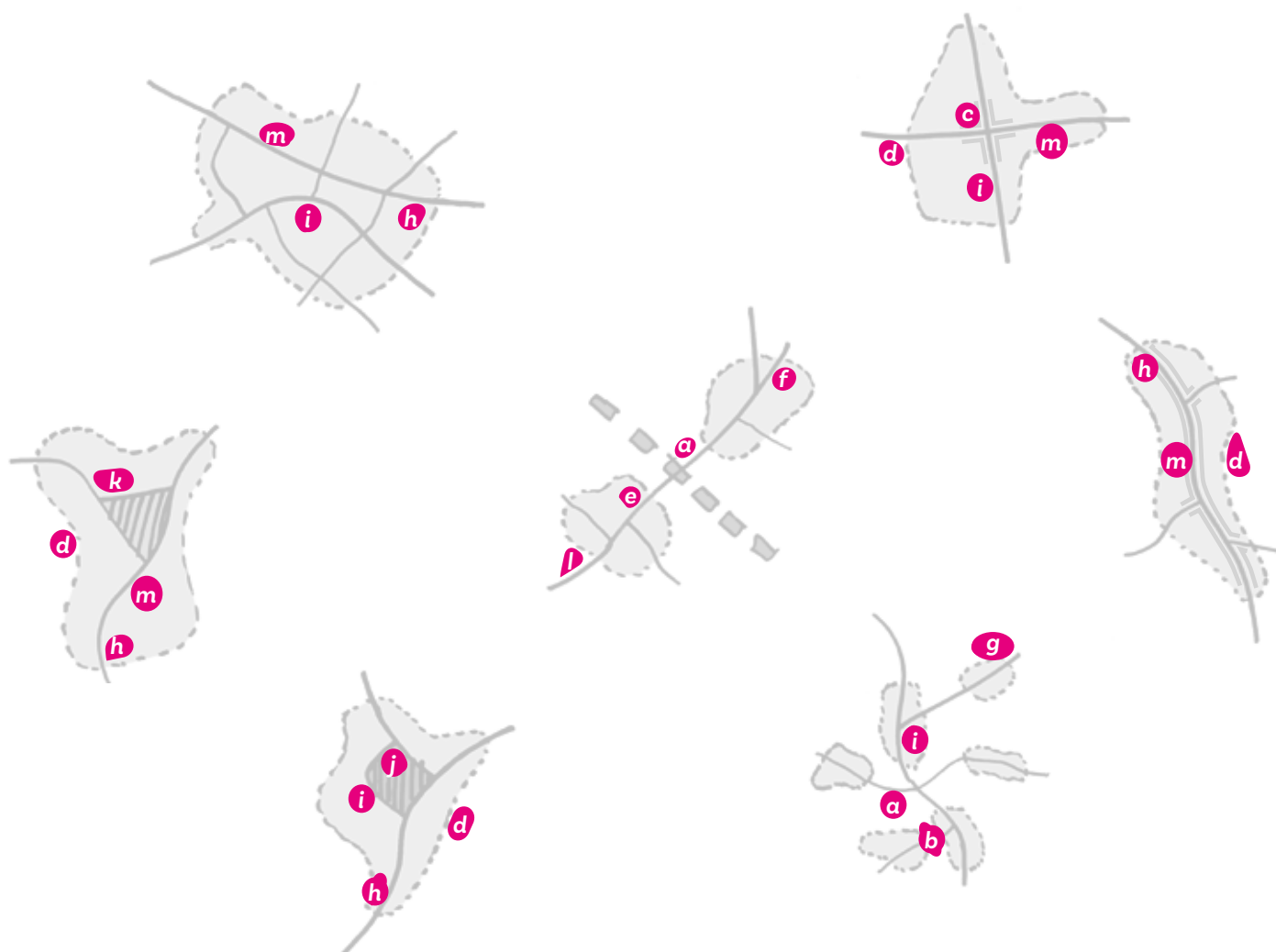
*Across the variety of Settlement Types a series of common site situations can be found. Not all site situations occur in all settlements. Each site situation demands a different approach to design and the following pages outline a series of parameters for the design of sites in each of these situations.*

*The following section of the guide provides simplified diagrams for the purposes of outlining the key principles of designing for each site situation. These diagrams are not intended to provide an accurate site representation of particular locations.*

*A simplified key is used in these diagrams for the purposes of showing the key parts of settlements and sites as follows:*



*The section should be read and applied with close reference to Volume 3: The Compendium of District Design in order to identify architectural features and other detailed design considerations which can be used as tools to achieve the site situation design principles.*



- a. Between Isolated**
- b. Between Joining**
- c. Corner**
- d. Edge**
- e. Edge Between**
- f. Edge on a Limb**
- g. Edge to Satellite**

- h. Gateway**
- i. Infill**
- j. Inside Core**
- k. Open Space**
- l. Out on Limb**
- m. Thoroughfare**

Please refer to the settlement typology sheets (pages 31-44) which place the site situations in context.



## ***a. Between isolated***

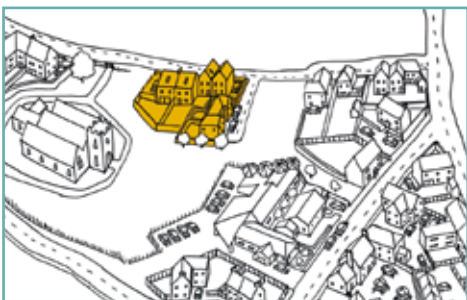
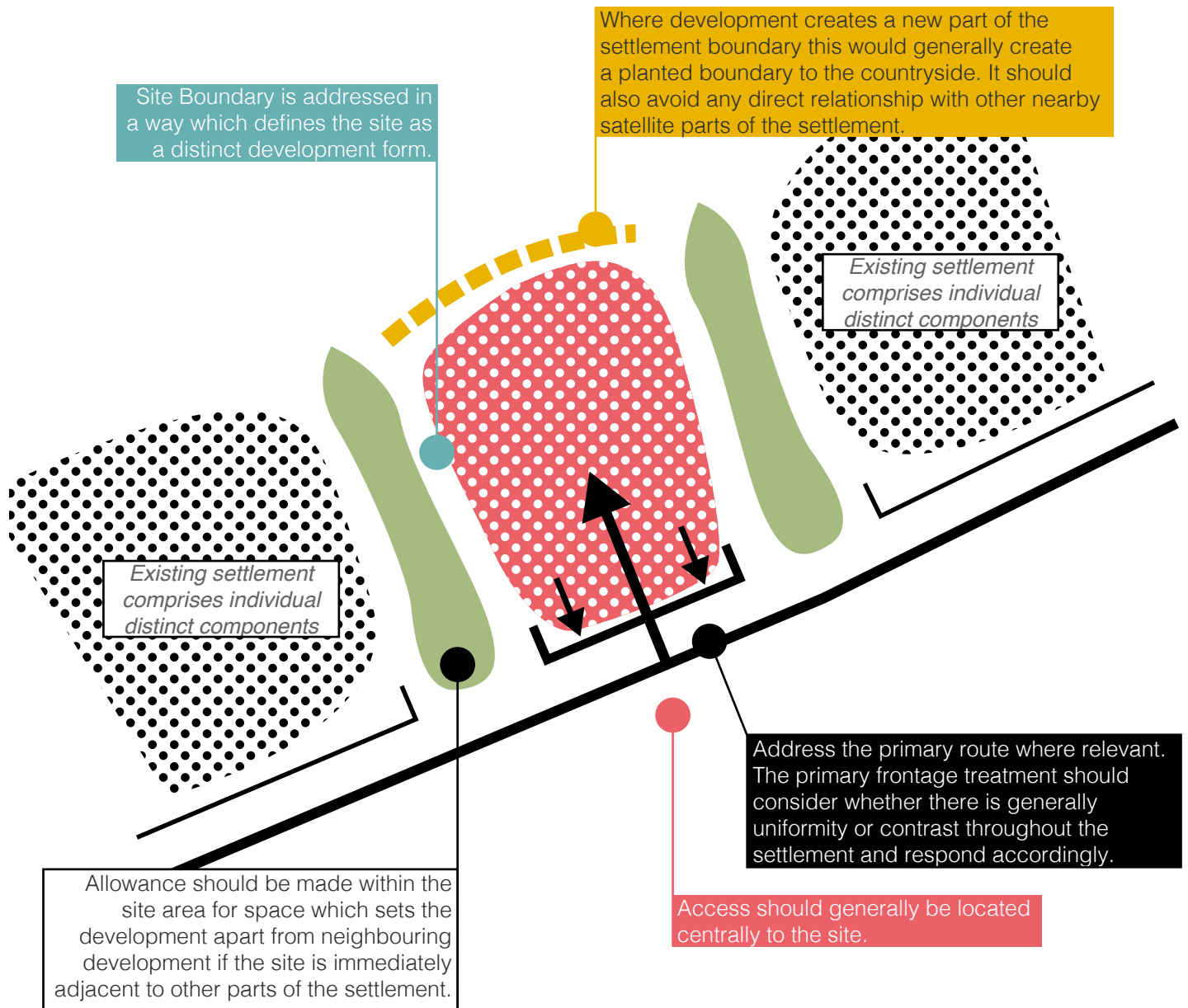
This site situation may occur where a settlement displays a dispersed series of components which together make up the whole settlement.

Each component is to some extent isolated from each other and the form of development establishes this isolation as well as being a result of the landscape and topography.

A site for development may be between some of these isolated elements. The role of a site in this location is as follows:

- The site should create an additional distinct element within a dispersed or divided settlement form;
- It should avoid threatening other sites/existing settlement components from performing their own distinct function within the landscape and within the whole settlement.





A site shown 'between', but 'isolated' from a part of a Dispersed Settlement.  
(See page 41)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.

## ***b. Between joining***

A site located between two parts of an existing settlement but which is joined to one or other of the existing parts of the settlement.

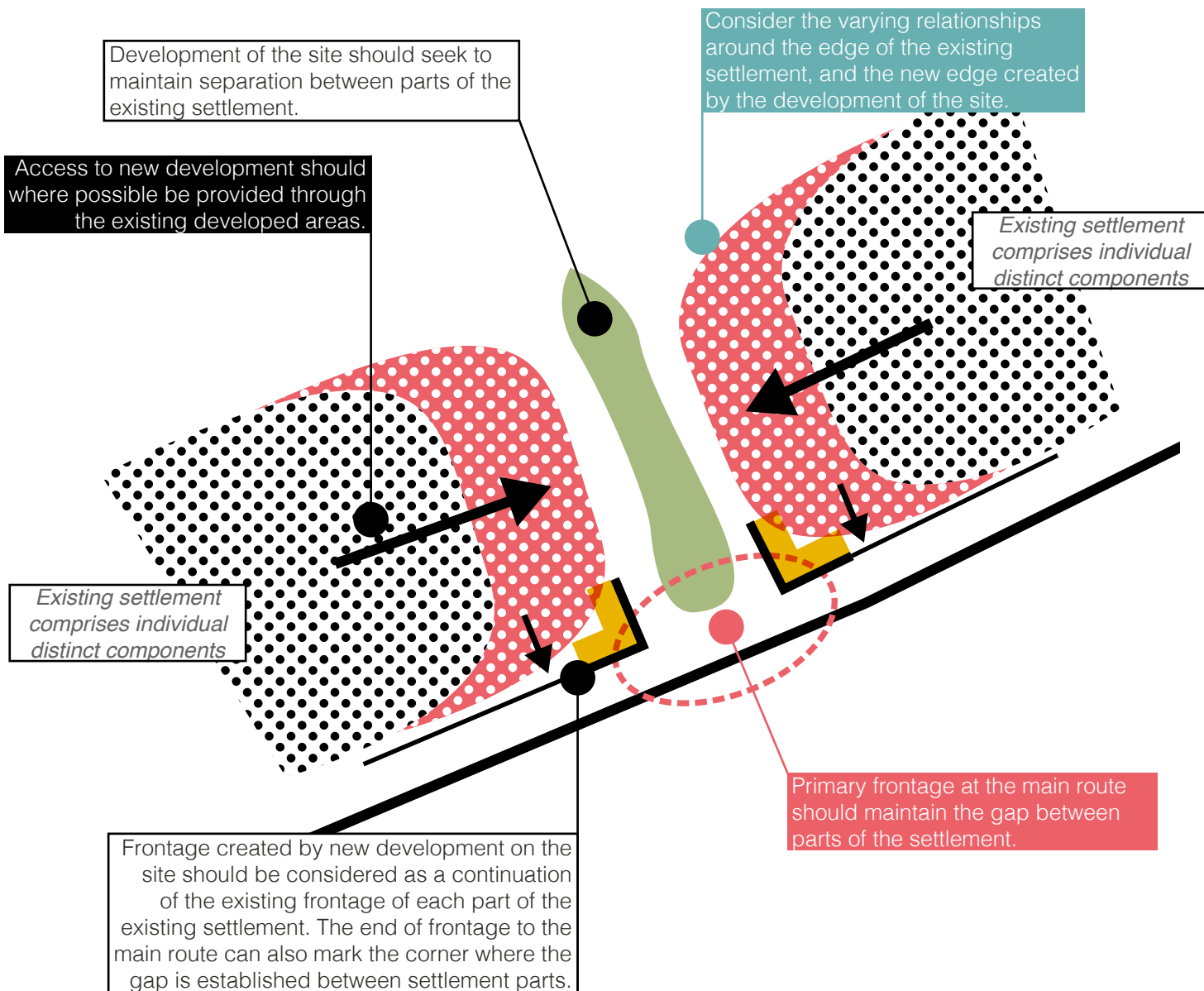
The approach to designing site should seek to maintain the separation between existing distinct elements of the settlement. The role of the site in this situation is as follows:

- The site should contribute to the distinctiveness of whichever part of the settlement it is joined to, this may be by reflecting the character of the existing character, or by helping to define where the edge

of one part is and not to encroach on the edge of the adjacent part of the settlement.

- The development of sites in these situations should be considered as an extension/addition to existing development rather than a development in its own right.
- Where the site is a single piece of land adjoining both existing settlement parts two contrasting layouts may be necessary to address the two contrasting settlement parts. Part of the site will be required to maintain the separation between settlement parts.





A site shown 'between', but 'joined' to a part of a Divided Settlement.  
(See page 39)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9); as well as variety of considerations of the appropriate features to define frontage, and in particular any corner buildings (eg. Doors & Porches (page 11); Windows (page 13); Materials (page 15).

While these references are of particular relevance, many other aspects of the Guide may prove useful tools.

## c. Corner

A site located at the corner of two routes which cross within a settlement needs to consider addressing routes. These routes may have equal importance in the settlement or one may be more important than the other. The way the site addresses these routes should reflect the relative importance of the routes.

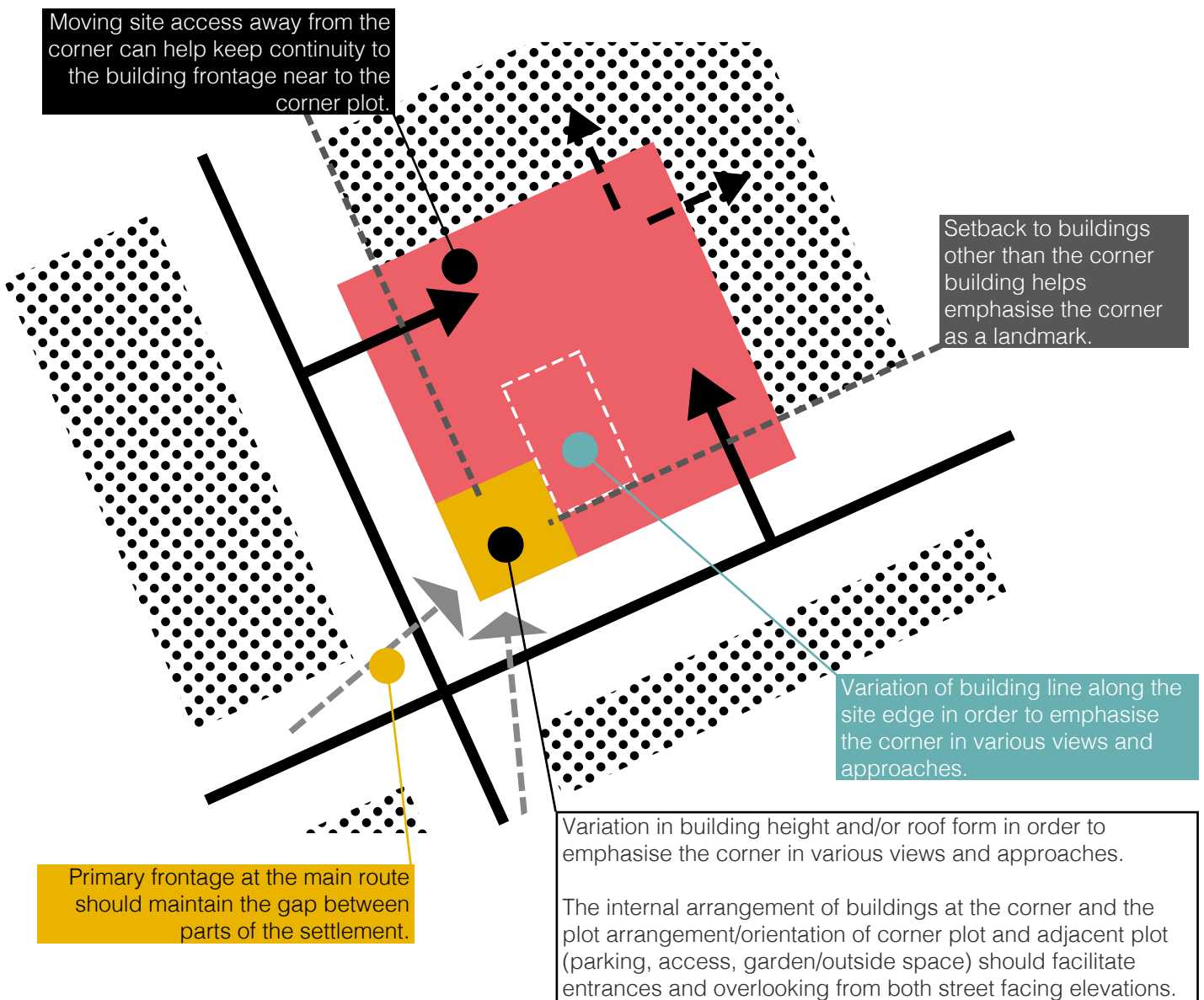
A site located at a corner performs the following role:

- Anchoring a corner between two similar priority streets, or;
- Helping distinguish between the priority of two contrasting streets;

- Establishing a landmark/feature at a central point or junction within a settlement;
- Addressing two streets at the same time and in doing so consider the appropriate location of key frontages, entrances, fenestration and other features accordingly.







A site shown at a 'corner' within a Settlement formed around a Crossroads.  
(See page 43)

#### References:

Design Compendium (Volume 3): Proportion & Scale (page 5); Frontages & Elevations (page 7). Consideration of the appropriate features to define corner buildings (eg. Doors & Porches (page 11); Windows (page 13); Materials (page 15). Due to the prominence of the site and space constraints, a variety of parking arrangements may be considered: Parking & Transport (page 23).  
Special Topic Sheets (Volume 4): Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may prove useful tools.

**d. Edge**

Edge sites are one of the most likely ways in which the majority of growth across the district will be achieved where space at the edges of settlements is available and sites are of a suitable size.

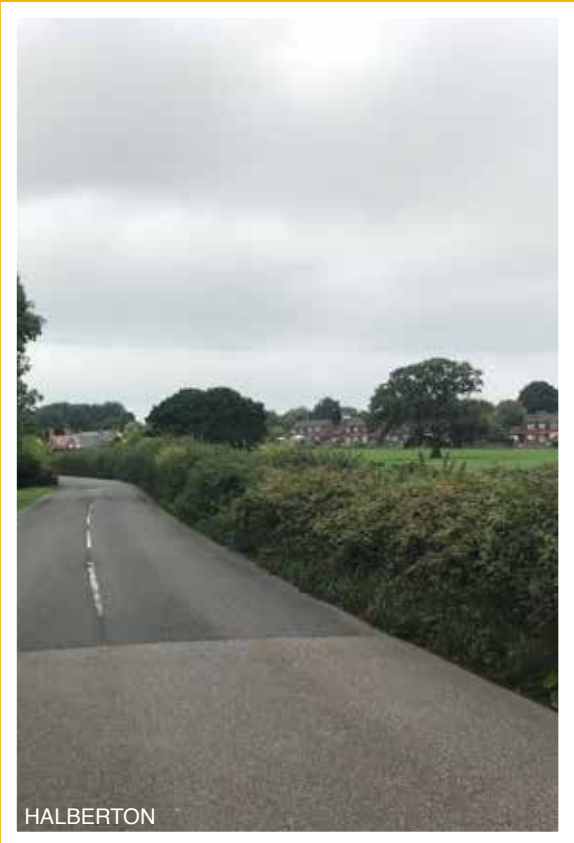
As a result, these sites often have a role in defining a new edge to the settlement as a whole and define how a settlement relates to the countryside surrounding it.

A settlement may already experience constraints on growth due to its landscape setting and the surrounding topography and it is important therefore to identify how development responds to sometimes heavily constrained

areas.

With the exception of the very largest allocations for development at the edges of the larger towns, all development at the edges of settlements should not detract from the focus of a settlement around its centre.

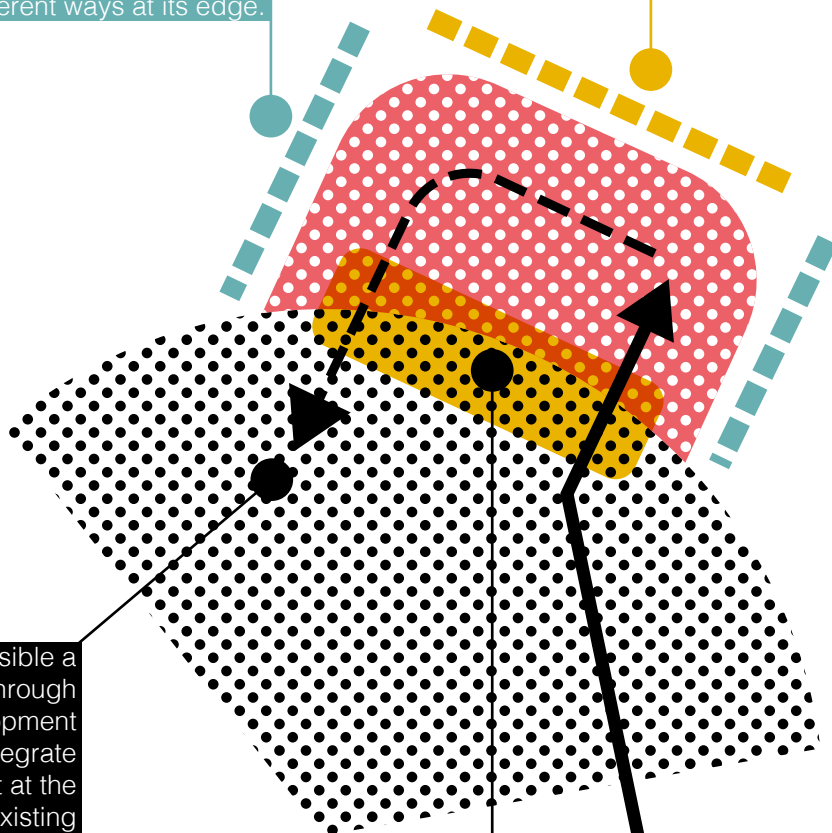
Efforts should be made to provide direct and safe pedestrian and cycle links to facilities and the centre of a settlement such that developments at the edges of settlement do not become isolated or promote excessive use of the car as a result.





Where different conditions occur around the edges of a settlement (e.g. frontage to road or relationship with adjacent development or countryside) the site should respond in different ways at its edge.

New settlement edge to utilise planted or visually permeable boundaries (e.g. low walls) with the rear of properties to the countryside in order that a gradual transition from open countryside to built form is made.



Where possible a connected route through new development can help integrate development at the edge with the existing settlement.

Back to back or front to front relationships should be created across the existing settlement edge (avoid front to back relationships).

Access where possible should be provided through existing, adjacent developed areas and cul-de-sac arrangements avoided.



A site shown at the 'edge' of a Settlement formed around a square or a green.  
(See page 31)



A site shown at the 'edge' of a Linear Settlement.  
(See page 35)



A site shown at the 'edge' of a Settlement formed around an enclosed core.  
(See page 37)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.

**e. Edge between**

Where settlements comprise several parts which remain separated, sites can be located at the edge and yet be between the divided parts of the settlement.

These sites perform a role in helping to define the individual parts of the settlement.

The approach to development of these sites can avoid the settlement becoming joined. Often the divided nature of the settlement is reflective of the landscape, or structuring features such as river corridors or steep valleys.

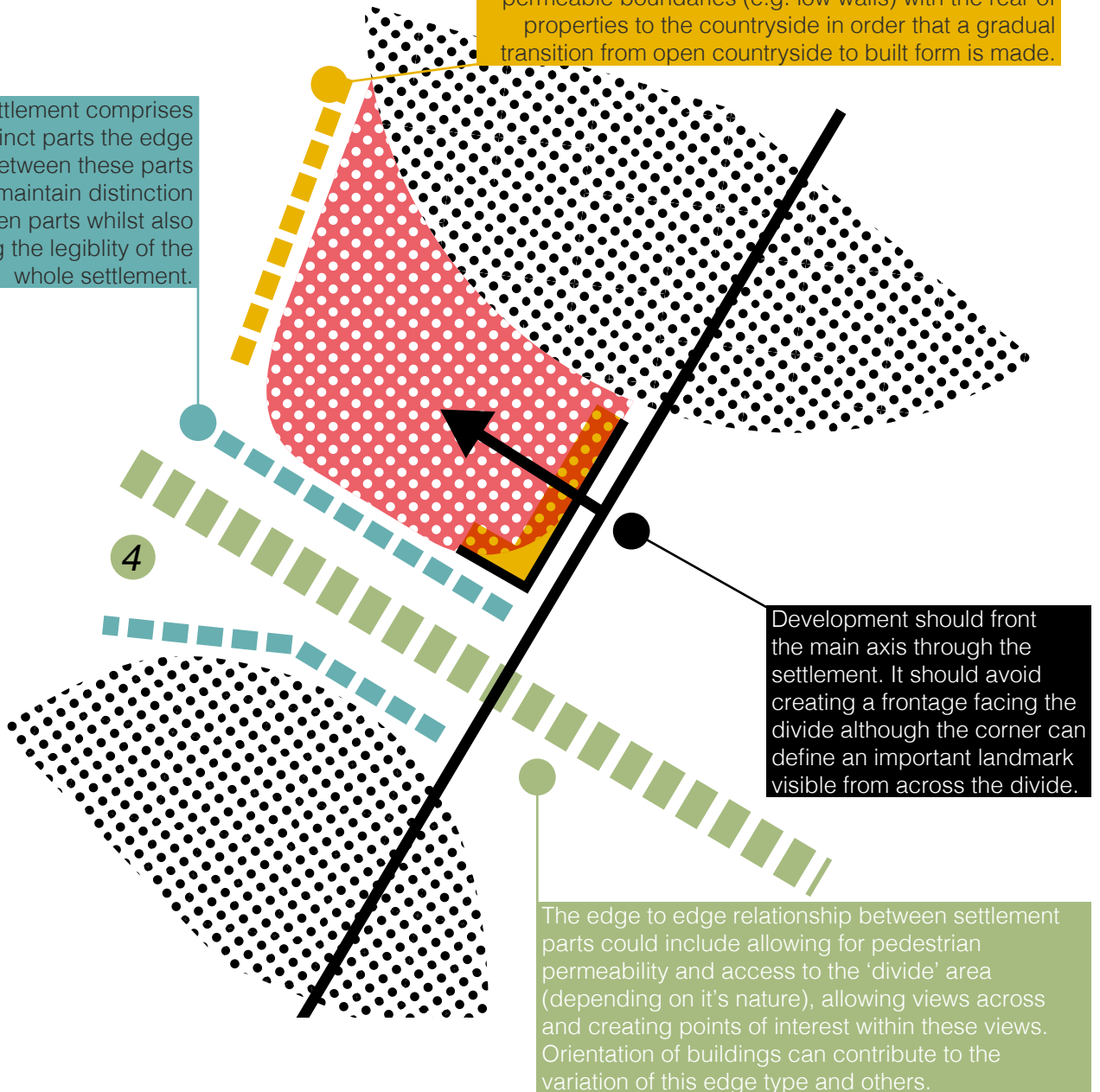
These sites can help however help a settlement's divided parts share facilities effectively. Despite the divided character of a settlement sites in this location should promote and maintain access to community facilities which need to be reached from all the divided parts of a settlement.

Where appropriate as well, these sites can provide prominent locations for additional or relocated facilities if required.



New settlement edge to utilise planted or visually permeable boundaries (e.g. low walls) with the rear of properties to the countryside in order that a gradual transition from open countryside to built form is made.

Where a settlement comprises several distinct parts the edge conditions between these parts needs to maintain distinction between parts whilst also helping the legibility of the whole settlement.



A site shown at the 'edge,' and 'between,' parts of a Divided Settlement.  
(See page 39)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9); as well as variety of considerations of the appropriate features to define frontage, and in particular any corner buildings (eg. Doors & Porches (page 11); Windows (page 13); Materials (page 15). Relationship with public realm and green space: Public Realm (page 3).  
Special Topic Sheets (Volume 4): Designing for Health & Well Being (page 5).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.

## ***f. Edge on a limb***

Where settlements comprise several parts which remain separated, sites can be located at the outside edge of any of these individual parts .

These sites help define the settlement edge at the far limit of the divided elements of the settlement.

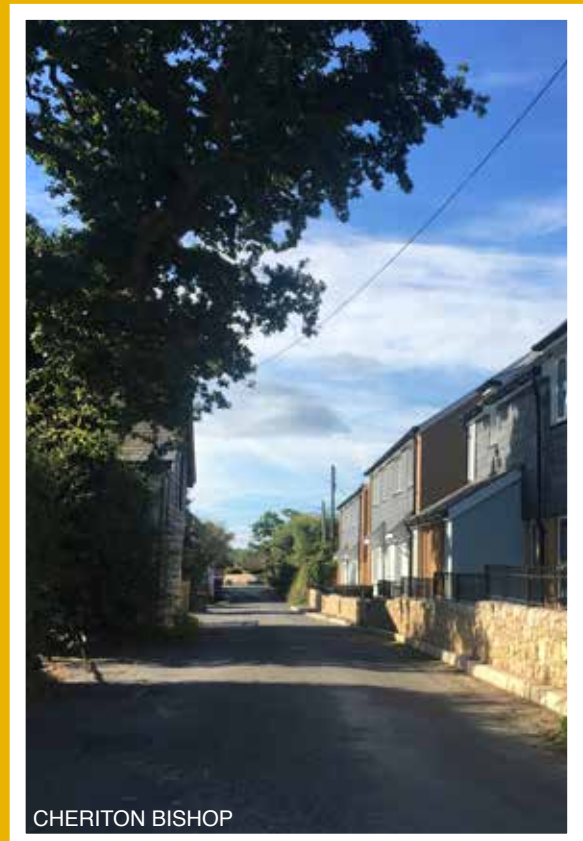
They can help define the primary route through the settlement by creating frontage and appropriate hierarchy to the relationships with adjacent development.

Within divided and dispersed settlements it is important that the separation of component parts of the settlement

is retained since these are often a result of distinct landscape features or other structuring elements which have determined the settlement pattern over time.

Sites at the outer edge of these settlements influence how the settlement is perceived in the wider landscape.

The approach to the site will vary therefore on the topography of any individual site which is found in this location. It may slope towards, or away from the settlement and therefore have varying prominence in the wider landscape.





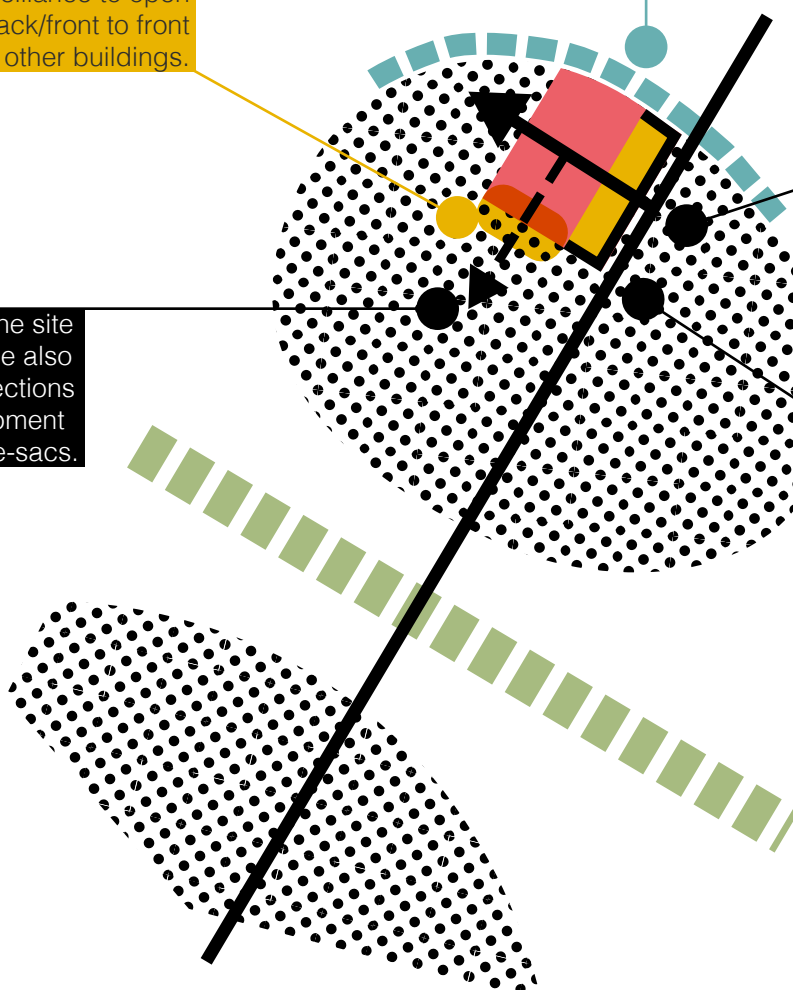
Where a site is surrounded by existing development it should take care to respond positively to its surroundings whether this is creating natural surveillance to open space or back to back/front to front relationships with other buildings.

An edge which continues the existing settlement edge should utilise planted or visually permeable boundaries with rear of properties facing the countryside.

Site access should be positioned so as not to compromise the design in other ways.

Access provided to the site should where possible also provide further connections into adjacent development areas avoiding cul-de-sacs.

Development should front the main axis through the settlement. Depending on the nature of the edge site, development may be able to contribute to the approach into the settlement by creating a gateway or a prominent feature at the entrance to the settlement limits.



A site shown at the 'edge,' and 'on a limb', which extends from a Divided Settlement.  
(See page 39)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9); as well as variety of considerations of the appropriate features to define frontage, and in particular any corner buildings (eg. Doors & Porches (page 11); Windows (page 13).

Special Topic Sheets (Volume 4): Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may prove useful tools.

## ***g. Edge to satellite***

Sites at the edge may be located beyond the existing natural extent (or settlement boundary) of the settlement.

In this situation sites will establish a new settlement edge.

The site will have a role in ensuring a suitable transition to the surrounding countryside.

Sites in these locations should create development which is proportional and integrated within the context of a settlement whose character is formed by it having multiple small parts.

Sites related to settlements which do not have a defined centre or create great contrast between their centre and their edge should not over emphasise the need to perform a significant gateway role.

Some sites in these locations may find their role being mixed. The condition of the site may need to be both frontage and settlement edge and hybrid solutions employed e.g. alternative parking locations, mixed building orientation, planted or visually permeable front boundaries.

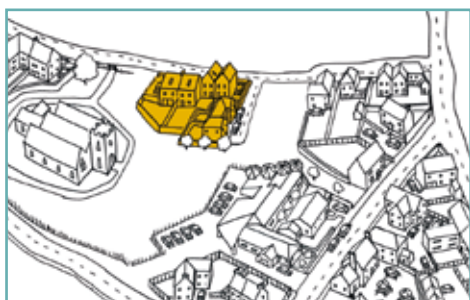


Where the outer edge of the site creates a boundary to the surrounding countryside, boundaries should utilise planted or visually permeable (e.g. low walls) boundaries. This is to ensure a gradual transition between built form and countryside.

Relationships between the site and adjacent development should look to enable connections and suitable relationship between buildings: e.g. back to back or front facing front of existing and new development.

Frontage of the site should be created to the main route which enters the settlement. This frontage may also be facing surrounding countryside where the site occupies only one side of the road. In this case care should be taken to consider an appropriate front boundary treatment.

Access to the site should be directly from the main route entering the settlement and where possible create additional connections to adjacent development. Selection of site access location may help in creating a suitable relationship with existing development.



A site shown at the 'edge,' of a satellite part of a Dispersed Settlement.  
(See page 41)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.



## ***h. Gateway***

Gateway sites are positioned at or near to the edge of a settlement and adjacent to a main route into a settlement and related to a settlement which has a defined and perceivable centre.

Development of sites in these locations can assist in the sense of arrival into the settlement and form part of a sequence of stages of transitioning from the countryside into the heart of the settlement.

A gateway site establishes the first point of entry into a settlement from the countryside surroundings.

While a site is likely to only occupy one side of a main route entering a settlement, it needs to consider how the gateway is created together with existing development on the opposite side of the main route into the settlement.

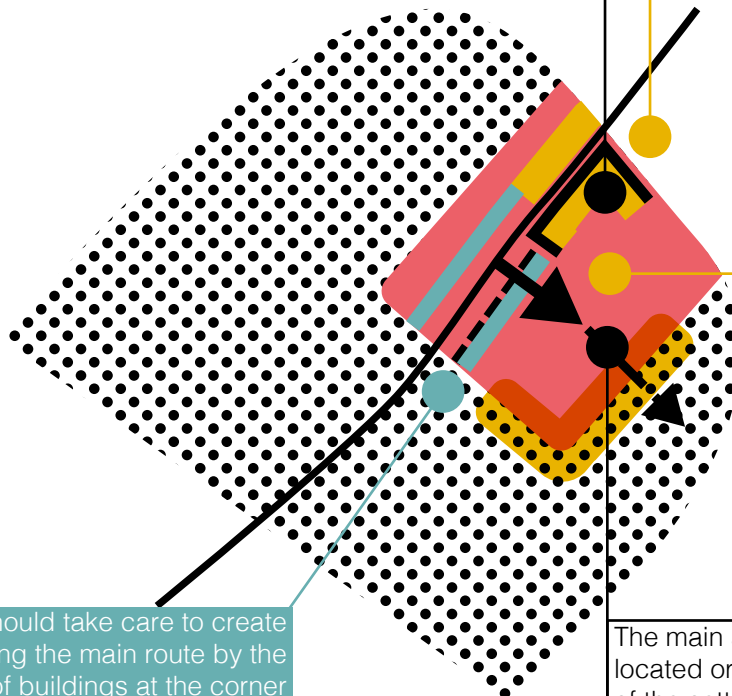
Many Mid Devon settlement gateways are established by the narrowing of the road by building location, orientation and creating contrasting enclosure along the street.

Sites may be considered in portions with the corner of a plot performing a key landmark role, and remaining parts of the site creating setback and frontage to the main route which contrasts with the corner plot.



Contrast at the corner may be created by varying building height as well as plot positioning. Materials and architectural features can also help in distinguishing the corner from the rest of the site.

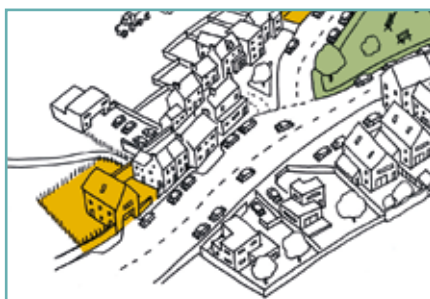
Frontage to the main route is not a distinctive feature of corner gateway developments. Many Mid Devon settlements demonstrate that sideways building orientation to the street, blank side or unanimated elevations, with small or upper storey windows and often no pavement or setback/privacy strip to buildings in this location.



Arrangement of parking and entrances will need to be considered to facilitate a viable plot at the corner.

The site should take care to create contrast along the main route by the positioning of buildings at the corner with the settlement edge, and by varying the setback (widening the street) further along the site (depending on the site dimensions and alignment).

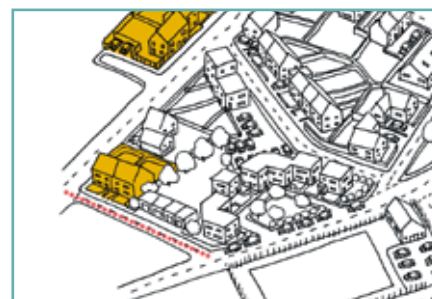
The main access to the site should be centrally located or located further towards the centre of the settlement than towards the edge to enable the corner plot to fulfill a high quality gateway role. Additional connections and positive relationships should be created with surrounding areas.



A 'gateway' site to a Settlement formed around a square or a green.  
(See page 31)



A 'gateway' site to a Linear Settlement.  
(See page 35)



A 'gateway' site to a Patchwork Settlement.  
(See page 33)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9); as well as variety of considerations of the appropriate features to define frontage, and in particular any corner buildings (eg. Doors & Porches (page 11); Windows (page 13); Materials (page 15). Due to the prominence of the site and space constraints, a variety of parking arrangements may be considered: Parking & Transport (page 23).

Special Topic Sheets (Volume 4): Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may prove useful tools.

## ***i. Infill***

Infill sites will vary in scale and location within a settlement. It is likely that many sites of this type will share characteristics with other site descriptions in this section and so there should be an awareness of the variety of guidance on site situations as parts of this may also be relevant.

Sites which infill locations within settlements should attempt to integrate with the existing form of the surrounding settlement.

The role these sites play will depend on the type of settlement they are located within. Attention should

be paid to opportunities there may be to reinforce or enhance the characteristics of each particular settlement type as described within the Settlement Typologies section of this guide.

Sites will often be positioned to be able to facilitate connections between different parts of the existing settlement and every effort should be made to avoid creating cul-de-sacs on sites which sit within the fabric of existing settlements.



Where a site fronts a main route through the existing settlement the relationship within this route will be different than at other edges of the site. The existing corridor character on the main route and where the site sits within this are important considerations in the design of this edge of the site.

The relationship the site has with adjacent existing development will vary but back to back, or front to front relationships are preferable.

The site may be able to facilitate links across the settlement connecting existing routes within the settlement.

Additional connections should be explored which facilitate the wider permeability of the settlement and particularly where these create better links to the centre of a settlement or with facilities located throughout the settlement. These may be pedestrian links only, if so they should be safe and obvious and the building orientation around the access can help the legibility of connections.



An 'infill' site within a patchwork Settlement.  
(See page 33)



An 'infill' site within a Settlement formed around an enclosed core.  
(See page 37)



An 'infill' site within a Settlement formed around a Crossroads.  
(See page 43)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); Boundaries & Thresholds (page 9); as well as variety of considerations of the appropriate features to define frontage, and in particular any corner buildings (eg. Doors & Porches (page 11); Windows (page 13).

Special Topic Sheets (Volume 4): Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may prove useful tools.



## ***j. Inside Core***

Sites located within the enclosed part of a settlement have a role in maintaining the definition of the core.

This core area is characterised by buildings facing outward to create a nearly continuous perimeter to the core of the settlement. Any gaps in this continuity to allow for access to the rear of properties, or which provide access to individual buildings which are not fronting the street, should be narrow, generally less than 6m wide, so as not to detract from the continuous frontage around the perimeter of the enclosed core.

The enclosed core of a settlement is a dense area of often historic and small terraced properties. Contemporary development maintains this density and scale although it may be contrasting in form or the use of materials.

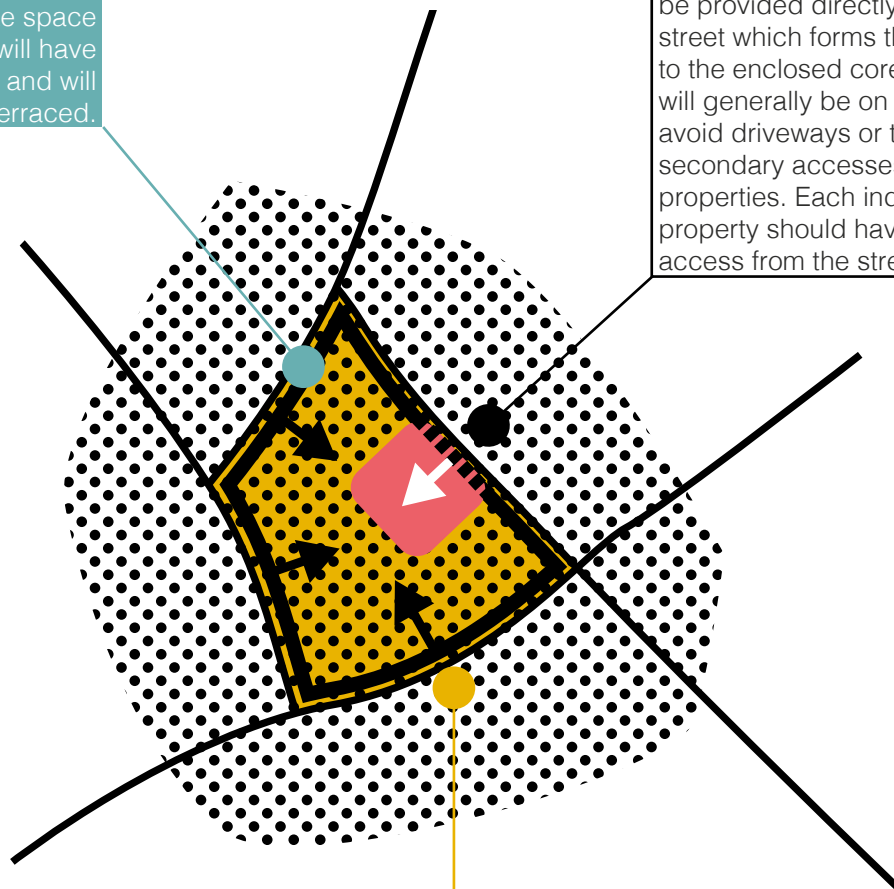
There are very few gable ends, or other building orientations than the front of buildings facing outwards to the street.

Generally the ridges of buildings run parallel to the streets.



The site should maintain the continuity of the perimeter of the core, enclosing private space behind the building. Plots will have very limited setback, if any, and will generally be terraced.

Access to buildings should be provided directly from the street which forms the perimeter to the enclosed core. Parking will generally be on street to avoid driveways or the need for secondary accesses to individual properties. Each individual property should have individual access from the street.



Other access already provided should remain dedicated to each individual plot. New development should not seek to connect through routes within the core. This maintains activity and the outward facing nature of buildings around the perimeter of the core.



A site positioned 'inside the core' within a Settlement formed around an enclosed core.  
(See page 37)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); as well as variety of considerations of the appropriate features to define continuity eg. Chimneys (page 19); Doors & Porches (page 11); Windows (page 13). Single access to a the site may require a variety of parking arrangements: Parking & Transport (page 23).  
Special Topic Sheets (Volume 4): Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.

## ***k. Open Space***

A settlement which is centred around an open space or square incorporates sites around its centre which focus on and overlook the open space.

And open space created at the centre of a settlement is defined by the approach taken to each of the individual plots surrounding the open space. Together, the surrounding plots can contribute to the natural surveillance of the space, the definition of edges and the sense of scale within the space.

The open space is often accompanied by larger and more densely arranged built form providing a sense

of arrival in the space but the age and character of buildings around a space can vary greatly since these open spaces have performed a central role in these settlements over centuries. New contemporary development in these locations has continued to perpetuate their role and draw attention to them being the central focus of the settlement.

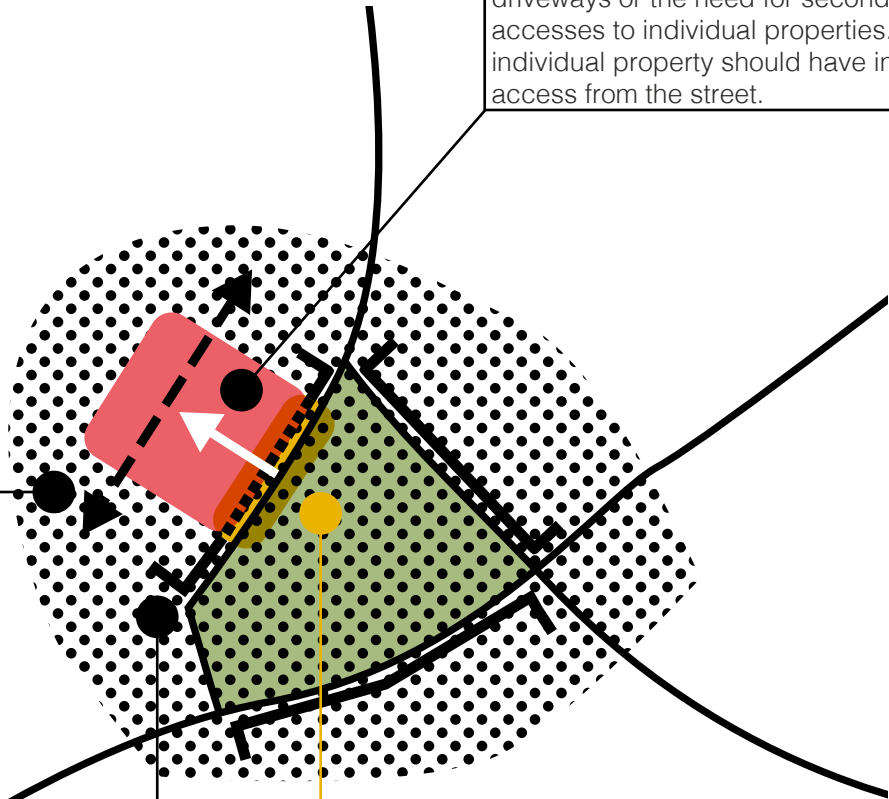
Since they are central to the settlement they have been and can continue to be the most suitable location within these settlements for additional or relocated community facilities or commercial uses where these are justified according to other policy and assessment of need.





Access to buildings should be provided directly from the street which forms the perimeter to the open space or square. Parking will generally be on street to avoid driveways or the need for secondary accesses to individual properties. Each individual property should have individual access from the street.

The site may facilitate additional connections to adjacent existing development particularly where this provides new links from existing areas of the settlement towards the open at the centre of the settlement.



The site should maintain the continuity of the perimeter of the core, enclosing private space behind the building. Plots will have very limited setback, if any, and will generally be terraced. Buildings may be taller to suit their surroundings and maintain the scale of the perimeter to the open space.

Development frontage and where possible, community facilities or commercial uses, should face the open space and add activity to the space. Where possible use of the pavement or street to spill out, e.g. a small front garden area for a bench or a cafe table and chairs can be provided to increase activity within the open space.



A site alongside an 'open space' within a Settlement formed around a square or a green.  
(See page 31)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); as well as variety of considerations of the appropriate features to define continuity eg. Chimneys (page 19); Doors & Porches (page 11); Windows (page 13). Relationship with public realm and green space: Public Realm (page 3).  
Special Topic Sheets (Volume 4): Designing for Health & Well Being (page 5); Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.

## ***I. Out on limb***

Similar to sites located at the edge of any satellites to dispersed settlements, sites which lie at the edge of a divided settlement have a role in defining the distinctiveness of one part of a divided settlement.

Sites in these locations may be located beyond the existing natural extent (or settlement boundary) of the settlement.

In this situation sites will establish a new settlement edge.

The site will have a role in ensuring a suitable transition

to the surrounding countryside.

Unlike sites at the edge of dispersed settlements, sites at the outer edge of divided settlements can create a gateway to the settlement as a whole. Although divided settlements are in two parts they represent one cohesive settlement. Sites at the outer edge of the settlement can mark the approach to the settlement.

Sites will often be located on one side of the main route and they therefore will also have a role in addressing the countryside which they face out onto as well as creating a frontage to the street in the foreground.



Where a settlement comprises several distinct parts the edge conditions between these parts needs to maintain distinction between parts whilst also helping the legibility of the whole settlement.

Frontage of the site should be created to the main route which enters the settlement.

Frontage to the main route is not a distinctive feature of corner gateway developments. Many Mid Devon settlements demonstrate that sideways building orientation to the street, blank side or unanimated elevations, with small or upper storey windows and often no pavement or setback/privacy strip to buildings in this location.

Where the outer edge of the site creates a boundary to the surrounding countryside, boundaries should utilise planted or visually permeable (e.g. low walls) boundaries. Ensuring gradual transition between built form and countryside.

Contrast at the corner may be created by varying building height as well as plot positioning. Materials and architectural features can also help in distinguishing the corner from the rest of the site.



A site 'out on a limb', which extends from a Divided Settlement.  
(See page 39)

#### References:

Design Compendium (Volume 3): consideration of the variety of ways to address the contrasting edges and define prominent or corner buildings: Frontages & Elevations (page 7); Boundaries & Thresholds (page 9); Doors & Porches (page 11); Windows (page 13); Materials (page 15).

While these references are of particular relevance, many other aspects of the Guide may prove useful tools.

## ***m. Thoroughfare***

Sites which have frontage to a main route through a settlement have a variety of roles.

These sites contribute to the continuity of the built form through the settlement and their design should begin with the structure of the built form through the settlement.

These sites often offer opportunities for key buildings in prominent locations and the addition or relocation of community facilities or commercial uses where justified against other policy or need would be well suited to the prominent location which the frontage of these sites offer.

Sites may have been vacant for some time in these locations and the gap in the built form divided up the settlement. In this case sites in this location offer the opportunity to repair the street scene by taking an integrated approach. Perpetuating this divide should be avoided.

The approach to these sites should be considered alongside other site design parameters as these sites may also perform other key roles in the context of the overall landscape and settlement form.

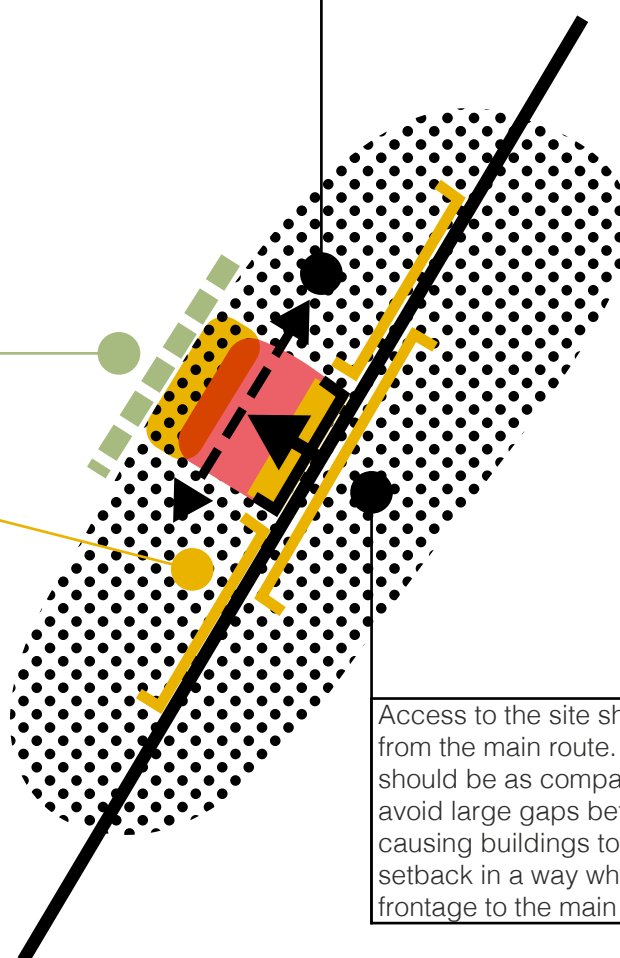




Depending on the form and scale of the settlement these sites may be located such that they also have an edge to the countryside which should be planted or visually permeable with the rear of properties facing the countryside. There may also be opportunities to link footpaths between the centre and the countryside through the site.

The site should maintain the continuity of the built form through the settlement and add to existing frontage along the main route. Any rear boundaries or the rear of buildings along the route should be avoided but there are examples around Mid Devon of the sides and side garden boundaries creating successful edges to main routes where natural surveillance can be achieved.

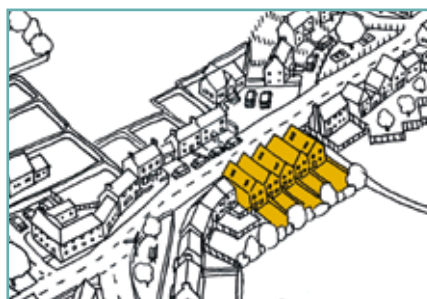
Connections to adjacent development should be made where possible and encourage movement to and from the main route by foot.



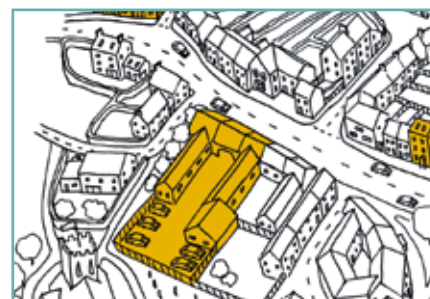
Access to the site should be provided from the main route. Junction design should be as compact as possible to avoid large gaps between buildings or causing buildings to be orientated or setback in a way which compromises their frontage to the main route.



A site along a 'thoroughfare' in a Settlement formed around a square or a green.  
(See page 31)



A site along a 'thoroughfare' in a Linear Settlement.  
(See page 35)



A site along a 'thoroughfare' a Settlement formed around a Crossroads.  
(See page 43)

#### References:

Design Compendium (Volume 3): Frontages & Elevations (page 7); as well as variety of considerations of the appropriate features to define continuity eg. Chimneys (page 19); Doors & Porches (page 11); Windows (page 13). Maintaining continuity of built form with consideration of: Proportion & Scale (page 5); may be particular constrained by: Parking & Transport (page 23) opportunities. Special Topic Sheets (Volume 4): Designing for Accessibility & Inclusiveness (page 9).

While these references are of particular relevance, many other aspects of the Guide may proved useful tools.





# COUNTRYSIDE

**Development in the countryside, in the context of the Mid Devon Local Plan Policy S14, is defined as land outside of the main towns (S10-S12) and designated villages (S13). Such land is defined as the countryside but can include small settlements and hamlets.**

The aspirations for development in the countryside while within the constraints set by this policy and other broader development control are as follows:

*“Development outside the settlements defined by Policies S10-S13 will preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy”.*

The hierarchy of Local Plan policy for allocated development in Main Towns and Rural Settlements acknowledges that these locations are sequentially the most sustainable locations and therefore offer the best opportunities to respond to climate change. Vice versa, the absence of allocated sites in the countryside acknowledge that these locations are least sustainable.

Opportunities for design to respond to the climate change emergency tend to be limited to innovations in built fabric and energy generation although the social and economic sustainability of rural communities is not to be ignored as an important consideration in the assessment of proposals in countryside locations.

## Countryside settlements

Across the Mid Devon Countryside are a wealth of small settlements which are not designated villages within the policy S13 and yet the settlement form is informed by the landscape in the same ways as the 22 designated villages.

The Local Plan distinguishes clearly between settlements which have settlement boundaries where development is allocated (S10-S13), and the Countryside, beyond these boundaries which includes many small settlements (S14). Policy within these distinct areas directs development to the designated places and restricts (with some exceptions) development outside of designate places.

However, the approach to the design of any non-allocated types of development allowed within these smaller settlements scattered throughout the countryside, (which in some cases are as large as some designated settlements and in other cases are merely a gathering of a few buildings), should follow a similar process to the approach taken to development within the designated villages:

**First** consider the landscape setting and the characteristics of this setting which help development retain a distinctiveness in association with each particular landscape type (see Page 7 of this volume of the guide).

**Secondly**, consider the form of the settlement as described within the 7 settlement typologies defined within the guide for Villages (see, Page 26 of this volume of the guide).

**Thirdly**, consider the position of the development in relation to the settlement form and the guidance on the appropriate design approach according to the 13 variations of site situation defined within the guide for Villages (see Page 45 of this volume of the guide).

**Finally**, using the Compendium of District Design (Volume 3 of the guide), consider how various detailed elements of design are dealt with in different situations across the district and how these should be applied in relation to the settlement location.



## Development Typologies in Open Countryside

Mid Devon is recognisable for the relationships between landscape and development in the countryside outside of any designated settlement, and outside of those smaller settlements which fall within the countryside, is demonstrated in a variety of ways. Whether residential, agricultural or other community buildings, the majority of existing buildings within the open countryside in Mid Devon can be grouped into four distinct typologies:

- *Ribbon/Terrace*
- *Farmyard Cluster*
- *Manor House*
- *Landmark/Isolated building*

These typologies are useful references when considering new development in the open countryside or alterations to existing buildings. Each of the typologies contribute in different ways to the landscape and will be suitable in different situations. When used in the right places, each of them can add to the distinctiveness of the district. Each typology is also in part, a result of the different functions of development. It may therefore not be appropriate to use a certain form of development for certain functions.

Where new developments in the open countryside are supported by planning policy they will be more sympathetic to the character of the district when designed to be in accordance with these typologies.

Different typologies will be more suitable to different types of development and consideration should be given to an appropriate typology for the building uses and this reasoning should be explained in the design and access statement. The four typologies will also be more or less suitable depending on the site context and design proposals should take into account landscape setting, existing natural features, nearby buildings and other features to determine the most suitable typology, again this reasoning should be demonstrated in the design and access statement. Alterations and extensions to existing buildings should be designed to enhance and compliment the characteristics of the existing typology of the development.



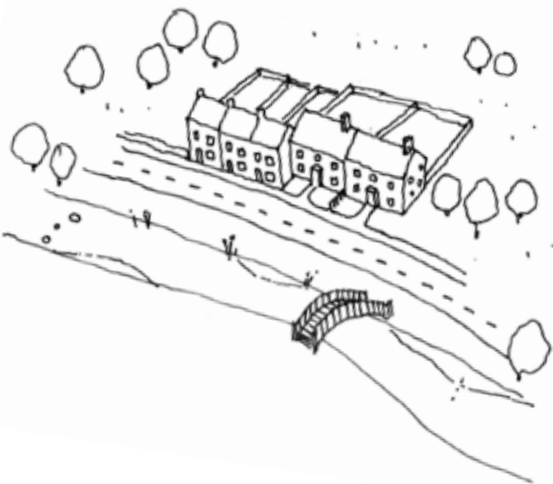
#### Farmyard Cluster:

- Tight groupings of buildings
- Typically create enclosed courtyard(s)
- Fairly consistent scale but often with one dominant building (often the farmhouse)
- Clusters can include small farmyards as well as slightly larger groupings that may incorporate buildings in separate ownership that probably historically developed around the presence of a working farm.
- Predominantly frontages face inwards to courtyards although often the principle building will be double fronted - addressing the street and the courtyard.
- Clusters are usually positioned close to streets with little spacing between the street and the building.



#### Manor House:

- Large, grand buildings set in the open countryside.
- Manor houses are typified by large frontages orientated towards their main approach.
- Often featuring large front gardens and long access drives.
- A selection of smaller outbuildings and sometimes other small homes are associated with the Manor House.
- Distinct hierarchy and variation in scale between the principle building (the Manor House) and its outbuildings.
- Outbuildings are typically positioned behind the Manor House out of sight on approach to the main property.
- Historically Manor Houses are set within extensive grounds featuring a combination of ornamental gardens, kitchen gardens and farmed land.



#### Ribbon/Terrace:

- A small collection of buildings in the open countryside arranged in a linear form and typically terraced.
- Often these terraces are arranged on one side of a highway facing the open countryside or a natural feature such as a stream or river.
- This typology is characterised by its linear form.
- Design detailing creates rhythm and consistency reinforcing the linear emphasis of the buildings.



#### Isolated Building which form Landmarks in the Landscape:

- Isolated individual buildings in the open countryside.
- Often larger homes but can include churches and other building types.
- Buildings have sufficient scale and interest to create a strong presence in the landscape.
- Form and layout often respond to the landscape setting where at times such buildings are nestled into valleys or at other times may break the horizon to form a landmark feature in the landscape.





## Form & Scale of Buildings in the Landscape

The siting of development within a plot should be a response to the characteristics of the site. Let the site shape the development rather than have to heavily engineer the site to accommodate a preconceived type of development.

This is primarily concerned with the topography but may also include surrounding trees, hedges and watercourses.

Adapting the layout of development according to these site constraints can help reduce the cost of a development.

Where a development includes more than one building, it can also help avoid awkward or unsociable relationships between buildings or difficult access arrangements.

Use the development typologies above to determine an appropriate layout of development on the site.

The layout of development may vary in the following ways:

- Slope: work with the contours where possible to avoid excessive cut and fill or underbuilding;
- Plot: the size of each individual building within its plot and where it is located within the plot change the character of development;
- Form: Access & Parking should be considered in an integrated way and should be arranged differently according to the development typology. Avoid excessive areas of hard surface.

## Rural Exception Sites

Local Plan policy DM6 outlines the criteria for Rural Exception sites where a development of predominantly affordable housing may be permitted outside of allocated sites or settlement boundaries, where, among other criteria, it adjoins a settlement.

The design of rural exception sites should take the same approach outlined in the Guide for designing according to landscape and settlement form, identifying the settlement typology and then the site situation to inform the design of the scheme. In this way, Rural Exception Sites can contribute, in the same way as any other development, to the distinctiveness of the place by establishing the correct relationships between buildings and landscape.

All of the design approaches outlined so far are in this guide as applicable to affordable housing as they are to other types of development: landscape setting, settlement form, site situation, or the development typologies in the open countryside are applicable in the design of affordable housing. In regards to build costs, good design does not rely solely on expensive solutions.

It is just as possible to create a well-designed affordable home as it is to create a poorly designed costly dwelling. Simple, understated, sometimes repeating building design and form and tight, efficient layouts are common features of development within the landscape of Mid Devon and can become cost effective models for new development.



## Site considerations

Every site is unique but it has been necessary to make certain generalisations within this guide regarding the setting, layout and features of development throughout the district.

In the open countryside each site should be considered in its own right according to the following considerations:

Whether a site is large or small development should be positioned carefully within the wider landscape:

- Avoid dominating the skyline
- Avoid being the only element which breaks the horizon
- Avoid becoming the only dominant feature in the wider landscape

- Consider the orientation of buildings according to any roads or other buildings (buildings are generally parallel or perpendicular to roads and lanes and to one another) and in response to climatic conditions, creating or avoiding exposure and shelter as well as affecting the building's performance e.g. optimising passive solar gain.

Be prepared to allow the site characteristics and surroundings to determine the type of development on the site. For example, a steeply sloping site may not be appropriate for single storey buildings whose footprint is large as this may lead to lots of change of levels within the building or significant earth works to create a platform for the building.





### Building Features

There are no universal features which are particular to Mid Devon. Many characteristics can be observed across the district and some relate to specific availability of certain building products at certain times historically.

The design of buildings involves balancing their appearance, their environmental performance and the cost of achieving both. For example, the use of a particular natural stone may be in keeping with surrounding buildings but the only cost effective (or available) source requires importing a stone similar in appearance from overseas.

The Compendium of District Design (Volume 3) provides information on how architectural features of a variety of kinds are typically employed across the district to reinforce settlement pattern and distinctiveness. In many cases contemporary materials and detailing can be used in an effective manner in the same way to retain the distinctiveness of the district which is at first borne out of the relationship between settlement pattern and the landscape character.

### Flexibility of buildings

Design of buildings in the open countryside should consider the embodied energy over the lifecycle of the building with the flexibility for re-use rather than rebuild being a foundation of sustainability. Ever changing techniques, economic trends and patterns of living are likely to effect the use and suitability of such buildings and to avoid redundant buildings adaptable and future proofed structures are encouraged.

Responding to landform and existing features in the landscape along with considerate building design can help to reduce the impact of new buildings in the open countryside.

### Landform:

- Buildings aligned parallel with the contours on sloping sites will be less intrusive on the landscape.
- The layout of buildings should be fitting with the natural grain of the landscape.
- Topography can be used to help reduce the impact of new buildings by making use of landform to screen new development.
- New developments should avoid positioning buildings on the brow of hills to reduce their impact.
- On sloping sites, where ground conditions permit, using retaining features to set buildings into the hillside can help them to integrate into the landscape.

### Existing Features:

- Where possible existing trees, hedges and walls should be retained and integrated into any new proposals and landscaping.
- Buildings and layouts should be designed to integrate with and compliment existing patterns of boundaries and other landscape features.
- Where possible new roads and parking areas should be avoided and existing infrastructure should be used to reduce the impact on the landscape.
- Existing opportunities for biodiversity should be identified and new development should be designed to enhance and protect these habitats.

### Building Design:

- Larger buildings or developments should be broken down to reduce their visual dominance in the landscape.
- Building heights should respond to topography and consider visual impact, placing smaller structures to the foreground can help to soften the transition between landscape and built environment.
- Large expanses of roof and walls should be avoided or broken up with changes in materials, heights and set backs.
- Materials and colours should be carefully selected to compliment the landscape and avoid being overly prominent. Selections should respond to the immediate surrounding landscape.
- Where new areas of road and hard landscaping are unavoidable the use of harsh materials such as tarmac should be avoided with more traditional finishes being more appropriate.

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# DESIGNGUIDE

COMPENDIUM OF DISTRICT DESIGN

VOLUME 3



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# Introduction

This Compendium of District Design represents a study of features of the built environment throughout the Mid Devon District. Each feature is presented and analysed in a separate chapter.

The Compendium represents an evidenced and broad analysis of the context of Mid Devon according to the methodology outlined below. Such analysis should form a fundamental part of the design process for any project and this Compendium is prepared as a reference and guide for how to consider these features in the context of the rest of the Design Guide. Individual analysis relevant to each project may be wide reaching, or focussed more locally depending on the scale and nature of the proposed development. The Compendium, however, provides a broad basis of design from across the district to assist in the design process for all projects and particularly in cases where it is not proportional or feasible to carry out a District wide analysis. Although this Compendium suggests approaches that could be taken in each chapter, with recommendations of where these would be suitable, this is not intended as an exhaustive body of material and cannot be universally applied. It is more suitable that the Compendium is drawn on as a resource and reference for detailed and site specific analysis to inform good design.

## Methodology

This Compendium has been prepared following a rigorous and extensive district wide character analysis. This process included a desktop study to gain an understanding of the broader district, followed by visits to all of the 3 main towns and the 22 rural settlements identified in the Local Plan as well as gaining an appreciation of the surrounding countryside, and villages and hamlets outside of the defined settlement boundaries in the Local Plan. During these visits observations of features of the built environment were catalogued photographically for future reference. This material was then reviewed, drawing comparisons between settlements, and identifying underlying patterns and themes that contribute to the character of the district.

## Structure

Each chapter includes a summary of the treatment of each feature and the contribution it can make to good design when carefully considered as part of a robust design process. This summary also covers a brief overview of how each feature has been used in examples across the district in both historical and more contemporary contexts.

A photographic survey of examples of each feature from across the district is presented to serve as both a resource in the design process and to set the context for the suggested approaches in each chapter. This

section of each chapter doesn't discriminate between positive and negative examples of each feature but simply presents a catalogue of examples of the many approaches evident across the district.

This section is followed by a brief list of notes categorising observations from the photographs and the different treatments of the relevant feature across the district.

Finally, each chapter concludes with a selection of suggested approaches to the treatment of each feature in new development. These recommendations relate to analysis of the typical treatments that are successful in the existing examples from across the District. Whilst these recommendations will typically represent good practice for new development and good design they do not cover all possible scenarios and are not intended to stifle innovation or individuality. Departures from these suggestions should be justified by following a similar site specific analysis and interpretation as is demonstrated in each chapter of this compendium.

Considered in isolation a single design feature may be justified in many ways, however, it is through the necessary balancing of technical and aesthetic priorities that a broader design rationale can be made which respects context, is innovative, and contributes to the commitment to a zero carbon district by 2030.



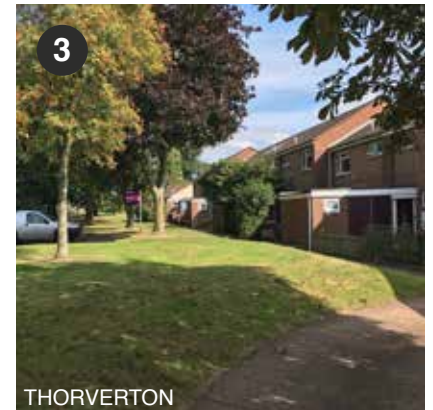
# PUBLIC REALM



CREDITON  
Formal town square.



SAMPFORD PEVERELL  
Modern street as shared space.



THORVERTON  
Large grass verge as open space.



BICKLEIGH  
Small green breakout space.



CULLOMPTON  
Public realm in modern development.



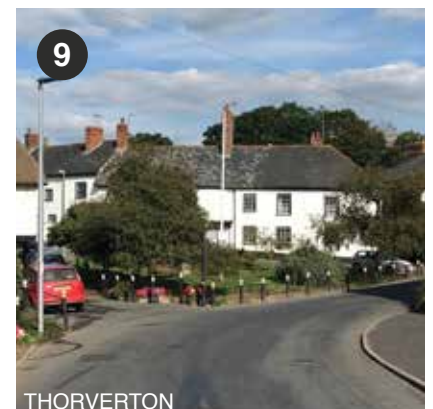
UFFCULME  
Informal street corner public space.



COPPLESTONE  
Children's play area.



THORVERTON  
Historic street as shared space.



THORVERTON  
Larger green breakout space.

## CROSS REFERENCES:

Coordinate design of public realm with:  
Proportion & Scale (page 5 this volume);  
Frontages & Elevations (page 7 this volume);  
**Site Situations (Volume 2):**  
Edge Between (page 55);

Open Space (page 67);  
**Special Topic Sheets Volume 4:**  
Designing for Community (page3);  
Designing for Health & Well Being (page5).

The design and detailing of the public realm has a significant impact on the character of a place. Throughout Mid Devon the historic nature of settlements dictates that the majority of the existing public realm has not been designed but has evolved over time. This often results in narrower streets with a variety of surfaces that historically provided public space and

opportunities for social interaction, events and play as well as transport. These historic 'shared spaces', rather than highways, are characteristic of the Mid Devon District, especially in smaller settlements, and create an opportunity for streets to supplement other more formal public open space in contributing to a rich and well used public realm.

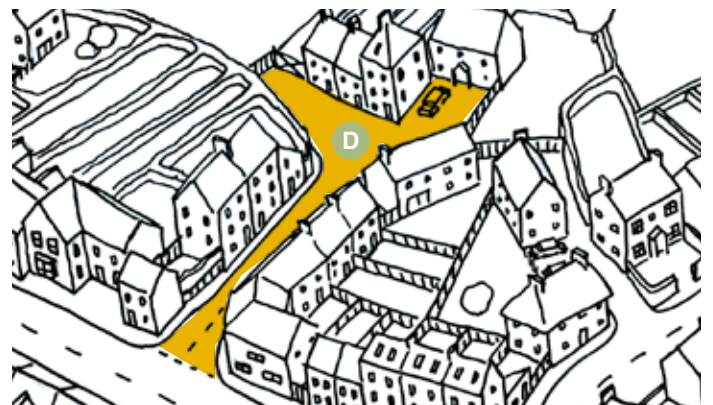


Within some settlements, including town and village centres, central public spaces (A) form a focal point within the public realm as referred to in the Settlement Typologies section of this guide. Where these are successful they are characterised by strong frontages (B) and overlooking from

adjacent buildings (B) as well as serving a clear function within the settlement. The function of these spaces may have altered over time but a purpose is essential to ensure they remain inhabited, useful and cared for. The size and shape of open space should be suitable for its use.



Smaller pockets of open space within settlements (C) can provide break out space and a sense of openness as well as opportunity for informal use (4). There is a fine line between small spaces (4) that can contribute positively and large verges that don't serve a useful function.



Alongside proportion and scale, finishes and detailing of streets should be designed to encourage their use as an extension of the public realm (D) where appropriate. This should be an early consideration in the design process as success is reliant on development layout.



# PROPORTION & SCALE



SAMPFORD PEVERELL

Sense of enclosure.



BRADNINCH

Horizontal emphasis to proportions.



CHERITON BISHOP

Low density, low rise development.



CULLOMPTON

Vertical emphasis to proportions.



BRADNINCH

Varying proportions in the streetscene.



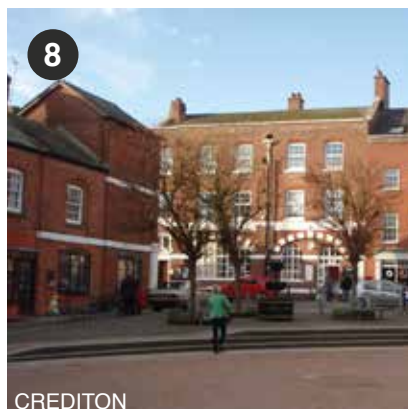
CULLOMPTON

Vertical emphasis to proportions.



UFFCULME

Low density, low rise development.



CREDITON

Taller buildings front larger public space.



MORCHARD BISHOP

Horizontal proportions with enclosure created by building form.

## CROSS REFERENCES:

Makes particular contribution to:  
Public Realm (page 3 this volume);

Site Situations (Volume 2):  
Corner (page 51);

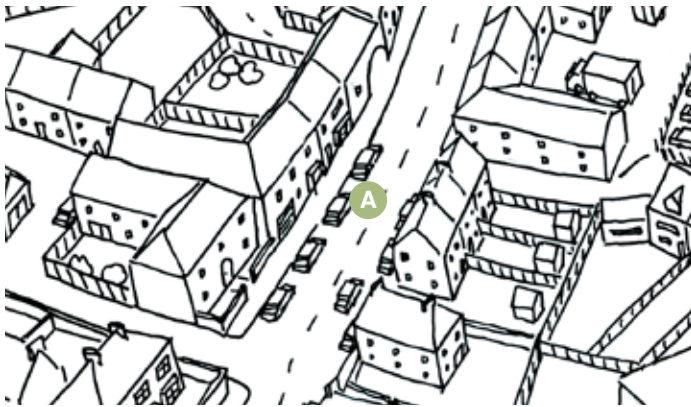
Thoroughfare (page 71);

Special Topic Sheets Volume 4:  
Designing for Accessibility & Inclusiveness  
(page 9).



The relationship between the height and width/depth of buildings has a considerable effect on their appearance whilst the relationship between the heights of buildings and the spaces between them has a big influence on the character of the public realm. Both relationships need to be carefully judged to create quality development and desirable places to live. Throughout the

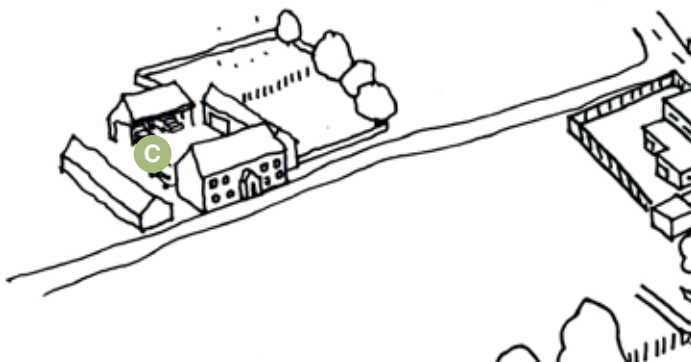
district of Mid Devon patterns can be observed in the proportion and scale of successful development. These patterns are typical relationships that vary with location and building type. A close relationship between buildings across a street can help to create a sense of enclosure whilst more widely spaced buildings can create a feeling of openness and relief.



In the district's town centres buildings tend to have a more vertical emphasis and are relatively closely spaced (A), creating a sense of enclosure which is desirable in the open landscape setting of Mid Devon. The more vertical proportion of frontages is more suitable in these areas



where the density of the settlement provides separation from the open countryside. In village centres and towards the edge of settlements the emphasis moves towards a more horizontal proportion with larger spaces between buildings (B). It is important in these scenarios to find a



balance between the desirable sense of openness and an appropriate lower density whilst avoiding the potential suburban feel of low density, low rise development (3 & 7). Generally the building form, proportion and scale should be considered to create some sense of enclosure from the



open landscape (C). Sectional studies (D) can be a useful tool for understanding existing successful relationships between heights of buildings and the space between them for any specific place. These can then be used as a reference for new proposals.

# FRONTAGES & ELEVATIONS



Rhythm to facades.



Principal elevations to public realm.



Continuity and contrast in elevations.



Repetition in elevations.



Random openings.



Classical, formal elevations.



Courtyard facing principal elevations.



High ratio of void to solid.



Low ratio of void to solid.

## CROSS REFERENCES:

Makes particular contribution to:  
Public Realm (page 3 this volume);  
Coincides with:  
Boundaries & Thresholds (page 9 this volume);

Relevance to all Site Situations (Volume 2):  
(pages 47-72);



The design of building elevations involves a variety of considerations: the orientation of principle and secondary elevations; the proportion and layout of fenestration; and choice of materials. Whilst there is no single style that defines the district there are common themes present in the treatment of elevation design. Principle elevations are typically orientated to

address the street or key public spaces such as village greens. Elevations and street scenes tend to demonstrate a balance between continuity and contrast which creates an interesting yet coherent character. There is a huge range of styles across the district from very historic buildings, through classical 19th century architecture to more contemporary modern developments.



In village and town centres principle elevations typically front the street (A) or a public space (B). The elevations of individual buildings tend to have a strong rhythm with regular openings of consistent proportions. This creates a continuity to the street scene which makes a positive

contribution to the character of the district. It is also typical of the character of the district that this continuity is broken up by variety in materials and the introduction of occasional features (C) such as porches, bay windows or ornamentation.



Away from village and town centres and on back lanes, it becomes more common for buildings to present a side elevation to the street (D) especially on corner plots. These side elevations usually feature a more varied pattern of fenestration with seemingly random placement of windows.



Traditional farm buildings commonly front a courtyard (E) rather than having a principal elevation to the street. Sometimes a larger building may be double fronted (F) addressing the public realm and the semi private courtyard. Fenestration again takes on a more varied pattern.

# BOUNDARIES & THRESHOLDS



No boundary or threshold.



Knee - chest high walls.



High walls - eye level and above.



Planting above low walls.



Rear boundary hedges.



Grass verges.



Close boarded fencing.



Picket fencing.



Small enclosed front gardens.

## CROSS REFERENCES:

Makes particular contribution to:  
Public Realm (page 3 this volume);  
Coincides with:  
Frontages & Elevations (page 7 this volume);

Relevant to the majority of Site Situations  
(Volume 2): (pages 47, 49, 53-63, 69);



Boundaries and thresholds play a key role in the relationship between buildings and the public realm. Material, height, continuity and position of these features all affect the character of a place and the experience and behaviour of people in each place. These features have an important role to play in managing privacy and security, creating a sense of arrival and enclosure whilst

providing interest to, and interaction with, the public realm where appropriate. Throughout the district there are a range of treatments to boundaries and thresholds, both historic and more contemporary, and these are implemented with varying degrees of success. The treatment of these features tends to vary according to their location within a settlement.

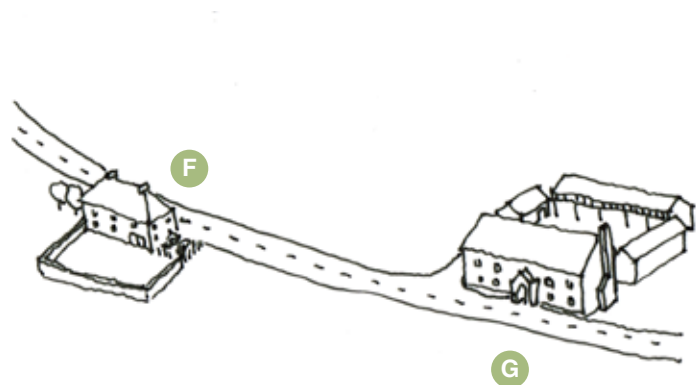


In village centres low walls (A) with small front gardens or no threshold (B) to the public realm are generally appropriate approaches. On back lanes (C) high walls and hedges are often more suitable. A combination of these treatments in larger developments can help to create variety and interest

in the street scene - an occasional small front garden (A) helps to create a sense of openness. At the edge of villages (D) hedges and planted boundaries create a soft edge to the open landscape, these can be successfully integrated with low fences but tall fences should be avoided.



In town centres buildings typically have no threshold to the street or other public realm (E) with doors and windows opening directly on to the street. This helps to provide a hard edge and a sense of enclosure whilst bringing life to the public space.



For isolated houses (F) and farm buildings (G) a combination of low walls, hedges and grass verges can all be used successfully. Some isolated buildings in the countryside may also have no threshold especially when fronting a courtyard.

# DOORS & PORCHES



SILVERTON  
Doors direct to street.



COLDRIDGE  
Traditional enclosed porches.



COLDRIDGE  
Shelter to front doors.



CHAWLEIGH  
Traditional open porches.



CHERITON BISHOP  
Contemporary enclosed porches.



WILLAND  
Glazed doors.



THORVERTON  
Solid doors.



CHERITON BISHOP  
Repetitive features.



CULLOMPTON  
Ornamental doors and surrounds.

## CROSS REFERENCES:

Makes particular contribution to:  
Frontages & Elevations (page 7 this volume);  
Boundaries & Thresholds (page 9 this volume);  
Relevant to the majority of Site Situations

(Volume 2): (pages 49, 51, 55, 57, 61-71);

Special Topic Sheets Volume 4:  
Designing for Accessibility & Inclusiveness  
(page 9).



In housing in particular, doors and porches can serve many roles alongside their function as a point of entry. The placement and detail of these features can be carefully considered to create rhythm and consistency in a street scene or to introduce contrast and individuality. Porches often represent an opportunity for personalisation of a property as well as serving a practical function and are common features across the

district. Many front doors feature either enclosed porches, overhanging shelter or open porches. This trait is likely to be a product of the exposed landscape of the district with porches offering welcome shelter from the elements and a design driven by utilitarian concerns offering storage space for outdoor wear suitable for traditional agricultural land use and contemporary outdoor lifestyles.



Buildings in village centres demonstrate a variety of approaches to doors and porches and this variety contributes to the character of the villages of the district. Enclosed porches (A) are a common feature, successfully providing shelter, security and privacy. Regular

unsheltered front doors (B) can help to introduce rhythm and continuity to a street frontage. The introduction of occasional porches (C) can balance this continuity with some contrast and help to create a focal point in the street scene.



Doors direct to the street (D) are generally an appropriate feature in town centres and porches are not often encountered. Overhanging canopies (E) can be successfully integrated to create an implied threshold and a sense of shelter at the entrance.



Open or enclosed porches (F) are traditionally common features of isolated houses and farm buildings where they offer functional use for shelter and storage. These requirements are still relevant for new development especially in these locations.

# WINDOWS



SILVERTON

Larger Georgian style openings.



MORCHARD BISHOP

Historic small openings.



CREDITON

Georgian style windows with glazing bars.



BOW

Contemporary windows.



BRADNINCH

Contemporary use of glazing bars.



THORVERTON

Bay windows create variation.



BOW

Large openings in natural stone wall.



BOW

Modern windows in natural stone wall.



KENNERLEIGH

Large frameless glazed link.

## CROSS REFERENCES:

Makes particular contribution to:  
Public Realm (page 3 this volume);  
Frontages & Elevations (page 7 this volume);

Relevant to the majority of Site Situations  
(Volume 2): (pages 49, 51, 55, 57, 61-71);



The most historic buildings in the district are characterised by small openings sub divided into small panes in a style dictated by the technology and materials available at the time of construction. More recently modern advances in construction have made large uninterrupted areas of glazing possible and there is an evident transition throughout the years between

these two extremes with the advancement and availability of glass. The relationship between solid and void, the proportion of openings and the style of windows all make marked contributions to the character of a building and place. Feature windows such as bay windows, projecting windows or corner windows can be useful occasional features in a streetscene.



In smaller developments (A) it is often more important to consider the design of windows in relationship with the immediate context (B) to create continuity. The use of features (C) that depart from the pattern of the context can help to provide contrast when used sparingly in a more



integrated composition. It is not necessary to mimic the style of historic windows (5) and sometimes more appropriate to make use of contemporary building methods. More important for a well integrated development is to consider the proportion of windows in relation to nearby buildings.



Larger developments (D) and more isolated buildings (E) create greater opportunity for innovation and individuality in window design. Traditional farm buildings tend to have more random window arrangements. The same principles apply, with a balance between contrast and continuity



helping to create a more coherent design. Careful consideration should be given to framing materials, depth of reveals and subdivision of windows. Quality materials such as timber and aluminium frames and deep reveals are generally preferable.

# MATERIALS



Variation of materials in town centres.



Horizontal variation in materials.



Colour creating contrast.



Continuity in materials.



Local stone in historic buildings.



Contemporary and historic materials.



Variety of materials in outbuildings.



Contemporary continuity of materials.



Vertical variation in materials.

## CROSS REFERENCES:

Makes particular contribution to:  
Frontages & Elevations (page 7 this volume);

Relevant to Site Situations (Volume 2)  
considering contrast: (pages 49, 51, 55, 61).



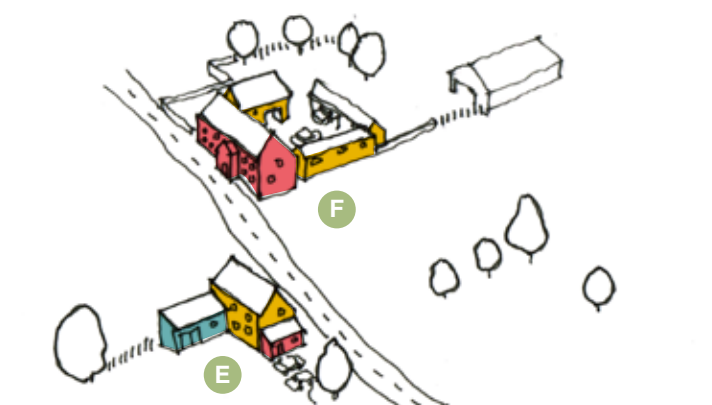
The varied character of Mid Devon owes a lot to the use of a range of different building materials and techniques. Historically this has been driven by availability: influenced by geography, economics and transportation. Whilst in some areas a particular material, such as red sandstone or cob, is a dominant feature the overriding pattern is the variety of materials

that have been used in construction over the years. An accidental, but fine, balance between continuity and contrast has been created and this makes a significant contribution to the character of the district. It is unusual for a single building to use a wide variety of materials but it is equally unusual to have a long uninterrupted facade of streetscene with no variation in materials.



The balance between continuity and contrast is a fundamental part of the character of the district's towns and villages. In town and village centres (A) and (B) continuity is often a result of relatively consistent building heights, regular fenestration patterns and a hard edge

to the street. The use of materials can help to introduce contrast to the street scene (C), breaking up regularity through occasional changes in finish, colour or style. It is rare for every building in a street to have either a completely different material treatment or an identical treatment.



Outside of town and village centres buildings often have larger frontages (D) offering less opportunity for contrasting materials. In buildings that have grown over time it is common for different parts of the building to have been built using different materials (E) thus introducing

some variation in a manner that could provide precedent for new development. Likewise farm buildings and isolated buildings in the countryside tend to be of one material with outbuildings and extensions (F) in other contrasting materials.

# ROOFS & DORMERS



CULLOMPTON  
Typical varied Mid Devon roofscape.



MORCHARD BISHOP  
Historic thatched roofs.



ZEAL MONOCHORUM  
Retrofitted dormer windows.



NEWTON ST CYRES  
Dormer features in historic thatched roof.



BOW  
Slate and thatched roofs.



BAMPTON  
Continuity of eaves and ridge heights.



HOLCOMBE ROGUS  
Tightly clipped eaves and verges.



BICKLEIGH  
Overhanging eaves and verges.



TIVERTON  
Repetition of dormer windows.

## CROSS REFERENCES:

Can assy with continuity in:  
Proportion & Scale (page 5 this volume);  
Frontages & Elevations (page 7 this volume);  
Extensions & Alterations (page 21 this volume);

Particularly relevant to a variety of Site Situations (Volume 2) where new frontage is formed: (pages 47, 51, 55, 57, 61, 65, 67-71).

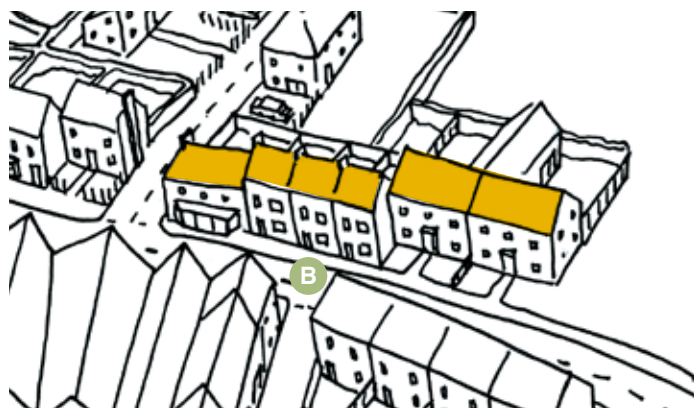


As with other building materials, roof finishes have varied through time with more historic buildings featuring thatched roofs whilst contemporary buildings use a variety of tiled finishes including slate and sometimes metal sheet roofing. The traditional thatch roofs of the district dictated steep roof pitches which are now characteristic of the area and still present on buildings where

the thatch has subsequently been replaced with slate or other materials. Dormer windows feature in both historic and contemporary buildings as original features and additions. When sensitively designed and carefully detailed, dormer windows can add interest to the roofscape whilst being an efficient method of adding accommodation without raising eaves and ridge levels.



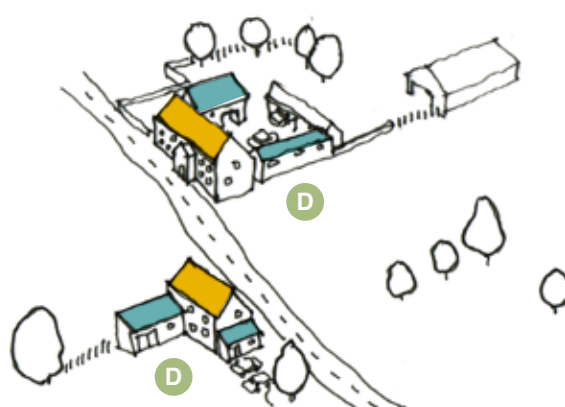
The predominant roof finish in town and village centres is now slate with occasional thatched roofs still remaining. Consistency in roof finish and eaves and ridge heights creates continuity in the streetscene (A). Unlike with other materials consistency in roof finish is characteristic



of the district but this can still be successfully balanced with occasional variation to add contrast. On sloping streets ridges and eaves tend to step with the slope (B), emphasising the topography and with ground to eaves heights remaining relatively consistent.



On the edge of settlements more variation becomes common both in terms of roof finish and heights of neighbouring properties (C). More isolated properties and farms also have greater variation often featuring a combination of single and two storey volumes (D).



The detailing of roofs and dormers is important to create a high quality development. There are a variety of approaches across the district including tightly clipped eaves details and roofs with large overhangs. Roof detailing should be considered as a coherent part of the design approach.

# CHIMNEYS



THORVERTON  
Regular chimneys breaking the roofline.



BAMPTON  
Modern development with no chimneys.



HALBERTON  
Chimney breast creating a feature.



CREDITON  
Regular chimneys.



BAMPTON  
Random placement of chimneys.



BRADNINCH  
Regular chimneys.



CREDITON  
Chimneys in town centres create rhythm.



ZEAL MONOCHORUM  
Chimney breast as an integrated feature.



BAMPTON  
Chimney creating a focal point.

## CROSS REFERENCES:

Can assy with continuity in:  
Proportion & Scale (page 5 this volume);  
Frontages & Elevations (page 7 this volume);  
Extensions & Alterations (page 21 this volume);

Particularly relevant to a variety of Site Situations (Volume 2) where new frontage is formed: (pages 47, 51, 55, 57, 61, 65, 67-71).



Throughout the district chimneys are a common feature, unsurprisingly so given the historic housing stock. Alongside their functional role in providing heating, chimneys can contribute to the character of a place. Regular chimneys can reinforce the rhythm of a street scene whilst also helping to break up the roof line. Elsewhere more seemingly randomly positioned chimneys

can add interest to a building form and provide a significant architectural feature. Whilst the role of a chimney as part of a heating system is becoming less common they still have an important part to play in the aesthetic appearance of new development. If well considered, other features, such as flues or ventilation cowls, could contribute in a similar way in modern buildings.



Regular chimneys running along a ridge line (A) are a characteristic feature of Mid Devon town and village centres. The regular placement of these features creates rhythm to the streetscene whilst adding interest to, and breaking up, the continuous roof line. In smaller settlement

centres this breaking up of the roof line can help to soften the hard edge between the building edge and the landscape/skyline (1). The heights and finishes of chimneys in these locations vary but the placement at, or close to, the ridge line tends to remain fairly consistent.



Away from the settlement centres, chimney placement becomes more random (B) and can add interest and variation to the character of a place (5). Elsewhere chimneys begin to form features or focal points on street facing elevations (3) with integrated design of windows.



Traditional chimneys may not be a functional necessity for new developments if open fires don't feature but could still be considered to accommodate other flues and stacks. Alternatively other features could be introduced (C) to break up the roof line and add interest to elevations.

# EXTENSIONS & ALTERATIONS



**KENNERLEIGH**  
Functional extension to historic building.



**MORCHARD BISHOP**  
Sensitive alterations to historic barn.



**HEMYOCK**  
Sensitive extension to historic building.



**STOODLEIGH**  
Contemporary extensions.



**KENNERLEIGH**  
Contemporary extension to listed cottage.



**THORVERTON**  
Contemporary extensions to thatched cottage.

## CROSS REFERENCES:

To be considered with reference to:  
Proportion & Scale (page 5 this volume);  
Doors & Porches (page 11 this volume);  
Windows (page 13 this volume);  
Materials (page 15 this volume);  
Roofs & Dormers (page 17 this volume);

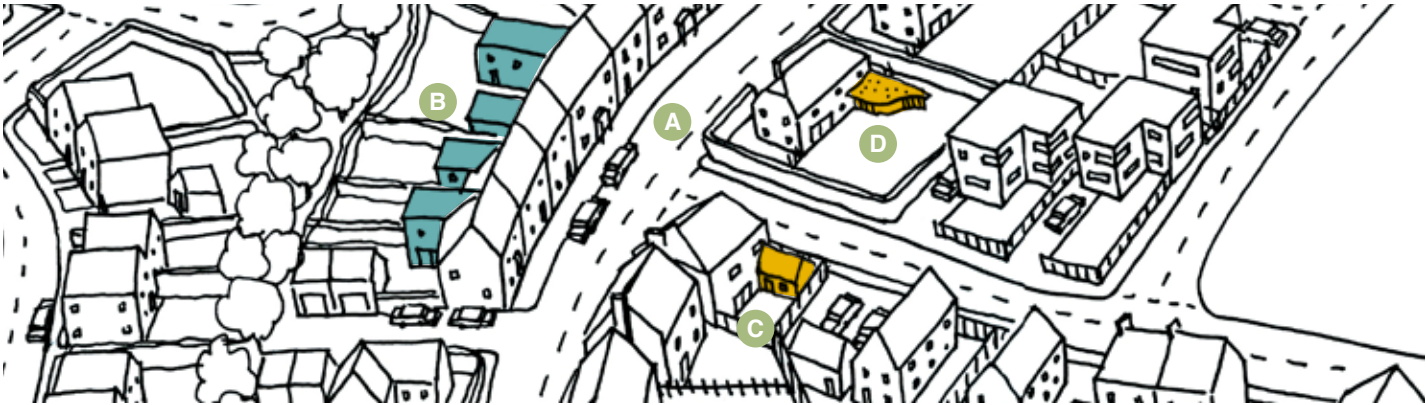
Particular relevance in Site Situations with  
smaller constrained sites (Volume 2): Infill  
(page 63); Inside Core (page 65);

Special Topic Sheets Volume 4:  
Designing for Accessibility & Inclusiveness  
(page 9).



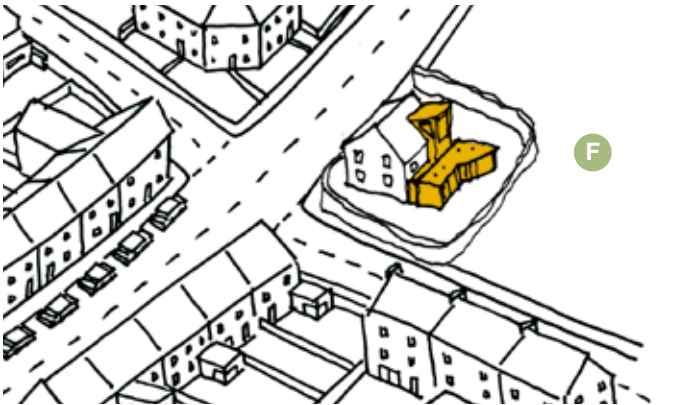
Extensions and alterations to existing buildings can make a significant contribution to the character of a place. Like anywhere in the country there are many examples of buildings that have been extended and altered in Mid Devon. These examples include both historic and contemporary buildings which have been adapted to suit the needs of their users. Approaches to extensions

and alterations vary widely from attempts to reflect the style of the existing building, to very functional additions with little consideration to style, and contemporary additions that create a clear contrast with the original building. As well as referencing this chapter designs for extensions should draw upon the contents of other chapters of this Compendium and the Design Guide.



In town and village centres opportunities for extensions and alterations are often limited due to the existing high density of the settlement (A). Where these opportunities do arise they are often at the rear of properties (B) where their impact on the character of the settlement is limited.

Consideration should still be given to a suitable approach to design whether this be a well considered reflection of the style of the original building (C) or a high quality contemporary approach creating contrast (D). Both approaches can be appropriate if executed successfully.



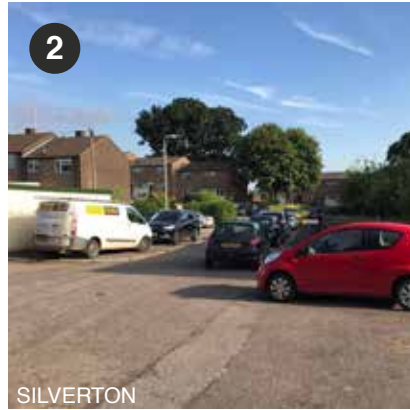
Where alterations will affect the streetscene (E) good design becomes yet more important. A contemporary, contrasting approach can have a significant impact in this setting and may only be appropriate if of sufficient scale to create its own identity. Outside town and village

centres opportunities for extensions are more common and it is important to consider the relationship between the extension and the surrounding landscape. Depending on the host building, larger, more ambitious and creative additions (F) can be suitable.

# PARKING & TRANSPORT



Ad-hoc street edge parking.



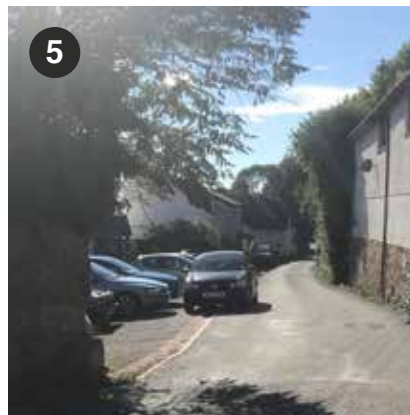
Dominance of street parking.



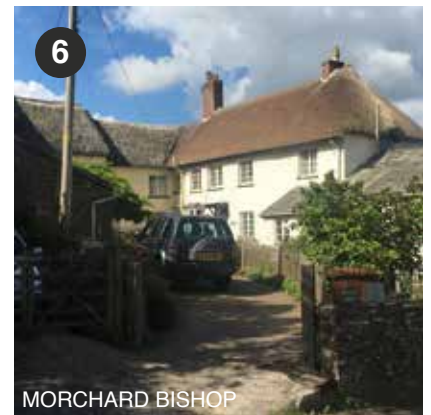
On plot and street parking.



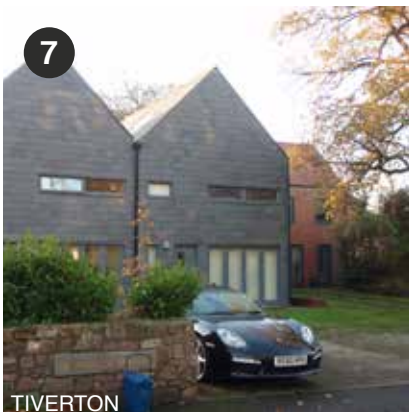
Small car park.



Well integrated parking courtyard.



Parking in a traditional courtyard.



Integrated on plot parking.



Street parking in settlement centres.



Parking in a farm courtyard setting.

## CROSS REFERENCES:

May influence approach to:  
Frontages & Elevations (page 7 this volume);  
Boundaries & Thresholds (page 9 this volume);  
Particularly relevant in prominent Site

Situations (Volume 2): (pages 49, 61, 65, 71)

Special Topic Sheets Volume 4:  
Designing for Accessibility & Inclusiveness (page 9).



Good strategies for integrating parking are an important consideration for good development. Throughout Mid Devon parking is accommodated in what often appears to be an ad-hoc manner with a mixture of street parking, on plot parking and small parking courtyards or car parks. This, in fact, creates a desirable balance: avoiding a dominance of cars on the

street but ensuring enough regular movements from cars to buildings to create an active street life. Parking provision should be proportional to location and the accessibility of alternative means of transport. When planning the provision of car parking it is also critical to consider future transport modes and make sufficient allowance for electric cars, pool cars and cycle storage.



In town and village centres the majority of parking provision is on the street (A) or in small car parks or parking courtyards (B) with little opportunity for on plot parking. This arrangement helps to encourage activity on the street in the town and village centres. Moving away from



the village and town centres there is often a shift towards more on plot parking (C) although this is typically well balanced with street parking (D) and parking courtyards. This balance is important to avoid a sub-urbanisation of village and town edges.



In the open countryside and settlement peripheries there is more scope for on plot parking (E) and this is often the main provision supplemented by ad-hoc road edge parking (F). Traditional farm courtyards often incorporate areas for car parking (G) and, along with isolated houses, often provide

well integrated sheltered parking in outbuildings or car ports. All new development should make reasonable provision for alternative means of transport. The provision of well planned cycle storage can be a key factor in the use of cycle transport as an alternative to vehicles.

# AGRICULTURAL & COMMERCIAL BUILDINGS



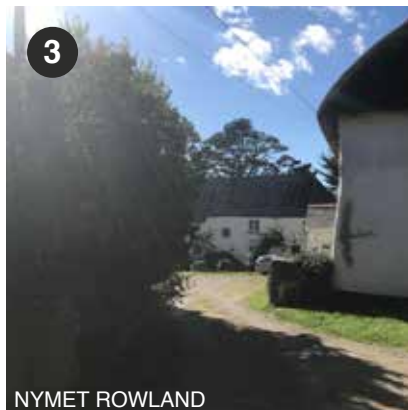
BAMPTON

Modern commercial buildings.



STOODLEIGH

Modern agricultural buildings.



NYMET ROWLAND

Traditional farmyard buildings.



UFFCULME

Traditional commercial buildings.



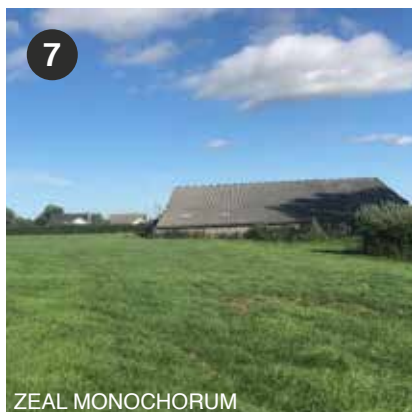
BOW

Industrial aesthetic extension.



COLEBROOKE

Agricultural building in settlement context.



ZEAL MONOCHORUM

Agricultural building in open countryside.



BAMPTON

Modern commercial buildings.



SAMPFORD PEVERELL

Traditional agricultural/workshop units.

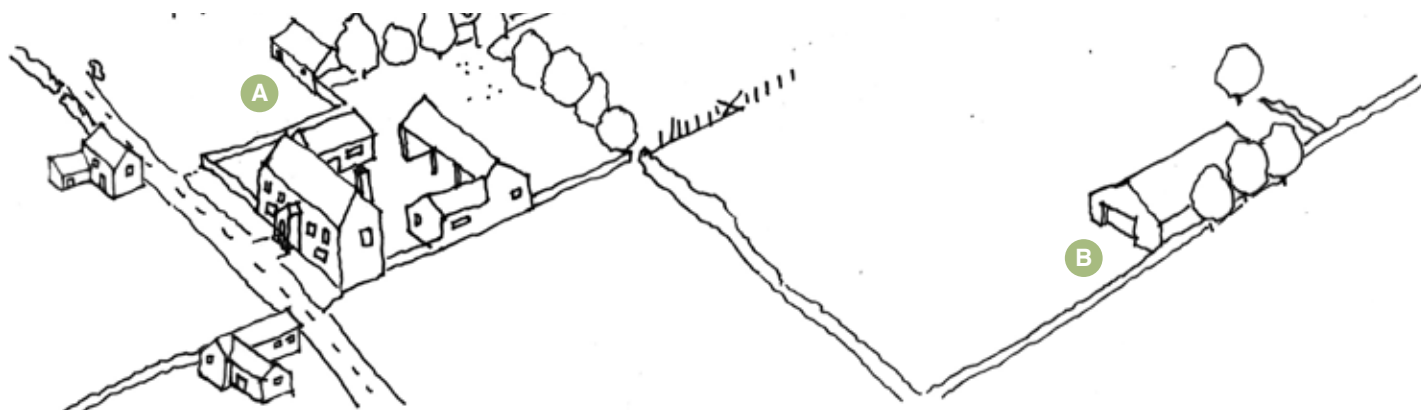
## CROSS REFERENCES:

Consider development typologies for open countryside (Volume 2, page 77).

Special Topic Sheets Volume 4:  
Designing for Community (page 3).  
Employment & Agricultural Development  
(page 11).

Agricultural and commercial buildings demonstrate a wide variety of forms and typologies across the district. Ranging from traditional farm buildings and barns to modern agricultural barns and units located on larger industrial estates. Primarily agricultural and commercial buildings need to be fit for purpose but they can also be designed to be sensitive

to their surroundings so as to have a positive impact on the character of the district. The importance of the design and appearance of these buildings is proportional to their location as there is more to consider in open countryside or an historic settlement than in the context of one of the district's existing industrial estates.



New agricultural buildings should, where practical, be grouped with existing farm buildings to reinforce the 'Farmyard Cluster' typology (A). If a number of new buildings are proposed and a relationship with existing farm buildings is not practical then a new 'Farmyard Cluster'

within the open countryside could be created. Where stand alone agricultural buildings in the open countryside are essential these should be designed sympathetically to the existing topography, landscape and site features. Trees and planting can also be helpful for screening (B).



Many new commercial buildings will be sited within existing industrial settings (C) in which case their design is of less importance. Where it is appropriate to introduce commercial buildings into settlements and amongst other building uses (D) their design should be more carefully considered to



compliment the immediate context following the guidance throughout this design guide. The creation of new business parks outside or on the edge of settlements (E) should also follow this guidance with particular reference to Volume 4, Special Topic: Employment & Commercial buildings.

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# DESIGNGUIDE

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Special Topic Sheets

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VOLUME 4

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EMPLOYMENT & COMMERCIAL DEVELOPMENT

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# Introduction



**This volume covers a series of topics which apply across the district. It outlines how design considerations in these areas can help to achieve the objectives of the Local Plan.**

Information and guidance provided under these special topics in most cases, refers to already established national guidance and best practice. Where this is the case additional relevant documents are referenced.

While previous volumes in this document have encouraged a bespoke approach to landscape, settlement and site there are also a series of more generic principles applicable to good placemaking and which all development should have concern for. This series of special topics are areas within the Local Plan in which design has a key role in facilitating good outcomes.

Other Volumes of this guide are applicable to the topics within this Volume and provide information on landscape character, settlement form, site situation (Volume 2) and use of design features (Volume 3) which should be cross referenced when considering the following topics.

# DESIGNING FOR COMMUNITY

*The design of places is concerned with the social and economic success as well as creating functional and attractive physical buildings and spaces.*



Creating sustainable communities relies upon the integrated design of environments in which social values and economic function can thrive. Well designed neighbourhoods are places, where over time, communities grow stronger through the sense of belonging which is created and the long term security people can have in their place.

Beginning with the design process, every project can begin to engender ownership, sense of belonging, and community integration by involvement and engaging the community from the outset. Furthermore a design which emerges from a shared set of values and gathers consensus throughout a staged design process embodies ownership, leads to greater support for proposals among the public and politically and at its foundation can benefit from a much greater depth of local knowledge.

Careful attention to the location and prominence of a variety of community focal points around a neighbourhood (places of worship, publicly accessible buildings, shops, open spaces), whether delivered as part of a development or already existing can improve community interaction. From simple common day to day activities such as the walk to school or putting the bins out, to more individual events in the social calendar, the opportunities for people to interact can be facilitated using design. Streets should be considered as public spaces and designed to enable people interaction.



Healthy communities comprise a varied demographic. This diversity leads to widespread benefits including education, social awareness, respect for others. It can help the elderly or infirm to live independently for longer in their own home. Diversity provides the basis for a rich community memory of place, a living history and story telling which underpins the distinctiveness of a place. The design of development can pro-actively encourage a diverse community and one that is highly interactive.

High density and intimacy are characteristics of many parts of existing Mid Devon settlements. Intricate design is needed maintain privacy as well provide adequate overlooking to public areas. The internal arrangement of space within buildings can play an important role in achieving this balance.

Successful placemaking results in resilient, healthy communities, physical connections and the ability to engage in and be aware of local activities and facilities ensures that, for local trips, walking and cycling become the most convenient options.

In Mid Devon, taking the opportunity to repair and reinvigorate existing communities within towns and rural settlements is an investment in the social and economic well being across the district and the county. As communities become more functional their social capital rises in value bringing with it long term benefits in many areas.

As the Council responds to the climate emergency declaration and attends to its commitment to a zero carbon district by 2030 there will be more significant influences on patterns of living and the social consequences. Designing for community cohesion and more careful attention to the interaction of people in places and spaces can itself play an important part in addressing climate change through the development of more walkable, less car reliant, neighbourhoods and a more communal, less wasteful existence for all.

- 1 A combination of buildings and public realm create sociable places.
- 2 In many Mid Devon settlements, streets are also open spaces and encourage the free movement of all users.
- 3 Community facilities can become accidental meeting places where they are a focal point.
- 4 Privacy & overlooking need to be achieved in tight knit places.
- 5 Publicly accessible buildings can serve a landmark purpose and a social function.
- 6 Connections with, and awareness of, community groups and activities through signposting.



# DESIGNING FOR HEALTH & WELL BEING

***Designing for the Health and Well Being of communities requires an holistic approach. The objective is not just the absence of disease or infirmity but a state of complete physical, mental and social wellbeing.*** (World Health Organisation definition)

Evidence has shown that better quality places, lead to better health outcomes. Physical and mental health, fitness, daily comfort and quality of life have been observed and shown to be influenced by not only internal building space but urban form and the socio-economic make up of communities.

Socio-economic inequalities often correlate with unhealthy lifestyles, opportunities to exercise, awareness and capacity for healthy eating and interactivity within the immediate community day to day to facilitate a healthy mental attitude.

This Design Guide has outlined how the environment and physical considerations of the design of development can be more distinctive, however, this approach to design has a more profound and long term capability to reverse segregation, isolation and inaccessibility and provide the platform upon which grass roots prevention of future health care burdens can be established.



*Allotments and communal gardens provide outdoor space for those with no private garden.*

Belonging, sense of ownership and security, community and social interaction and access to outside space, including public spaces which are safe and walkable all contribute to a better, healthier environment for mind and body.

Community involvement in the design process, as outlined in Volume 1 of this guide can foster a strong sense of belonging in a place and lead to the ongoing stewardship of open space and maintenance and control over ongoing management and uses of public spaces and public buildings.

These design principles for places, which coincidentally help promote health and well being, are not new, but they can be approached from a public health perspective. Well designed



*Connected places promote walking and the opportunity for recreational exercise.*

**Reference should be made to the ‘pocket guide’ accompanying this Design Guide document for a checklist of health & sustainability considerations for use with planning applications.**

places provide good opportunities for social prescribing whereby GPs, nurses and other primary care professionals can refer people to a range of local, non-clinical services ranging from gardening to arts and sports. A mixed and diverse urban realm can offer an increasing list of referral services.

The core urban design principles of connecting places, creating a mixed, diverse community and a structure of safe streets and spaces which become public places are the basis of a healthy community, however attention to detail can also contribute hugely to people's sense of well being through the design of uplifting and sociable spaces and buildings.

Designing buildings to maximise the use of natural daylight begins at the masterplan stage to ensure overshadowing is minimised and orientation of internal spaces is optimised. Ensuring adequate provision of private outdoor space should not be left as an after thought. Secure by design principles apply at a masterplan level and in the detailing of architecture

There are specific health challenges faced across Mid Devon for which every site should consider their small part towards a cumulative improvement: road safety, air quality, quality of living environments -particularly in rented accommodation, and space standards.

Integration of Public Health services within Local Authorities provides the opportunity for the public health consideration to be applied more readily within the planning system. This has been manifested in the principles of the Health Impact Assessment tool (HIA), in some cases influencing planning applications -assessing place's ability to affect health outcomes for a community. In East Devon, improvements to the Cranbrook masterplan have been made on health grounds and, as a result of joint working, Cranbrook has been selected as one of NHS England's 'Healthy New Towns'. This opens the way for measuring the success of the place against health and well being outcomes. The subsequent 10 point guide: '*Putting Health into Place*' by NHS England is available and corroborates many of the principles of this Guide.



*Free events like ParkRun at Killerton happen in public spaces available for the community to use.*



*Formal pitches in large park spaces like in Silverton are within easy reach and well connected.*

# DESIGN, HOUSING DELIVERY & VIABILITY

This Design Guide aims to support the increase in effective housing delivery by helping to remove risk and uncertainty from the design process and by improving the quality of new development.

Used as indicated in Volume 1, and adopted as a common language between the authority, the community and the developer it can assist all parties in reaching consensus on design more quickly.

While the Design Guide SPD is not a policy document within the current Local Plan, it could assist any future work on the review of site allocations across the district to identify opportunities which are mutually beneficial to both housing delivery targets and the repair and enhancement of Mid Devon settlements and the contribution they make to the landscape character of the district. In this way the guide, with other previous work which is referenced throughout this guide, provides the platform by which any further site allocations can be considered, in part, in their capacity to contribute to the distinctiveness of the district as well as their contribution to housing delivery.

The connection between good placemaking and financial value and deliverability of new development is increasingly being made in national policy and guidance. Back in 2015, the RICS commissioned a piece of research from CBRE on this subject. As reported in the RICS Land Journal

(Dec 2015/Jan 2016 edition), the initial message from the research was that if developers create places that are well-planned, designed and built, people are prepared to pay more for homes there. The research looked at 5 case studies of new residential neighbourhoods or districts, varied in size and location. Land Registry data was used to reflect how the schemes had sold in relation to the local market conditions and the findings demonstrated a positive relationship between placemaking and commercial value.

Recent reviews of the planning system since the publication of the 2017 Housing White Paper have highlighted the importance of planning in creating diverse and high quality places and not just delivering houses. The importance of these factors in housing delivery was highlighted by Sir Oliver Letwin in his review of build-out rates, commissioned by the Chancellor of the Exchequer in 2017. His review built on the White Paper commitments with a specific objective of explaining the gap between housing completions and the allocated/permitted sites in areas of housing demand and making recommendations for closing that gap. The Draft Analysis, published in June 2018, concluded that large sites (those with over 1500 units) have a slower build out rate than smaller sites due, mainly, to a homogeneity of house types and tenures and limits to the rates at which the market will absorb such products. In his Final Report, published in October 2018, Letwin made a series of recommendations

including a “new set of planning rules” with financial incentives to encourage the delivery of a more diverse housing stock on large sites, raise the proportion of affordable housing, and increasing the build out rate. [Source: Independent Review of Build Out Rates: Draft Analysis, Para 4.26 (Rt Hon Sir Oliver Letwin, June 2018)]

The Raynsford Review, chaired by the Rt Hon. Nick Raynsford, was initiated by the TCPA around the same time that the Letwin Review was commissioned by government. The review aimed to start a conversation around fundamental planning reform based on the premise that near-continuous process change over the past decade has resulted in a planning system that is fragmented and fails to secure lasting progress on economic, housing, social, or environmental issues.

The Final Report of the task group was published in November 2018, and advocates a fundamental review of the planning system, covering issues as diverse and complex as the purpose of planning; the balance of power between private and public bodies; community engagement; design quality and standards; and betterment tax.

Most recently the Building Better: Building Beautiful Commission was established by the Communities Secretary Rt Hon James Brokenshire MP in 2018 with 3 primary aims:

- To promote better design and style of homes, villages, towns





and high streets, to reflect what communities want, building on the knowledge and tradition of what they know works for their area.

- To explore how new settlements can be developed with greater community consent
- To make the planning system work in support of better design and style, not against it.

The Commission's interim report, published in July 2019 highlights the role of the planning system "Beauty first. Beauty and place making should be a collective ambition for how we move forward and a legitimate outcome of the planning system. Great weight should be placed on securing them in the urban and natural environments. This should be embedded prominently and alongside sustainable development in the National Planning Policy Framework (NPPF), associated guidance and encouraged via ministerial statement. Local Plans should embed this national requirement locally, discovering and defining it empirically through analysis and by surveying local views on objective criteria."

Design in all areas outlined within this guide therefore, should seek to diversify type and tenure of properties (this applies to employment and commercial uses as well as residential) and deliver high quality development. Existing settlements across Mid Devon already demonstrate huge diversity and the process outlined within Volume 2 regarding settlement form and site situations, and in Volume



3 regarding the strategic use of design features supports the specification of a diverse mix for any given site where this can be demonstrated to contribute in the ways described to the distinctiveness of the district.

Assessing the viability of a development has become more in focus in recent years as the case has been made that pressure on development to make varied financial contributions has risen. The value of design can be measured using a much wider set of criteria than the standard development appraisal provides and it should not be left to viability arguments alone to define the appropriateness of design. Social, environmental and economic values need to be appreciated over a much longer time period than the construction period and across a wider catchment than a single development site in order to ensure developments contribute positively to their location.

Much of this longer term value can be brought about in a number of ways at little cost (outlined within this guide):

- Responding to settlement form;
- Recognising the site's role in the settlement;
- Creating a more connected place;
- Safe, sociable streets & spaces;
- Using architectural features

strategically.

Approaches to the assessment of development value as it contributes over time will be welcomed as part of a more comprehensive appreciation of the value development can bring to a community as a whole. Likewise alternative financing models which may include investment and income based value generation and which can create accountability to the ongoing quality and value of development, post construction maybe ways of building stewardship into the land procurement process.

Alternative delivery mechanisms such as Community Land Trusts, or cooperatives of Self and Custom builders are increasing in scale and demonstrating high quality where an early stake in design is extended to end occupiers.

Development in rural areas across the district is in line with the NPPF requirement (Para 68) for small sites to deliver 10% of development. There is a role for small sites in sustaining a local workforce of builders and developers and ensuring short and medium term delivery of housing in the district with a diversity of different products.

# DESIGN, ACCESSIBILITY & INCLUSIVENESS

*Public places, streets and spaces have long been a setting for democratic expression: market places, rallies, celebrations, demonstrations. As society diversifies, so too must the flexibility of public space and buildings expand to cater for all.*





Towns and rural settlements throughout Mid Devon already demonstrate accessible and inclusive public space. Invariably streets are distinctively without pavements in places. The equity of these spaces is different to more recent developments which prioritise the car above the pedestrian in the street.

The design of places which are inherently accessible and inclusive (and not requiring bolt on or retrospective adaptation) begins with a placemaking approach:

- *Consider accessibility at the outset of the design process to resolve gradient, levels and internal building design at a strategic masterplan scale rather than suffer unintended consequences of an ill-considered site layout which could have been avoided;*
- *Look for precedents locally which offer good accessible solutions within the context of the historic settlement pattern and built form;*
- *Use integrated solutions in preference to bolt-ons;*
- *Consider the requirements of the Equality Act (DDA) audit and Part M of Building Regulations at the earliest possible stage in the project to allow all parts of the design process to respond;*

An accessible and inclusive environment is closely linked to the creation of a legible and integrated development. The principles throughout this design guide espouse the need to integrate new residents with existing communities. Streets and spaces, whilst being safe and overlooked, are also open thoroughfares where people, familiar and unfamiliar, meet and to some degree partake in exchange. The design of connected pedestrian environments are by their nature more inclusive than segregated vehicle dominated environments and whether in Main Towns or Villages, establishing the principles of walkable neighbourhoods is a good basis for meeting the needs of a variety of people and abilities where access to facilities and services are within easy reach of the majority of people.

Accessibility needs change over a lifetime and sometimes through changes in circumstances over night. Designing in adaptability where all eventualities cannot necessarily be accounted for at the outset is an important consideration in new buildings.

To promote accessibility and inclusivity, the Council wishes to encourage provision of ramped or level access to new dwellings and for developers to consider the requirements of Lifetime Homes: providing space and structure within buildings for possible future installations such as lifts or additional WCs.

Different approaches to access can affect how buildings and public realm combine to create streets.



# EMPLOYMENT & COMMERCIAL DEVELOPMENT

***The Mid Devon Local Plan commits to “support sustainable economic success”. The Vision for the district identifies that high quality development in the right places will be instrumental in regenerating and benefiting all areas.***

The primary aim of employment and commercial buildings is to meet the needs of the businesses who occupy them and facilitate their growth and sustainability. However, as part of a wider planning strategy, far from being isolated buildings, employment and commercial development, designed to a high quality and located correctly can be a catalyst for much wider benefits to the local area and in the district and contribute to the reduction of carbon emissions.

In a similar way to residential development, employment and commercial development has the potential to affect the identity of the district. The process of preparing the Local Plan and the Sustainability Appraisal have helped develop a picture of the district, its characteristics, constraints and sustainability issues and this Design Guide among other documents has supplemented this profiling of the district. This definition helps identify an approach to employment and commercial development which contributes to the distinctiveness of the district.

A distinctive place, which generates footfall, encourages sense of belonging and facilitates satisfaction among communities supports a thriving economy and while this Design Guide cannot determine the location of employment provision across the district (this has already been determined within the Local Plan), it can assist in the design of developments which contribute to and benefit from the distinctiveness of the district, its towns, villages and countryside.

While strategic growth and provision for employment has been made in the allocation of employment sites throughout the district, the

Local Plan supports job creation as part of any proposal where it is supported by careful analysis of the benefits this brings the sustainability of the community and settlement as a whole. (Policy SP1; para 2.12). By its many references to enhanced connectivity, the guide encourages an integrated design approach to employment and other uses to improve accessibility and to promote social inclusion and interaction.

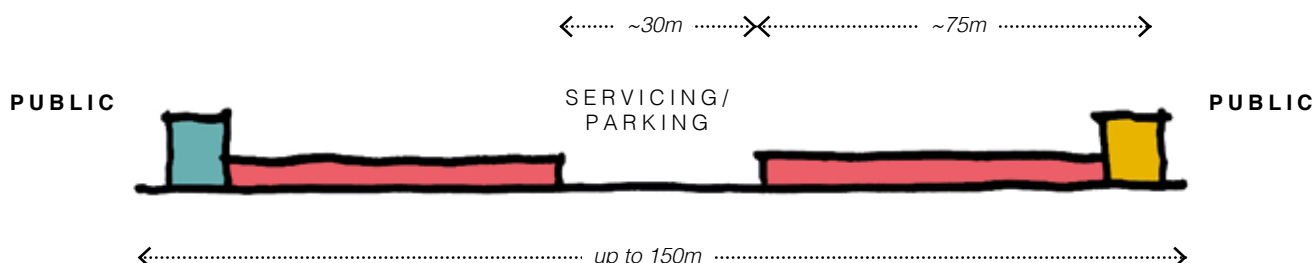
The design of new employment buildings and sites within towns and rural settlements should have regard to the settlement pattern and follow the process of defining the contribution buildings can make to the integrity of this form described in Volume 2 of this Design Guide.

In addition, the opportunity to upgrade existing employment and commercial areas and town centres with better designed facilities can facilitate some of the most pressing repair required in the Main Towns where there has been a trend of zoned, single use development on town centre sites or edge of town industrial estates.

In these locations each individual site should consider the contribution it can make to cumulative change in the following areas:

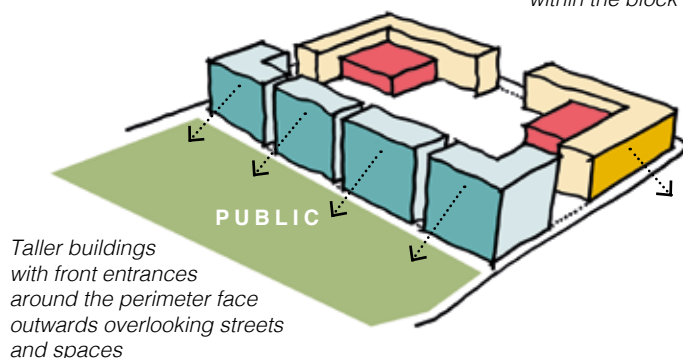
**Outward facing, building frontage, street enclosure and overlooking.** Certain components of the employment provision identified within the Local Plan lend themselves better to creating public fronting buildings: offices, retail, leisure, healthcare, education and other public facilities. Likewise a proportion of the Gross Internal Floorspace, comprising any communal or serviced areas of an employment facility maybe

*Development blocks in employment areas can be large to accommodate large footprint operational buildings. Locating office and ancillary functions around the perimeter and facing outwards and enclosing the servicing and parking within the block is key to creating better public space around the block.*



able to provide additional value as publicly accessible, shared or co-working space increasing the efficiency of the serviced building model as well as the contribution it makes to the public realm. Where these are included as part of a mix of employment uses on a site, they can be used within the site layout to create outward facing frontage to development, either at ground floor (consider the location of public entrances to buildings) or above ground floor to create additional height to otherwise low-rise buildings and to help create a street which has human scale proportions and which is

*Servicing, parking and large footprint single storey functional buildings are set behind the facade or enclosed within the block*



overlooked by suitable uses on either side.

**Public realm focussed**, improving the environment around employment areas for pedestrians can encourage greater integration with surrounding residential areas and reduce short journeys by car. Improving public space to provide a network of spaces in which employees and the public can spend breaks and time outside of working hours as well as public areas in which to meet makes the area more sustainable. This will involve creating more legibility and structure to areas where previously monotonous

large sheds have dominated. Enclosing servicing and parking to the rear of, or within courtyards enclosed by, buildings will help improve the overall environment

**Connected and permeable layouts** can improve accessibility of employment areas for access by sustainable means and it can provide greater flexibility where blocks of development have a variety of street frontages around them, being able to accommodate the needs of businesses requiring a more prominent public presence and those that include more anti-social functions such as noisy or dirty processes.

In the countryside, employment and commercial buildings have a longstanding role in the rural economy and as such they contribute important features within the landscape, both visually and functionally. The majority of existing development within the countryside conforms to the typologies described within Volume 2 of this Design Guide (Page 74: Countryside) and should continue to contribute these distinctive forms of development within the landscape, all be it they may come about on unallocated sites, permissible under development management policies and requiring no planning permission at all.

Overall, many commercial buildings are developed to be let with business models based on the long term lettable income of the building. The design of buildings which have built in adaptability over time according to the requirements of changing occupiers can help ensure their long term potential to sustain an income and remain attractive as demands and commercial activity changes across the district. Designing in flexibility also helps the Council achieve their objectives of policy DM19, protection of employment land by allowing greater longevity of employment use, not restricted to a single occupier, or type of function.

# SELF & CUSTOM BUILD

Alternative housing models, where an early stake in the design is extended to end occupiers, such as Self-build and Custom housebuilding projects, Community Land Trusts, co-housing projects or cooperatives of Self and Custom builders are increasing in scale and demonstrating high and distinctive design quality. Mid Devon District Council wants to support more of this form of housing to boost more affordable housebuilding and offer greater housing choice.

Mid Devon offers a huge range of opportunities for unique self and custom built houses. Geographically large, it comprises great landscape and settlement variety. This diversity, described throughout other volumes of this Design Guide, can be the basis of a site selection and design process that individuals enter into when undertaking to build their own home.

The diversity of settings and sites across the district provides a rich choice of opportunities for self and custom build. Project briefs should be developed with careful reference to the Landscape Character and Settlement Form approach which this Guide takes to exploring context and appropriate site response - not every site will offer the right ingredients for every self or custom housebuilder.

Across the district, opportunities exist for a mix of plot sizes enabling different types of homes to be built, offering local people a real chance to build their own homes on permissioned, serviced building plots

ready for development. This may include smaller lower cost plots which can accommodate smaller homes. In any case, proposals should reflect the appropriateness of the scale and form of the development to its situation as described throughout this Design Guide. Proposed housing mix should also take account of the local demand on the Council's statutory Self-Build and Custom Housebuilding Register.

Early engagement between the self builder and the Local Authority can help identify where the requirements and aspirations of the projects can be most likely realised, and where the best contribution to the character of a particular location can be made.

This Guide has identified how the distinctiveness of Mid Devon is a function of landscape and settlement form and also outlines how sites in different locations in and around settlements can best contribute in a positive way to the distinctiveness of a given location. Self & Custom build opportunities are not exempt in their ability to make a positive contribution to the character of the district and as such the design of such projects should follow the same process outlined throughout this Guide in understanding the context and role of a site:

**First** consider the landscape setting and the characteristics of this setting which help development retain a distinctiveness in association with each particular landscape type (see Page 7 of Volume 2 of this guide).

**Secondly**, consider the form of the settlement the opportunity finds itself within as described within the 7 Settlement Typologies defined within the guide for Villages (see, Page 26 of Volume 2 of the guide).

**Thirdly**, consider the position of the development in relation to the settlement form and the guidance on the appropriate design approach according to the 13 variations of Site Situation defined within the guide for Villages (see Page 45 of Volume 2 of the guide).

**Finally**, using the Compendium of District Design (Volume 3 of the guide), consider how various detailed elements of design are dealt with in different situations across the district and how these should be applied in relation to the settlement location and the site situation within that settlement.

According to the approach described it may be deemed appropriate that self and custom build projects on larger sites are best arranged in a series of parcels. This can help take account of local demand and viability and ensure that the design character and wider housing offer across a site is not compromised.

Arranging Custom and Self Build housing in clusters will also enable construction traffic and different build outs to be better managed and better aligned with the design aspirations, constraints and design quality expectations. Clustering of plots/





properties would also help in terms of management of sales and marketing. Clusters of five or more homes in a parcel is recommended.

In these cases it is strongly encouraged that the design response is communicated as a design code which embodies the principles which have been developed through the use of the Guide and the process described above. Prepared in discussion between the Council and the applicant such codes can help explore and communicate how groups of self and custom build homes are being considered in the context of the character of the settlement or location in questions.

Using the Design Guide to secure a design code can enable development to come forward more quickly and the Council may seek to link a code to a planning permission via a planning condition.

Design codes should be kept as simple as possible to avoid stifling the ability of Self and Custom builders to build innovative and creatively designed homes and undermine market demand. The Design Guide provides a wealth of ready-made contextualisation and site categorisation which can structure how design codes are prepared. The accompanying Pocket Guide provides a concise way of checking a design code for a group of self or custom build plots has made all the necessary design considerations.



Self & Custom build design codes should strike a careful balance between flexibility and prescription: too restrictive and it will be more challenging for a landowner to sell plots, too flexible and there is a risk that design does not contribute positively to the distinctiveness of the location.

Key design code parameters should be defined with reference to the role the site plays within the settlement, outlining the acceptable form of development on each plot (for example scale, massing, materials, height, layout, amenity and landscaping) in this context (see Page 45 of Volume 2 of the guide). But Self and Custom build design codes may want to provide further clarity about what aspect of a design is mandatory and what is optional and how this applies to the plot and/or wider site. Menus of alternative design solutions for specific elements are encouraged but should be founded on the principles already defined within this Guide with regards to the use of a range of architectural details performing different functions within the settlement and site context.

The Council also encourages the use of a 'Plot Passport' when 'Self Build'

plots are marketed to buyers. Such documents can help translate the design code into a series of easily understood principles and they are becoming more widely used as part of site marketing. Plot Passports are not normally needed where a Custom Build developer manages the build out of a site and homes are built for the homeowner to complete themselves or built to their specification, ready to move in. This includes community-led housing not involving serviced building plots for sale to the public.

When part of larger housing sites, the location of Self and Custom build projects should be considered holistically as part of any site strategy and settlement context of the whole scheme. Prominent self and custom build plots within the scheme present opportunities to introduce unique and special features but these should be considered for their ability to contribute to an overall approach to the site in its context according to the process described in this Design Guide. The location of the self and custom build elements within a large scheme will also have a bearing on what role they play in the settlement and site context and therefore how they contribute to the overall site design response.

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The Mid Devon Landscape

Page 4

The first step in guiding the design of development across Mid Devon is to recognise the way in which the landscape of the district has already guided, and continues to guide human’s activity and their response to the strategic constraints placed upon them by the landscape in which they have lived over the ages

Landscape Character Areas

Page 5

The Mid Devon Landscape Character Assessment work identifies 12 LCTs, chosen from the Devon Menu. Users of this guide should identify and become familiar with the character area(s) relevant to a development proposals and explore how design can incorporate and respond to the characteristics and features of those particular areas.

Settlement Character

Page 7

The Town & Settlement Character Assessment carried out by Mid Devon District Council identifies 10 Settlement Character Areas which are a synthesis of landscape and townscape factors. Users of this guide should consider the location of their site with reference to the settlement character areas and identify the characteristics and features will may influence the design.

Identifying Site Situation

Page 45

Identify where the site for development may be situated within the settlement.

The section should be read and applied with close reference to Volume 3: The Compendium of District Design in order to identify architectural features and other detailed design considerations which can be used as tools to achieve the site situation design principles.

- Between Isolated

Page 47

☐
- Between Joining

Page 49

☐
- Corner

Page 51

☐
- Edge

Page 53

☐
- Edge Between

Page 55

☐
- Edge on a Limb

Page 57

☐
- Edge to Satellite

Page 59

☐
- Gateway

Page 61

☐
- Infill

Page 63

☐
- Inside Core

Page 65

☐
- Open Space

Page 67

☐
- Out on Limb

Page 69

☐
- Thoroughfare

☐

Settlement Typologies

Page 27

The distinctiveness of the Mid Devon district is born out of the influence the landscape has had on the emerging settlement form over time. Using the descriptions in the Guide, identify the form of the settlement where development is being considered recognising that any settlement may display features of more than one typology:

- Central Square or Green

Page 31

☐
- Patchwork

Page 33

☐
- Linear

Page 35

☐
- Enclosed Core

Page 37

☐
- Divided

Page 39

☐
- Dispersed

Page 41

☐
- Cross Roads

Page 43

☐

Main Towns

Page 10

Design Guidance for the main towns therefore is more usefully steered towards encouraging the enhancement of recognisable assets and strengths of the towns and overcoming weaknesses and threats.

- If development is proposed in one of the 3 main towns, Tiverton, Cullompton or Crediton then after an initial broad observation of how each settlement is positioned in the Landscape in order to identify the main drivers of identity and distinctiveness in each of the 3 places, users of the guide should identify how design can taken account of the following aspects:
- Settlement form

☐
- Site situation

☐
- Town framework plan

☐
- Identify the components of the town to which design of development can contribute positively

☐

Landscape Variations

Page 29

Many settlement forms occur in different landscape situations and this can have a bearing on the design approach taken. Identify whether the settlement is influenced by any of the following:

- Valley

☐
- Hillside

☐
- Hilltop

☐
- Low Lying

☐
- Undulating

☐

The Countryside

Page 74

In the countryside, development contributes in particular ways to the visual distinctiveness of the District. Whether adapting existing development or proposing new buildings, consider which of the following typologies and accompanying principles are relevant:

- Farmyard Cluster

☐
- Manor House

☐
- Ribbon/Terrace

☐
- Isolated Building which form Landmarks in the Landscape

☐

The Compendium of District Design provides a rich resource of examples of different architectural treatments and features from around Mid Devon based on extensive site survey work. These categories have been defined as a toolkit for consideration alongside designing for Landscape and Settlement form, and for use in identifying appropriate ways of responding to the different parameters of a site situation. Each chapter is accompanied by examples of locations where these treatments and features occur around the District.

Consider which of the following treatments and features can be used in articulating the parameters outlined in the site situation guidance:

- Public Realm

☐
- Proportion & Scale

☐
- Frontages & Elevations

☐
- Boundaries & Thresholds

☐
- Doors & Porches

☐
- Windows

☐
- Materials

☐
- Roofs & Dormers

☐
- Chimneys

☐
- Extensions & Alterations

☐
- Parking & Transport

☐
- Agricultural & Commercial Buildings

☐

While previous volumes in this document have encouraged a bespoke approach to landscape, settlement and site there are also a series of more generic principles applicable to good placemaking and which all development should have concern for. This series of special topics are areas within the Local Plan in which design has a key role in facilitating good outcomes.

- Designing for Community

Page 3

☐
- Designing for Health & Well Being

Page 5

☐

Maximise natural lighting

☐

Contribute to a stimulating environment

☐

Foster an inclusive and equitable environment

☐

Encourage active lifestyles, including walking and cycling

☐

Provide opportunities for heathy eating

☐

Enable people interaction

☐

Support and not harm local vernacular

☐
- Design, Housing Delivery & Viability

Page 7

☐
- Designing for Accessibility & Inclusiveness

Page 9

☐
- Employment & Commercial Development

Page 11

☐



Mid Devon District Design Guide

# Pocket Summary checklist

July 2019

## Structure first, Detail later

The Guide provides a structure by which a proposal for development can demonstrate its strategic role and the way in which detailed design compliments this.

In the first instance the design process should consider how the landscape context influences design.

Secondly, the Guide provides a method of understanding settlement form with reference to 7 settlement typologies (more than one may apply to any given situation).

In the Main Towns, Tiverton, Cullompton and Crediton a framework of components which contribute to the towns character and function are provided which development should look to contribute positively to.

Sites will be located in different places relative to the settlement form and the Guide provides help in understanding how different site situations provide different opportunities to contribute to the character of the settlement.

The Guide also provides a variety of overarching guidance for consideration in a variety of development scenarios.

## The Pocket Summary

The Design Guide has been developed to assist developers and the local authority stakeholders in ensuring high quality and locally distinctive design proposals for the development across Mid Devon District.

For the benefit of all interested parties using this document, this pocket summary provides the contents of the Design Guide summarised as a one page checklist, enabling applicants, planning officers and council members to ensure that applications consider all aspects through their design. However, it must be stressed that this remains a summary of the Guide and applicants are expected to familiarise themselves with all content within the Design Guide.

## Local Distinctiveness

Throughout the Design Guide, significant emphasis is placed upon discovering and contributing to the distinctive pattern and form displayed by Mid Devon settlements within the varied landscape across the district. It does this by following a methodical categorisation process of landscape character and settlement form and encourages responses to these according to a site's situation and by providing a toolkit of architectural treatments and features.

**Mid Devon**  
DISTRICT COUNCIL

Prepared on behalf of Mid Devon District Council by:

in conjunction with:

and:

**DHUD** \*  
PLACE MAKING • REGENERATION • URBAN DESIGN

Hilton Barnard  
Architects

Page 438

**Hyas**



## **Draft Mid Devon Design Guide Supplementary Planning Document**

## **Strategic Environmental Assessment Screening Report**

**November 2019**

## **1.0 Mid Devon Design Guide**

### *Purpose, scope and content*

- 1.1 Mid Devon District Council has used consultants, DHUD Ltd in conjunction with Hilton Barnfield Architects and Hyas Associates Ltd, to help prepare a Design Guide for Mid Devon District. This is currently in a Draft form, intended for public consultation.
- 1.2 The purpose of the Mid Devon Design Guide is provide detailed guidance on urban, village and rural design in Mid Devon that can be used to help improve the design of development proposals submitted to the Council for determination and inform the decisions made on these.
- 1.3 The Mid Devon Design Guide has been prepared with regard to character and local distinctiveness of the district, including its landscape and settlements, and also taking into consideration health, climate change and sustainability.
- 1.4 The Mid Devon Design Guide comprises four volumes: Procedural; Settlement and Landscape; Compendium of District Design; and, Special Topic Sheets. It also includes at Pocket Toolkit.
- 1.5 The Mid Devon Design Guide includes eleven core principles:
  - CP1 Supporting, through design, Mid Devon District Council's and Devon County Council's commitment to creating a carbon zero district and county by 2030;
  - CP2 Identifying and facilitating local distinctiveness;
  - CP3 Representing in design, the unique landscape and settlement form of Mid Devon and the interaction between the two;
  - CP4 Providing a variety of non-prescriptive guidance usable in a range of ways;
  - CP5 Facilitating and maintaining design conversation which remains focussed on, and is proportionate to relevant issues;
  - CP6 Enabling continuity of approach and decision making;
  - CP7 Labour saving (providing a rich source of contextual information and other analysis);
  - CP8 Bringing political awareness of distinctiveness and the tools available to uphold high quality design;
  - CP9 Enabling a comprehensive design consideration through context appreciation;
  - CP10 Enabling better, more evidenced, policy compliance;
  - CP11 Enabling the preparation of evidenced Design and Access statements which demonstrate how planning proposals contribute positively to landscape and settlement distinctiveness by using the framework the Guide provides.

### *Relationship with the National Planning Policy and the National Design Guide*

- 1.6 The National Planning Policy Framework (2019) paragraph 124 makes clear "the creation of high quality buildings and places is fundamental to what the planning and development



process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development more acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this". Paragraph 126 adds "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design." The Mid Devon Design Guide is consistent with the National Planning Policy Framework.

- 1.7 The Government published the National Design Guide in October 2019. This provides a common overarching framework for design based on ten characteristics reflecting the Government's priorities for design. It also highlights the importance of local Design Guides in setting out and understanding the local context and analysis of local character and identity. The Mid Devon Design Guide complements the National Design Guide by doing this.

#### *Relationship with the Mid Devon Local Plan*

- 1.8 The Council is preparing a new local plan for Mid Devon. The Mid Devon Local Plan Review 2013-2033 ("Local Plan Review") is at an advanced stage in its preparation. It is currently being examined by an Inspector appointed by the Planning Inspectorate and is currently subject to a main modifications stage. It is anticipated it will be adopted in the spring 2020. Once adopted the Local Plan Review will replace the current Mid Devon Local Plan, which includes:

- Core Strategy (adopted 2007)
- Allocations and Infrastructure Development Plan Document (adopted 2010)
- Development Management Policies (adopted 2013)

- 1.9 The Local Plan Review Policy DM1 High Quality Design will provide the policy baseline for the more detailed guidance included in the Mid Devon Design Guide:

#### ***Policy DM1***

##### ***High Quality Design***

*Designs of new development must be of high quality, based upon and demonstrating the following principles:*

- a. *Clear understanding of the characteristics of the site, its wider context and the surrounding area;*
- b. *Efficient and effective use of the site, having regard to criterion (a);*
- c. *Positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets;*
- d. *Creation of safe and accessible places that also encourage and enable sustainable modes of travel such as walking and cycling;*
- e. *Visually attractive places that are well integrated with surrounding buildings, streets, landscapes and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring uses, taking account of:*
  - i. *Architecture*
  - ii. *Siting, layout, scale and massing*
  - iii. *Orientation and fenestration*

- iv. *Materials, landscaping and green infrastructure*
- f. *Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available.*

1.10 At the time of preparing the Mid Devon Design Guide, the Council has followed post examination hearings advice from the Planning Inspector and has proposed Main Modifications to Policy DM1. These include the addition of three further criteria to Policy DM1 as follows:

- g) *Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;*
- h) *Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and*
- i) *On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'.*

1.11 The Mid Devon Local Plan Review (2013 – 2033) has been subject to a Sustainability Appraisal (SA) , which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.

#### *Status of the Mid Devon Design Guide SPD*

1.12 The Mid Devon Design Guide will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

## **2.0 SEA and SEA Screening**

### *Strategic Environmental Assessment*

2.1 The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects.

### *Screening*

2.2 The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.

- 2.3 In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have 'significant environmental effects'. This is done through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.
- 2.4 A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.

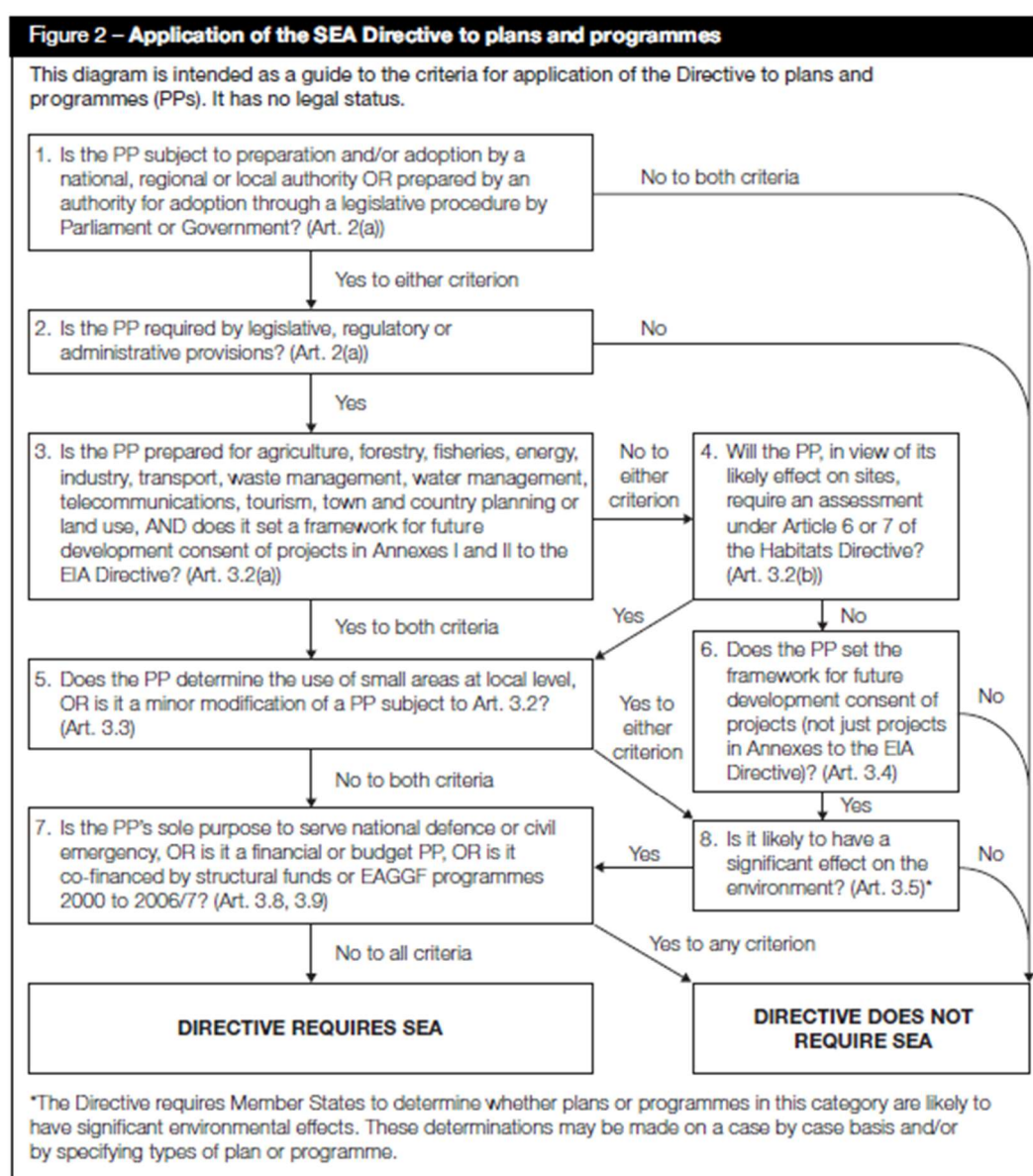


Diagram 1: Application of the SEA Direct to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

- 2.5 Table 1 below sets out the Council's response to the above questions in order to clearly assess the whether there is a requirement for the Mid Devon Design Guide SPD to be subject a full SEA.
- 2.6 Table 2 provides the Council's assessment of likely significant effects of the Mid Devon Design Guide SPD on the environment, in accordance with the screening report process in Table 1.

**Table 1: Screening of the Mid Devon Design Guide SPD**

Stage	Y/N	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art.2(a))	Y	The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012.  <b>Go to STAGE 2</b>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will form part of the Local Plan and supplement development plan policies. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.  <b>Go to STAGE 3.</b>
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Y	The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan Review (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to design in new development.  The area covered is more than 5 hectares and the design guide will be used in development of more than 150 dwellings and other major developments. Although the design guide does not create new policy or identity specific sites for development.  <b>Go to STAGE 5</b>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	<b>Not Applicable</b>  The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-	

	combination with other plans or projects and further 'Appropriate Assessment' is not required.	
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Art 3.2? (Art.3.3)	N	The SPD does not determine the use of small areas at local level as it is supplementary to the Mid Devon Local Plan Review (2013-2033) which does this and it is not a minor modification of a plan or programme subject to Article 3.2.  <b>Go to STAGE 8</b>
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	<b>Not applicable</b>	
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	<b>Not applicable</b>	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Part 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment.  <b>DIRECTIVE DOES NOT REQUIRE SEA of the SPD</b>

**Table 2: Determining the likely significance of effects of the Mid Devon Design Guide SPD on the environment**

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	N	The SPD, if adopted will help implement the relevant design policies of the Local Plan and therefore contribute to the framework for future development consent. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	N	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan Review 2013-2033 policies. The SPD will not significantly influence other plans and

		programmes, it supplements the Local Plan which has been subject to SA and therefore SEA.
c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development;	N	The SPD will help raise design standards in development proposals. One of the core principles of the SPD is to support, through design, the Council's commitment to achieving net zero carbon emissions by 2030. The Design Guide SPD has regard throughout to climate change. The Design Guide acknowledges that good design is a key aspect of sustainable development and seeks to achieve this by providing clarity on design process, design expectations and how these will be tested through the planning process. As a result, it seeks to facilitate high quality housing and other developments based on sound urban design principles. It seeks to develop buildings of high environmental quality in their appearance and long term durability. It seeks to make best use of green infrastructure and encourages best practice in sustainable development which will help reduce the risk of flooding.
d) Environmental problems relevant to the SPD; and	N	The environmental problems are consistent with those typically found in Mid Devon, these include air quality, flood risk, noise and biodiversity. Planning policy in relation to these environmental problems is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review. However, the SPD provides guidance on maintaining distinctiveness and the value this espouses in environmental, social and economic terms, coupled inextricably to the character of the landscape. The Design Guide establishes a process to ensure that developments can effectively respond to landscape and settlement form. Therefore, positive environmental impacts are predicted.



e) The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	N	The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD seeks to ensure development is of an appropriate scale, suitably designed with consideration of the impact on amenity, character of area and environmental impact. Therefore positive social and environmental impacts are predicted. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan Review 2013-2033 and it is intended that the effects will have a positive cumulative effect in the area.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The design guide SPD seeks to provide good practice in the design of development within Mid Devon District.
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality accommodation and development. There are no significant risks to human health.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	N	The SPD applies to the Mid Devon District Area with the impacts likely to be felt by a significant proportion of the District population (approximately 80,000) where development occurs.
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	Mid Devon has a number of heritage assets across the area. These are covered by other policies in the Local Plan and specific legislation. The SPD seeks a positive approach to maintain, or improve the setting of these assets through careful consideration of landscape and settlement form. The SPD seeks to guide development in keeping with

		the principles of national, regional and local strategic policy and seek to prevent over intensive development.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The SPD seeks to promote good design and therefore is likely to have a positive effect on areas or landscapes which have a recognised natural, Community or international protection status including the Blackdown Hills AONB and Dartmoor National Park.

### 3.0 Conclusions

3.1 This SEA screening has identified that the draft Mid Devon Design Guide SPD is unlikely to have significant effects on the environment.

3.2 The SEA screening has also found that there is no requirement for the Mid Devon Design Guide SPD to be subject to a full SEA.

### 4.0 Next steps

4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

4.2 The screening opinion will be published alongside the Draft Mid Devon Design Guide and will also be subject to public consultation.



## **Draft Mid Devon Design Guide Supplementary Planning Document**

### **Habitat Regulations Assessment Screening Report**

**November 2019**

## **1.0 Mid Devon Design Guide**

### *Purpose, scope and content*

- 1.1 Mid Devon District Council has used consultants, DHUD Ltd in conjunction with Hilton Barnfield Architects and Hyas Associates Ltd, to help prepare a Design Guide for Mid Devon District. This is currently in a Draft form, intended for public consultation.
- 1.2 The purpose of the Mid Devon Design Guide is provide detailed guidance on urban, village and rural design in Mid Devon that can be used to help improve the design of development proposals submitted to the Council for determination and inform the decisions made on these.
- 1.3 The Mid Devon Design Guide has been prepared with regard to character and local distinctiveness of the district, including its landscape and settlements, and also taking into consideration health, climate change and sustainability.
- 1.4 The Mid Devon Design Guide comprises four volumes: Procedural; Settlement and Landscape; Compendium of District Design; and, Special Topic Sheets. It also includes a Pocket Toolkit.
- 1.5 The Mid Devon Design Guide includes eleven core principles:
  - CP1 Supporting, through design, Mid Devon District Council's and Devon County Council's commitment to creating a carbon zero district and county by 2030;
  - CP2 Identifying and facilitating local distinctiveness;
  - CP3 Representing in design, the unique landscape and settlement form of Mid Devon and the interaction between the two;
  - CP4 Providing a variety of non-prescriptive guidance usable in a range of ways;
  - CP5 Facilitating and maintaining design conversation which remains focussed on, and is proportionate to relevant issues;
  - CP6 Enabling continuity of approach and decision making;
  - CP7 Labour saving (providing a rich source of contextual information and other analysis);
  - CP8 Bringing political awareness of distinctiveness and the tools available to uphold high quality design;
  - CP9 Enabling a comprehensive design consideration through context appreciation;
  - CP10 Enabling better, more evidenced, policy compliance;
  - CP11 Enabling the preparation of evidenced Design and Access statements which demonstrate how planning proposals contribute positively to landscape and settlement distinctiveness by using the framework the Guide provides.

### *Relationship with the National Planning Policy and the National Design Guide*

- 1.6 The National Planning Policy Framework (2019) paragraph 124 makes clear "the creation of high quality buildings and places is fundamental to what the planning and development

process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development more acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this". Paragraph 126 adds "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design." The Mid Devon Design Guide is consistent with the National Planning Policy Framework.

- 1.7 The Government published the National Design Guide in October 2019. This provides a common overarching framework for design based on ten characteristics reflecting the Government's priorities for design. It also highlights the importance of local Design Guides in setting out and understanding the local context and analysis of local character and identity. The Mid Devon Design Guide complements the National Design Guide by doing this.

#### *Relationship with the Mid Devon Local Plan*

- 1.8 The Council is preparing a new local plan for Mid Devon. The Mid Devon Local Plan Review 2013-2033 ("Local Plan Review") is at an advanced stage in its preparation. It is currently being examined by an Inspector appointed by the Planning Inspectorate and is currently subject to a main modifications stage. It is anticipated it will be adopted in the spring 2020. Once adopted the Local Plan Review will replace the current Mid Devon Local Plan, which includes:

- Core Strategy (adopted 2007)
- Allocations and Infrastructure Development Plan Document (adopted 2010)
- Development Management Policies (adopted 2013)

- 1.9 The Local Plan Review Policy DM1 High Quality Design will provide the policy baseline for the more detailed guidance included in the Mid Devon Design Guide:

#### ***Policy DM1***

#### ***High Quality Design***

*Designs of new development must be of high quality, based upon and demonstrating the following principles:*

- a. *Clear understanding of the characteristics of the site, its wider context and the surrounding area;*
- b. *Efficient and effective use of the site, having regard to criterion (a);*
- c. *Positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets;*
- d. *Creation of safe and accessible places that also encourage and enable sustainable modes of travel such as walking and cycling;*
- e. *Visually attractive places that are well integrated with surrounding buildings, streets, landscapes and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring uses, taking account of:*
  - i. *Architecture*
  - ii. *Siting, layout, scale and massing*
  - iii. *Orientation and fenestration*

- iv. *Materials, landscaping and green infrastructure*
- f. *Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available.*

1.10 At the time of preparing the Mid Devon Design Guide, the Council has followed post examination hearings advice from the Planning Inspector and has proposed a Main Modification to Policy DM1. These include the addition of three further criteria to Policy DM1 as follows:

- g) *Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;*
- h) *Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and*
- i) *On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'.*

1.11 The Mid Devon Local Plan Review (2013 – 2033) has been subject to a Sustainability Appraisal (SA) , which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.

#### *Status of the Mid Devon Design Guide SPD*

1.12 The Mid Devon Design Guide will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

## **2.0 Habitat Regulations Assessment**

### *Habitat Regulations Assessment*

2.1 A Habitat Regulations Assessment (HRA) refers to the several distinct stages of Assessment. These must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) to determine whether a plan or project may affect the protected features of a European site ('habitats site') identified under these regulations before deciding whether to undertake, permit or authorise it.

### *Screening*

2.2 All plans and projects which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration is typically referred to as the 'Habitats Regulations Assessment screening' and should take into account the potential effects both of the plan/project itself and in combination with other plans or projects.



- 2.3 Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the plan or project for that site, in view the site's conservation objectives must be undertaken. A plan or project may be agreed to only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.
- 2.4 In April 2018, the Court of Justice of the European Union delivered its judgement in Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta ('People over Wind'). The judgment clarified that making screening decisions as part of the HRA and for the purposes of deciding whether an appropriate assessment is require, mitigation measures cannot be taken into account. Mitigation measures intended to avoid or reduce the harmful effects of a plan or project can only be taken into account at the appropriate assessment stage.
- 2.5 The Mid Devon Design Guide SPD has been 'screened' for the purpose of Habitat Regulations Assessment (HRA) to assess whether it may affect the protected features of a 'habitats site' identified under the Conservation of Habitats and Species Regulations 2017 as amended and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).

### 3.0 Habitats site

- 3.1 A Habitats site refers to any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.
- 3.2 There are no Habitats sites within Mid Devon although there are 11 such sites within 10km (Table 1), the closest being the Culm Grasslands SAC which lies immediately adjacent to the north western boundary of Mid Devon District.

Table 1: Habitats Sites within 10km of Mid Devon District		
Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
<ul style="list-style-type: none"> <li>• East Devon Pebblebed Heaths</li> <li>• Culm Grasslands</li> <li>• South Dartmoor Woods</li> <li>• Holme Moor and Clean Moore</li> <li>• Dartmoor</li> <li>• Exmoor Heaths</li> <li>• Quants</li> <li>• Exmoor and Quantock Oakwoods</li> </ul>	<ul style="list-style-type: none"> <li>• Exe Estuary</li> <li>• East Devon Heaths</li> </ul>	<ul style="list-style-type: none"> <li>• Exe Estuary</li> </ul>

### *Potential Impacts on Habitats Site*

3.3 There are a number of categories that can affect Habitats Sites which include:

- Physical Loss
- Physical Damage
- Non-physical disturbance
- Water table/availability
- Toxic contamination
- Non-toxic contamination
- Biological disturbance

## **4.0 Mid Devon Local Plan Review 2013 – 2033 HRA**

- 4.1 As the competent authority under The Conservation of Habitats and Species Regulations (2010) (now 2017 as amended) Mid Devon District Council has been required to assess its Local Plan Review 2013-2033 as part of the HRA process.
- 4.2 A full HRA Report for the Mid Devon Local Plan Review 2013-2033 was undertaken March 2015 and related to the Publication Draft version of the Local Plan Review. This concluded that adverse effects on the integrity of European sites (referred to in this report as Habitats sites) around Mid Devon from policy and site options in the new Local Plan, either alone or in combination with other plans, will not occur.
- 4.3 Two HRA Addenda were prepared in 2016. The first (dated August 2016) was prepared in order to update the findings of the March 2015 HRA Report in light of changes to the supply of housing and employment land that were made in the Submission version of the Local Plan Review. The HRA Addendum screened the changes to policies in the Local Plan Review and concluded that, for each change, the screening conclusions of the March 2015 HRA Report would have been the same and the same Appropriate Assessment work would therefore have been undertaken. The second HRA Addendum (December 2016) presented Appropriate Assessment work that was undertaken in relation to potential air pollution impacts on the Culm Grasslands SAC that could result from development at Junction 27 and the associated additional housing required.
- 4.4 A third HRA addendum was prepared in October 2019 which presented an assessment of the proposed Main Modifications raised by the Planning Inspector appointed by the Secretary of State to undertake the independent examination of the Mid Devon Local Plan Review (2013-2033). This concluded that the HRA for the Mid Devon Local Plan Review remain that the Local Plan Review (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites (referred to in this report as Habitats sites), either alone or in-combination with other plans or projects. These proposed Main Modifications include the proposed Main Modification to Mid Devon Local Plan Review Policy DM1 High Quality Design. The third HRA addendum has found that the proposed Main Modification to Policy DM1 does not change the HRA findings previously reported.

## **5.0 Mid Devon Design Guide SPD HRA Screening**

- 5.1 The Mid Devon Design Guide SPD expands upon policies within the Mid Devon Local Plan Review 2013-2033. The SPD does not introduce new policies or proposals outside the scope of the Local Plan Review. Policies in the Mid Devon Local Plan Review, including Policy DM1 High Quality Design have already been subject to HRA with the conclusion that the Mid Devon Local Plan Review is not likely to have adverse effects on the integrity of European sites (referred to in this report as Habitats sites), either alone or in-combination with other plans or projects. The Design Guide SPD does not result in development itself but seeks to guide development in providing good design. The Mid Devon Design Guide SPD is therefore not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.

## **6.0 Conclusion**

- 6.1 This screening report has identified that the draft Mid Devon Design Guide SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.

## **7.0 Next steps**

- 7.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.
- 7.2 The screening opinion will be published alongside the Draft Mid Devon Design Guide and will also be subject to public consultation.

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## **CABINET 21 NOVEMBER 2019**

### **THE CURRENT GOVERNANCE ARRANGEMENTS OF MID DEVON DISTRICT COUNCIL**

**Cabinet Member(s):** Cllr Bob Deed, Leader of the Council  
**Responsible Officer:** Kathryn Tebbey, Group Manager for Legal Services and Monitoring Officer

**Reason for Report:** to consider the current governance arrangements and some suggested changes which might, if Members agree, improve them.

#### **RECOMMENDATION: that**

- 1 the Standards Committee be asked to recommend to Council that the changes to the current arrangements set out in part 3 of this report be agreed and the Constitution amended accordingly; and**
- 2 the Monitoring Officer be asked to draft the changes to the Constitution required to implement those changes for consideration by the Standards Committee.**

**Financial Implications:** None directly arising from this report.

**Legal Implications:** As set out in this report. If, notwithstanding this report, Members subsequently want to look at alternative arrangements to those currently in place, specific legal advice would be provided at that time.

**Risk Assessment:** None directly arising from this report.

**Equality Impact Assessment:** None directly arising.

**Relationship to Corporate Plan:** There are overarching priorities in the Plan – efficiencies and value for money, digital transformation and staff/member development.

**Impact on Climate Change:** None directly arising from this report. However, an increase in council meetings (regardless of the form of governance arrangements), may result in more travel to and from meetings by Members.

#### **1.0 Introduction/Background**

- 1.1** The purpose of this report is to consider the current governance arrangements and make recommendations for change, where appropriate. The current governance arrangements operated in Mid Devon District Council are that of the strong leader and executive (cabinet) model.

- 1.2 Section 9B of the Local Government Act 2000 prescribes the forms of governance which may be adopted by local government bodies. These are executive arrangements, committee system or 'prescribed arrangements'. The Council can only choose between those options.
- 1.3 Executive arrangements include the Leader/Cabinet system deployed by the Council and set out in the Constitution. A cabinet must consist of the Leader and at least two more councillors appointed by the Leader – as required by section 9C of the Local Government Act 2000. So the Leader appoints and has the sole power to select the Cabinet. The only constraint is that the number of councillors in the Cabinet (in addition to the Leader) must not be less than the minimum (2) nor more than the maximum (10). The political balance rules are expressly dis-applied by law.
- 1.4 The Council's Constitution transfers the Leader/Cabinet system into its rules and procedures. It is important to recognise that the Council is not free to pick and choose the functions and responsibilities which are to be a matter for the Cabinet. Where a Cabinet system is operated, all functions are to be the responsibility of the Cabinet, unless the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 prescribe otherwise. The 2000 Regulations prescribe the functions which:
- must not be the responsibility of the executive e.g. certain consents, licences, elections etc.
  - may be the responsibility of the executive if that is what the Council wants (local choice)
  - may or may not be the responsibility of the executive, depending on particular prescribed circumstances e.g. decisions outside the policy framework or budget
- 1.5 The committee system is what it says it is – there are a number of committees discharging the business of the Council either under delegated powers from the Full Council or by recommending up to Full Council. Some Members may have experienced this arrangement when it was previously in operation at the Council.
- 1.6 Prescribed arrangements are additional permitted governance arrangements may be prescribed by the Secretary of State in regulations. They need to be proposed to the Secretary of State with an explanation of how the following conditions would be met:
- (a) the operation of the proposed arrangements would be an improvement on the arrangements in place;



- (b) the proposed arrangements would be likely to ensure that the decisions are taken in an efficient, transparent and accountable way; and
- (c) if prescribed, the arrangements would be appropriate for all local authorities to consider adopting.

## **2.0 Current arrangements for participation and scrutiny**

2.1 The Strong Leader and Cabinet model enables decisions to be made at pace in line with the policy and budgetary framework and the corporate plan. There are clear lines of accountability. Members naturally want to have the opportunity to influence decisions and to be involved. They want openness and transparency. Whilst the forward plan is no longer a statutory framework, it has been retained to show the major decisions coming up. Cabinet meetings are not only open to all members, but all members are entitled to attend and participate – a practice which is now in the Constitution.

2.2 Decisions of the Cabinet can be called in to Scrutiny Committee. Those who can call in are:

- the Chairman of Scrutiny
- any 3 members of Scrutiny
- any 4 members of the Council

On decisions called in, the Scrutiny Committee can already make recommendations to Full Council if it wishes - but the Full Council has no locus to make a decision in respect of a Cabinet function or responsibility unless it is contrary to the policy framework or budget. Full Council cannot override the Cabinet where such a decision is a matter for the executive.

## **3.0 Some options which might enhance the current arrangements**

Option 1 The Leader has suggested that the Cabinet may, at its discretion, “self-refer” to Full Council for a view before making a decision on controversial or locally significant matters - unless the decision is particularly urgent and cannot wait for the next scheduled meeting and an extraordinary meeting would be impractical. That would enable the Cabinet to sound out what all members think on a matter before taking the final decision. Of course, the Cabinet may decide not to go with the views of Full Council, but it will at least have a more detailed understanding of fellow members’ views – and such views can be expressed in the public domain at a formal meeting, rather than through informal consultation. The challenge is the potential for slower decision-making and delay.

- Option 2      Reports to Cabinet should include a section setting out whether the decision is within the Policy Framework and the Budget. This would assist members in understanding whether the decision is purely a Cabinet decision or one which could (or at times, must) be taken by Full Council.
- Option 3      Special urgency – decisions to be published “in any event on the next working day” although the Constitution accords with statute by requiring “as soon as reasonably practicable”.
- Option 4      Special urgency decisions referred to next Full Council, rather than quarterly. This would include decisions taken after the publication of the agenda but before the meeting. At times, it may require a verbal rather than a written report to meet this timescale.

**Contact for more Information:** Kathryn Tebbey, Group Manager for Legal Services and Monitoring Officer (01884) 234210 [ktebbey@middevon.gov.uk](mailto:ktebbey@middevon.gov.uk)

**Circulation of the Report:** The Leader; Leadership Team

**List of Background Papers:** None.

## CABINET

21 November 2019

### FINANCIAL UPDATE FOR THE SIX MONTHS TO 30 SEPT 2019

**Cabinet Member** Cllr Alex White

**Responsible Officer** Andrew Jarrett – Deputy Chief Executive (S151)

**Reason for Report:** To present a financial update in respect of the income and expenditure so far in the year.

#### RECOMMENDATION(S):

1. The Cabinet note the financial monitoring information for the income and expenditure for the six months to 30 September 2019 and the projected outturn position.

**Relationship to the Corporate Plan:** The financial resources of the Council impact directly on its ability to deliver the corporate plan; prioritising the use of available resources brought forward and any future spending will be closely linked to key Council pledges from the updated Corporate Plan.

**Financial Implications:** Good financial management and administration underpins the entire document.

**Legal Implications:** None.

**Risk Assessment:** Regular financial monitoring information mitigates the risk of unforeseen over or underspends at year end and allows the Council to direct its resources to key corporate priorities.

**Equality Impact Assessment:** It is considered that the impact of this report on equality related issues will be nil.

**Impact on Climate Change:** There are no direct impacts from the content of this report.

#### 1.0 Introduction

- 1.1 The purpose of this report is to highlight to Cabinet our current financial status and the likely reserve balances at 31 March 2020. It embraces both revenue, in respect of the General Fund; the Housing Revenue Account (HRA), and Capital and aims to focus attention on those areas which are unlikely to achieve budget. It is particularly important for next year's budget setting and, looking further ahead, with the medium term financial plan.
- 1.2 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers).

## 2.0 Executive Summary of 2019/20

- 2.1 The table below shows the opening position of key operational balances of the Council, the forecast in year movements and final predicted position at 31 March 2020:

Usable Reserves	31/03/2019	Forecast in year movement	31/03/2020
	£k	£k	£k
<b>Revenue</b>			
General Fund (see paragraph 3.2)	(2,501)	(29)	(2,530)
Housing Revenue Account (see paragraph 4.2)	(2,000)	0	(2,000)
<b>Capital</b>			
Capital Receipts Reserve	(3,620)	(1,212)	(4,832)
Revenue Contribution to Capital Earmarked Reserve	(415)	185	(230)

## 3.0 The General Fund Reserve

- 3.1 This is the major revenue reserve of the Council. It is increased or decreased by the surplus or deficit generated on the General Fund in the year. This reserve held a balance of £2.501m as at 31/03/19.
- 3.2 The forecast General fund **surplus** for the current year is £29k after transfers to and from Earmarked Reserves as shown at Appendix A. Members should note that we are currently undertaking a review of minimum reserve levels. We will subsequently bring a report to Cabinet with recommendations.

The **most significant variances** comprise:

	£k
Waste Services – Shared savings scheme and vacancies	(143)
Trade Waste and recycling - Increase in customers and reduced discounts etc.	(94)
New vehicle contract – Funded by EMR	55
Public Health – Air Quality S106 (covered by EMR) and legal costs	91
Planning – Downturn in Planning income less salary savings	165
Garden Village project – funded by EMR	83
S106 spend re Public Open Space – funded by EMR	76
Cullompton Master Plan – funded by EMR	60
Statutory Plan – Funded by EMR	46
Car Parking – Shortfall Premier Inn	19
General Fund Housing - Grant funding – to be earmarked	(127)
Property – Various including salary savings; loss of income; etc.	(23)
Legal – Software budget not required	(15)

Democratic Services – District Elections shortfall	25
Electoral Registration – Increase in IER funding and delayed boundary review	(47)
Leisure – Vacant posts etc. partly offset by utilities overspend	(7)
Revs and Bens – Various including reduced subsidy and salary savings	(9)
3 Rivers Impairment – Partly offset by a statutory reversal of £377k	503
Statutory Adjustments – Reversal of Capital impairment 3 Rivers	(377)
Statutory Adjustments – Reduction in Minimum Revenue Provision (less borrowing than anticipated)	(50)
Interest income – additional income	(150)
Earmarked Reserves transfers	(181)
Net Business Rates retention – more levy from increased growth	59

- 3.3 The major variances are highlighted at Appendix B. The current incomes from our major funding streams are shown at Appendix C, whilst current employee costs are shown at Appendix D.

#### **4.0 Housing Revenue Account (HRA)**

- 4.1 This is a ring-fenced account in respect of the Council's social housing function. Major variances and proposed corrective action are highlighted at Appendix F.
- 4.2 Appendix E shows that the reserve opening balance is £2m. It is anticipated that the forecast variance of £486k surplus will increase the budgeted transfer to the Housing Maintenance Fund and so the HRA reserve balance should remain at £2m.
- 4.3 Overall, the HRA is forecast to underspend by £486k in 2019/20, made up of several deficits and surpluses, the most significant of which comprise the following:
- £53k underspend relating to planned revenue works – Building Services (DLO)
  - £150k underspend in relation to staffing within repairs team, Building Services (DLO)
  - £40k forecast reduced activity on DFG works - Building Services (DLO)
  - £90k underspend relating to staffing within Housing Services (tenancy)
  - £230k underspend relating to future HRA projects

#### **5.0 Capital Programme**

- 5.1 Capital projects, by their very nature, often overlap financial years. The status of this year's capital programme is shown at Appendix G.
- 5.2 The approved Capital Programme amounts to £31.548m (this includes the approved 2019/20 Budget £14.597m, slippage rolled forward from 2018/19 of £12.077m and additional projects approved since Q1 amounting to £4.874m). These additional projects are as follows:

£0.050m MSCP – Top deck resurfacing increased cost

£0.050m	Contribution to South West Mutual Bank
£0.468m	3 Rivers Loan - Threwstones
£1.224m	3 Rivers Loan – Orchard House
£0.650m	Cullompton Town Centre Relief Road
£0.050m	Tiverton EUE A361 Junction Phase 2
£2.100m	GP Practice NHS Hub Building Crediton
£0.282m	RTB Buyback

**£4.874m      Total**

- 5.3 The revenue monitoring report reflects the fact that the 3 Rivers project, Rear of Town Hall development (Riverside) is likely to overspend by c£377k. We have therefore impaired this loan by an equal amount. As this is a capital loan it is reversed in the revenue account but it will have an impact in 2020/21 when it will trigger Minimum Revenue Provision (MRP) payments over 3 years of £126k per annum. Any increase in this overspend will of course add a further pressure.
- 5.4 We also have a “working capital loan” with 3 Rivers which is currently at risk (£504k). This was due to be repaid over 5 years but as there is doubt over the ability of the company to repay this in this timescale, it is prudent to impair it over the remaining life of the loan, 4 years at £126k per annum. This is a real cost to the revenue account. Both the £377k and the £125k are shown against Corporate Management.
- 5.5 As stated in 5.1, some of these projects will overlap financial years. Managers have therefore given their best estimate of what is ‘deliverable’ for 19/20; this amounts to £11.782m (£7.277m in Quarter 1). Therefore, committed and actual expenditure will be monitored against this revised ‘deliverable’ budget for the remainder of the year.
- 5.6 The deliverable budget has been established following meetings with managers to determine a realistic forecast of spend based on known information at this point in the year. This will continue to be revisited for material changes.
- 5.7 Committed and Actual expenditure is currently £8.687m against a ‘deliverable’ Capital Programme of £11.782m leaving a variance of £3.095m uncommitted at this point in time.
- 5.8 Additional work has been undertaken to establish forecast slippage and potential underspends against the approved Capital Programme and are also detailed on Appendix G.
- 5.9 Forecast slippage amounts to £4.445m, which mainly relates to: £0.900m in relation to the Tiverton redevelopment project, £0.602m in relation to the 3 Rivers Project at the rear of the Town Hall which is forecast to be completed in 21/22, £0.547m for the 3 Rivers Project at Orchard House that will be completed in 20/21, £0.600m in relation to Land Acquisition for operational needs and £1.350m in relation to Council House building at Round Hill, Tiverton. For further detail please refer to Appendix G.



- 5.10 A comprehensive review of projects has also been undertaken to either remove them from the 19/20 Programme where no longer required or re-profile into the 20/21 to 23/24 MTFP that was presented at 17 October 2019 Cabinet. The forecast net underspend amounts to £11.738m, this mainly relates to: £3.7m for the District Wide Redevelopment Project, £2m for Waddeton Park, (this is now included in future years in the Capital MTFP presented at the October Cabinet), £2.1m to enable Social Housing projects and two Council House Building Projects at £2m each which have been further quantified in the forward MTFP. Again, for further detail please refer to Appendix G.

## 6.0 Revenue Contribution to Capital EMR

- 6.1 The Capital Earmarked Reserve has been set aside from Revenue to fund Capital Projects; the movement on this reserve is projected below:

	£k
Capital Earmarked Reserve at 1 April 2019	(415)
Funding required to support 2019/20 Capital Programme	185
<b>Forecast uncommitted Balance at 31 March 2020</b>	<b>(230)</b>

## 7.0 Capital Receipts Reserve (Used to fund future capital programmes)

- 7.1 Unapplied useable capital receipts are used to part fund the capital programme, the movement on this account for the year to date is given below:

	£k
Unapplied Useable Capital Receipts at 1 April 2019	(3,620)
Net Receipts to Q2 (includes 21 "Right to Buy" Council House sales)	(1,215)
<b>Current Balance</b>	<b>(4,835)</b>
Forecast further capital receipts in year	(600)
Forecast capital receipts required to support 2019/20 Capital Programme	603
<b>Forecast Unapplied Capital Receipts 31 March 2020</b>	<b>(4,832)</b>

- 7.2 The forecast reserve balance for the Revenue Contribution to Capital Reserve and the Capital Receipts Reserve includes the associated funding of the 19/20 Capital Programme, as these monies are committed. In reality, much of this will slip to 20/21. It is also important to note that these balances are likely to be fully utilised in order to balance the Capital Medium Term Financial Strategy.

## 8.0 Treasury Management

8.1 The interest position so far this financial year can be summarised as follows:

Interest Receivable:

	Budget £k	Forecast outturn £k	Forecast variance £k
Investment Income Received	(443)	(533)	(90)
Interest from HRA funding	(49)	(49)	0
<b>Total Interest Receivable</b>	<b>(492)</b>	<b>(582)</b>	<b>(90)</b>

8.2 The additional income from 3 Rivers loans and the interest rate is holding well due to the delay in Brexit. The interest saving in interest payable is due to the fact we have not taken out external borrowing (PWLb), as expenditure has been low and we have funded initially from internal resources.

## 9.0 Council Tax and Housing Benefits Collection Performance – 2018/19

9.1 We have added a new Appendix H to outline the performance in this area for the previous year and to compare collection rates to national averages. The statistics show that our results are commendable when compared to national averages.

## 10.0 Conclusion

10.1 Members are asked to note the revenue and capital forecasts for the financial year. Managers are working hard to offset overspends, some of which are unavoidable, with budget savings to deliver an outturn close to the budget. Members will be aware that management action has improved the position from Quarter 1 which was showing a projected overspend of £427k.

10.2 The work undertaken to produce this monitoring information to 30 Sept 2019 will be used to inform the 2020/21 Budget setting process where required.

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**Circulation of the Report:**

Cllr Alex White, Leadership Team

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER  
2019**

		2019/2020 Annual Budget	Full Year Forecast	Full Year Variance (0 = On budget)	Variance
General Fund Summary	Note	£		£	%
<b>Cllr Bob Deed</b>					
Corporate Management	A	1,696,520	2,209,520	513,000	30.2%
<b>Cllr Luke Taylor</b>					
Grounds Maintenance	E	596,740	587,740	(9,000)	-1.5%
Cemeteries & Bereavement Services	D	(86,540)	(76,540)	10,000	-11.6%
Waste Services	H	1,983,480	1,797,307	(186,173)	-9.4%
<b>Cllr Dennis Knowles</b>					
Community Development	I	104,660	99,660	(5,000)	-4.8%
Environmental Services incl. Licensing	D	770,010	854,882	84,872	11.0%
IT Services	Q	972,610	989,210	16,600	1.7%
Land charges	N	(20,530)	(30,530)	(10,000)	48.7%
Open Spaces	F	91,800	97,112	5,312	5.8%
Recreation And Sport	J	740,302	746,618	6,316	0.9%
<b>Cllr Alex White</b>					
Finance And Performance	K	707,320	707,320	0	0.0%
Revenues And Benefits	L	430,400	422,525	(7,875)	-1.8%
Car Parks	C	(535,210)	(502,210)	33,000	6.2%
<b>Cllr Simon Clist</b>					
Private Sector Housing	D	(6,070)	12,820	18,890	-311.2%
General Fund Housing	M	212,630	75,650	(136,980)	-64.4%
Property Services	G	644,230	619,720	(24,510)	-3.8%
<b>Cllr Graeme Barnell</b>					
Community Development: Markets	I	50,180	65,180	15,000	29.9%
Planning And Regeneration	N	1,296,884	1,707,157	410,273	31.6%
<b>Cllr Mrs Nikki Woollatt</b>					
Customer Services	O	770,510	751,510	(19,000)	-2.5%
Human Resources	P	465,090	480,090	15,000	3.2%
Legal & Democratic Services	B	1,136,206	1,076,136	(60,070)	-5.3%
Public Health	D	(4,890)	(4,890)	0	0.0%
<b>All General Fund Services</b>		<b>12,016,332</b>	<b>12,685,987</b>	<b>669,655</b>	<b>5.6%</b>
Net recharge to HRA		(1,534,110)	(1,534,110)	0	
Statutory Adjustments (Capital charges)		333,280	(93,720)	(427,000)	
<b>Net Cost of Services</b>		<b>10,815,502</b>	<b>11,058,157</b>	<b>242,655</b>	<b>2.2%</b>
Finance Lease Interest Payable		44,420	44,420	0	
Interest from Funding provided for HRA		(49,000)	(49,000)	0	
Interest Receivable / Payable on Other Activities		167,580	107,580	(60,000)	
Interest Receivable on Investments		(442,540)	(532,540)	(90,000)	
Transfers into Earmarked Reserves	APP B	2,267,363	2,603,030	335,667	
Transfers from Earmarked Reserves	APP B	(2,036,744)	(2,552,996)	(516,252)	
Contribution from New Homes Bonus Reserve	APP B	(587,850)	(587,850)	0	
<b>Total Budgeted Expenditure</b>		<b>10,178,731</b>	<b>10,090,801</b>	<b>(87,930)</b>	<b>-0.9%</b>
Revenue Support Grant		0	0	0	
Rural Services Delivery Grant		(466,695)	(466,695)	0	
New Homes Bonus Grant		(1,243,503)	(1,243,503)	0	
Retained Business Rates		(3,247,005)	(3,125,195)	121,810	
Business Rates Deficit		778,906	778,906	0	
Business Rates Benefit from Devon Pool		(100,000)	(163,000)	(63,000)	
CTS Funding Parishes		0	0	0	
Collection Fund Surplus		(71,330)	(71,330)	0	
Council Tax		(5,829,104)	(5,829,104)	0	
<b>Total Budgeted Funding</b>		<b>(10,178,731)</b>	<b>(10,119,921)</b>	<b>58,810</b>	<b>-1%</b>
<b>Forecast in year (Surplus) / Deficit</b>		<b>0</b>	<b>(29,120)</b>	<b>(29,120)</b>	
General Fund Reserve 30/09/2019				(2,483,294)	
<b>Forecast General Fund Balance 31/03/2020</b>				<b>(2,512,414)</b>	

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2019**

Note	Description of Major Movements	Full year variance (net of transfer to EMR)	PDG
<b>A</b>	<b>Corporate Management</b>		
	Forecast overspend on bank charges	10,000	Cabinet
	3 Rivers - Working capital impairment - IFRS 9 the risk of non-repayment of the loan	126,000	Cabinet
	3 Rivers - Riverside impairment - Relates to the potential overspend on the project leading to non-repayment of loan	377,000	Cabinet
		<b>513,000</b>	
<b>B</b>	<b>Legal &amp; Democratic Services</b>		
	Legal Services-estimated underspend against the salary budget due to a vacant post	(5,500)	Cabinet
	Legal Services-estimated under recovery of S106 income	10,000	Cabinet
	Legal Services-fees and charges income higher than budget	(4,000)	Cabinet
	Legal Services-software budget not required	(15,400)	Cabinet
	Member Services-estimated savings against the salary budget due to carrying a vacancy for a number of months	(7,000)	Cabinet
	Electoral Registration-increase in IER funding above budget	(16,800)	Cabinet
	District Elections- After utilising earmarked reserves estimate of £25k shortfall in covering election spend	25,000	Cabinet
	Electoral Registration-saving against the salary budget due to vacancy	(5,000)	Cabinet
	Parish Elections- Recharging more of the costs to parishes than previously forecast	(7,500)	Cabinet
	Democratic Rep-savings on internet access payments and Members registration	(3,870)	Cabinet
	Electoral Registration- Budget for boundary review no longer required	(30,000)	Cabinet
		<b>(60,070)</b>	
<b>C</b>	<b>Car Parks</b>		
	P&D Income shortfall forecast in MSCP of £24k due to ongoing Premier Inn works, forecasting increased income in some of our P&D car parks of £5k.	19,000	Economy
	MSCP - Increased Security patrols to protect users and property from anti-social behaviour, has resulted in a budget overspend.	6,000	Economy
	Increased Electricity usage due to 24 hour opening of the MSCP and increased usage from contractors.	8,000	Economy
		<b>33,000</b>	
<b>D</b>	<b>Public Health combined</b>		
	Net of S106 Air Quality expenditure & income, covered by transfers from EMRs	71,872	Community
	One off unavoidable Employment costs in Public Health	4,900	Community
	Licensing - Salary overspend due to JE regrades. We will be able to adjust fees going forward and hope to recover some of this overspend this year.	8,100	Community
	External Legal costs associated with major Housing prosecution, some costs awarded by the Courts but remain outstanding.	18,890	Homes
	Cemetery Income below profile for 2nd Qtr, will review month by month.	5,000	Environment
	Reduced income on Regulatory Services	5,000	Environment
		<b>113,762</b>	
<b>E</b>	<b>Grounds Maintenance</b>		
	Salary savings - vacant Team Leader post not recruited to whilst service structure is being reviewed	(25,000)	Environment
	New vehicle contract - funded from earmarked reserve in year	16,000	Environment
		<b>(9,000)</b>	
<b>F</b>	<b>Open Spaces</b>		
	S106 Expenditure funded by transfer from an EMR	5,312	Community
		<b>5,312</b>	
<b>G</b>	<b>Property Services</b>		
	New vehicle contract - funded from earmarked reserve in year	6,000	Environment
	Public Conveniences Utility charges are lower then budgeted due to reduction in the number of PC's and more accurate billing from Laser.	(7,000)	Environment
	Historic Business Rates reduction applied to Phoenix House due to office mergers have resulted in a rates underspend.	(43,000)	Homes
	Un-budgeted costs for the upgrade of communication equipment in the Exe Room, off-set against underspend on Rates	14,000	Homes
	Security costs higher than budget for Phoenix House	6,600	Homes
	Salary savings within Property Services due to vacant posts (partially off-set by Agency costs)	(70,000)	Homes
	Agency overspend covering vacant posts within Property Services	14,500	Homes
	Loss of income from Fore Street Flats and rates from vacant shop unit	21,390	Economy
	Loss of rental income and increased costs from rates and service charges due to vacant units within Market Walk	33,000	Economy
		<b>(24,510)</b>	
<b>H</b>	<b>Waste Services</b>		
	Vacant posts part offset by agency	(28,000)	Environment
	Additional overtime in Recycling due to operational issues	10,000	Environment
	Waste - Shared Saving Scheme increase from budget. 2018-19 additional £79k and estimating an additional £46k for 2019-20	(125,000)	Environment
	S106 income, transferred to an EMR	827	Environment
	Trade Waste - Increase in customer base and reduced discounts - leading to increased income	(89,000)	Environment
	Trade Waste - Purchase of additional bins	20,000	Environment
	Trade Waste - Disposal costs up due to an increase in customer base	10,000	Environment
	Garden waste, permit sales up	(5,000)	Environment
	Recycling materials, paper tonnage and price down against budget	44,000	Environment
	Recycling materials, mixed plastics tonnage and price up against budget	(79,000)	Environment
	New vehicle contract - funded from earmarked reserve in year	55,000	Environment
		<b>(186,173)</b>	
<b>I</b>	<b>Community Development</b>		

	Community Development grant funding	(5,000)	Community
	Salaries - job evaluation and additional cover over the busy Christmas period	15,000	Community
		<b>10,000</b>	
<b>J</b>	<b>Recreation And Sport</b>		
	Salaries - vacant posts.	(80,000)	Community
	Dryside - loss of income due to termination of contract with a 3rd party and recruitment issues re qualified staff.	20,000	Community
	Over achieving membership targets for fitness.	(24,000)	Community
	Vouchers cashed in against fitness and wetside income.	6,000	Community
	Savings due to not renewing cascade communication software	(3,500)	Community
	Wetside - reduction in casual swim as per the national trend within the industry	17,500	Community
	Feasibility Study	11,716	Community
	Utilities overspend due to Energy provider invoicing now is more accurate	58,600	Community
		<b>6,316</b>	
<b>K</b>	<b>Finance And Performance</b>		
		<b>0</b>	
<b>L</b>	<b>Revenues And Benefits</b>		
	Housing Benefit Subsidy & Overpayment recovery	40,000	Community
	Forecast income from Court Costs is anticipated to be lower than Budgeted	14,000	Community
	Estimated income from Single Occupancy Discount penalties (not budgeted)	(20,000)	Community
	Additional Forecast C/Tax Annexe Grant	(4,000)	Community
	Revenues and Benefits forecast salary savings; in the main due to vacant posts in HB in part offset by additional overtime & temporary increases for supervisors acting up	(19,000)	Community
	Software costs associated with Citizens Access	33,950	Community
	Software costs associated with new CTR scheme	11,000	Community
	Various New Burdens grants from DWP in respect of Housing Benefits initiatives delivered within existing resource	(49,000)	Community
	Adjustment to CTB entitlement (re pre 01/04/13 CTB old scheme) not required to be repaid to DCLG & additional CTB admin grant than budgeted	(5,600)	Community
	Additional New Burdens NNDR Grant for the administration of Retail Rate Relief delivered within existing resource	(9,225)	Community
		<b>(7,875)</b>	
<b>M</b>	<b>General Fund Housing</b>		
	Community Alarms: estimated surplus due to underspend on service overheads	(10,000)	Homes
	GF Housing: grant funding received will be earmarked towards future service sustainability	(126,980)	Homes
		<b>(136,980)</b>	
<b>N</b>	<b>Planning And Regeneration</b>		
	Net of S106 Public Open Space expenditure & income, covered by transfers from EMRs	76,153	Community
	Garden Village project consultancy spend funded by transfer from EMR	82,770	Community
	Salary savings due to not recruiting for the secondment of the graphics technician, a delay in recruitment of the monitoring information officer and maternity savings	(17,000)	Community
	Statutory Plan - saving on budgeted GESP contribution	(5,000)	Community
	Statutory Plan - Local Plan costs funded by transfer from EMR	45,500	Community
	Development Management - planning income. Consistently over the last 12 mths there has been a downturn in fees, this has been driven by external circumstances affecting the submission of larger fee earning applications. Officers are working with developers to try and bring forth applications via the pre application process. Most recently the forecast shortfall has in part been offset through a major fee bearing application	182,000	Community
	Development Management - supplies & services. Main contributor being required advertising.	7,000	Community
	Cullompton Town Centre Masterplan, funded by transfer from EMR	60,000	Community
	Business Development Grant funding	(10,500)	Community
	Income from Section 97 work	(10,650)	Community
	Land charges Devon County Council searches	(10,000)	Community
		<b>400,273</b>	
<b>O</b>	<b>Customer Services</b>		
	Hardware support and maintenance - customer services and replacement of the self service kiosk (funded from reserve)	10,000	Community
	Overtime budget not required	(4,000)	Community
	Vacancy Savings	(25,000)	Community
		<b>(19,000)</b>	
<b>P</b>	<b>Human Resources</b>		
	Realignment of basic establishment prior to review of service needs	15,000	Cabinet
		<b>15,000</b>	
<b>Q</b>	<b>I.T. Services</b>		
	Digital services cloud software licence - expenditure covered by salary savings in the CS codes	7,500	Cabinet
	Idox support fees more than budgeted	7,800	Cabinet
	Central Government have delayed moving towards utilising the public internet for submission of statutory returns - meaning the Council has to pay for a private sector network connection to submit its returns	9,600	Cabinet
	Vacant posts	(8,300)	Cabinet
		<b>16,600</b>	
	<b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2020</b>	<b>669,655</b>	

Cabinet	484,530
Community	479,898
Homes	(195,990)
Environment	(186,173)
Economy	87,390
	<b>669,655</b>



**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2019**

Fees and Charges	2019/20 Annual Budget £	2019/20 Profiled Budget £	2019/20 Actual £	2019/20 Variance £	Full Year Forecast Variation £	Variance %
Building Control Fees	(240,000)	(120,000)	(146,860)	(26,860)	0	0%
Planning Fees	(946,500)	(473,250)	(306,234)	167,016	182,000	-19%
Land Search Fees	(120,000)	(60,000)	(62,263)	(2,263)	0	0%
Car Parking Fees - See Below	(733,290)	(351,726)	(347,767)	3,960	19,000	-3%
Leisure Fees & Charges	(2,881,030)	(1,459,766)	(1,322,266)	137,499	26,000	-1%
Trade Waste Income	(699,000)	(694,810)	(771,317)	(76,507)	(89,000)	13%
Garden Waste	(482,100)	(170,030)	(171,800)	(1,770)	(5,000)	1%
Licensing	(145,190)	(58,660)	(55,459)	3,201	0	0%
Market Income	(83,350)	(30,397)	(35,346)	(4,949)	0	0%
	<b>(6,330,460)</b>	<b>(3,418,639)</b>	<b>(3,219,312)</b>	<b>199,327</b>	<b>133,000</b>	<b>-2.1%</b>

Car Parking Fees					Bud Income pa per space
				Spaces	
Beck Square, Tiverton	(79,500)	(42,843)	(41,497)	1,345	(1,988)
William Street, Tiverton	(26,280)	(13,266)	(12,675)	591	(584)
Westex South, Tiverton	(49,000)	(26,538)	(23,467)	3,071	(961)
Wellbrook Street, Tiverton	(14,000)	(7,055)	(7,666)	(611)	(519)
Market Street, Crediton	(37,500)	(19,928)	(18,501)	1,427	(962)
High Street, Crediton	(75,000)	(38,310)	(40,664)	(2,354)	(395)
Station Road, Cullompton	(33,500)	(18,720)	(20,540)	(1,820)	(299)
Multistorey, Tiverton	(126,980)	(65,623)	(52,372)	13,251	(201)
Market Car Park, Tiverton	(210,000)	(103,167)	(105,585)	(2,418)	(1,721)
Phoenix House, Tiverton	(5,500)	(2,775)	(2,765)	10	(367)
P&D Shorts & Overs	0	0	95	95	0
<b>Total Pay and Display</b>	<b>(657,260)</b>	<b>(338,224)</b>	<b>(325,637)</b>	<b>12,587</b>	<b>(7,995)</b>
Day Permits	(16,000)	(1,605)	(698)	908	
Allocated Space Permits	(41,500)	(2,702)	(9,442)	(6,740)	
Overnight Permits	(200)	0	(473)	(473)	
Day & Night Permits	(10,700)	(2,580)	(1,637)	943	
Other Income	(7,630)	(6,615)	(9,880)	(3,265)	
<b>Total Permits</b>	<b>(76,030)</b>	<b>(13,502)</b>	<b>(22,130)</b>	<b>(8,628)</b>	
<b>Total Car Parking</b>	<b>(733,290)</b>	<b>(351,726)</b>	<b>(347,767)</b>	<b>3,960</b>	
<b>Standard Charge Notices (Off Street)</b>	<b>(48,000)</b>	<b>(24,000)</b>	<b>(20,130)</b>	<b>3,870</b>	<b>0</b>

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2019**

<b>Employee Costs</b>	<b>2019/20 Annual Budget £</b>	<b>2019/20 Profiled Budget £</b>	<b>2019/20 Actual £</b>	<b>2019/20 Variance £</b>
<b>General Fund</b>				
Community Development	49,220	24,610	28,601	3,991
Corporate Management	1,457,520	728,760	712,884	(15,876)
Customer Services	688,440	344,220	312,921	(31,299)
Environmental Services	864,660	432,330	454,192	21,862
Finance And Performance	548,850	274,425	261,195	(13,230)
General Fund Housing	272,190	136,095	124,735	(11,360)
Grounds Maintenance	490,260	245,130	217,874	(27,256)
Human Resources	374,760	187,380	173,240	(14,140)
I.T. Services	548,920	274,460	271,300	(3,160)
Legal & Democratic Services	482,960	241,480	231,902	(9,578)
Planning And Regeneration	1,799,200	899,600	810,019	(89,581)
Property Services	628,270	314,135	301,926	(12,209)
Recreation And Sport	2,017,338	1,008,669	966,322	(42,347)
Revenues And Benefits	727,810	363,905	348,448	(15,457)
Waste Services	2,509,789	1,254,895	1,115,077	(139,818)
<b>Total General Fund</b>	<b>13,460,187</b>	<b>6,730,094</b>	<b>6,330,637</b>	<b>(399,457)</b>
<b>Housing Revenue Account</b>				
BHO09 Repairs And Maintenance	852,900	426,450	390,385	(36,065)
BHO10 Supervision & Management	1,508,730	754,365	691,713	(62,652)
BHO11 Special Services	0	0	0	0
<b>Total Housing Revenue Account</b>	<b>2,361,630</b>	<b>1,180,815</b>	<b>1,082,098</b>	<b>(98,717)</b>
<b>Total Employee Costs</b>	<b>15,821,817</b>	<b>7,910,909</b>	<b>7,412,735</b>	<b>(498,174)</b>

<b>Agency Staff (within Employee costs)</b>	<b>2019/20 Annual Budget £</b>	<b>2019/20 Profiled Budget £</b>	<b>2019/20 Actual £</b>	<b>2019/20 Variance £</b>
<b>General Fund</b>				
Car Parks	0	0	0	0
Community Development	0	0	0	0
Corporate Management	0	0	0	0
Customer Services	0	0	0	0
Environmental Services	0	0	0	0
Finance And Performance	0	0	0	0
General Fund Housing	0	0	0	0
Grounds Maintenance	25,000	12,500	28,896	16,396
Human Resources	0	0	9,962	9,962
I.T. Services	0	0	0	0
Legal & Democratic Services	0	0	0	0
Planning And Regeneration	0	0	0	0
Property Services	0	0	14,419	14,419
Recreation And Sport	0	0	0	0
Revenues And Benefits	0	0	3,788	3,788
Waste Services	121,641	60,821	178,299	117,478
<b>Total General Fund</b>	<b>146,641</b>	<b>73,321</b>	<b>235,364</b>	<b>162,043</b>
<b>Housing Revenue Account</b>				
BHO09 Repairs And Maintenance	0	0	0	0
BHO10 Supervision & Management	0	0	0	0
BHO11 Special Services	0	0	0	0
<b>Total Housing Revenue Account</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Agency Costs</b>	<b>146,641</b>	<b>73,321</b>	<b>235,364</b>	<b>162,043</b>

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HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO  
30 SEPTEMBER 2019

<b>Planned Works extract</b>				
Planned Works - Capital		2,285,000	0	0.0%
Planned Works - Revenue		1,325,500	(50,000)	-3.8%

		2019/2020 Annual Budget	Forecast	Variance
Housing Revenue Account (HRA)	Notes	£	£	%
<b>Income</b>				
SHO01 Dwelling Rents Income	A	(11,977,170)	0	0.0%
SHO04 Non Dwelling Rents Income	B	(564,870)	0	0.0%
SHO06 Tenant Charges For Services	C	0	0	0.0%
SHO07 Leaseholders' Service Charges	D	(21,640)	0	0.0%
SHO08 Contributions Towards Expenditure	E	(27,720)	0	0.0%
SHO09 Alarm Income - Non Tenants	F	0	0	0.0%
SHO10 H.R.A. Investment Income	G	(83,000)	(3,230)	3.9%
SHO11 Miscellaneous Income	H	(7,350)	0	0.0%
<b>Services</b>				
SHO13A Repairs & Maintenance	I	3,174,000	(163,000)	-5.1%
SHO17A Housing & Tenancy Services	J	1,732,360	(320,000)	-18.5%
<b>Accounting entries 'below the line'</b>				
SHO29 Bad Debt Provision Movement	L	53,000	0	0.0%
SHO30 Share Of Corporate And Democratic	M	199,100	0	0.0%
SHO32 H.R.A. Interest Payable	N	1,178,580		0.0%
SHO34 H.R.A. Transfers between earmarked reserves	O	1,713,350	0	0.0%
SHO36 H.R.A. Revenue Contribution to Capital	P	0	0	0.0%
SHO37 Capital Receipts Reserve Adjustment	Q	(26,000)	0	0.0%
SHO38 Major Repairs Allowance	R	2,285,000	0	0.0%
SHO45 Renewable Energy Transactions	S	(139,000)	0	0.0%
		(2,511,360)	(486,230)	-19.4%

Net recharge to HRA		1,534,110
Capital Charges		977,250
<b>Net Housing Revenue Account Budget</b>		<b>0</b>

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# HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2019

Note	Description of Major Movements	Corrective Action	Forecast
			Variance £
<b>G</b>	Interest received on cash balances higher than anticipated	N/A	(3,230)
<b>I</b>	Planned Revenue works to underspend by £53k across various areas. Salary underspend is principally due to vacant posts, a number of staff on maternity leave and new staff starting on reduced spinal points (estimated circa £150k). Forecast reduced activity on DFG works of circa £40k		(163,000)
<b>J</b>	There is an underspend (£90k) due to a number of retirements and posts not being filled immediately. In addition, provision for two posts was made in the budget to ensure that there was capacity to mitigate the impact of welfare reform and legislative changes to tenure. These posts remain unfilled and a watching brief is being kept on performance and workloads. Additionally a budget for new projects is forecast to be underspent by £230k, this budget will then be refreshed in 20/21	N/A	(320,000)
		<b>TOTAL</b>	<b>(486,230)</b>

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MID DEVON DISTRICT COUNCIL  
MONITORING OF 2019/20 CAPITAL PROGRAMME

Appendix G

Code	Scheme	Approved Capital Programme 2019/20	Total Slippage B/fwd & Adj to Approved Capital Programme 19/20	Budgeted Capital Programme 2019/20	Total Deliverable Programme 19/20	Actual Expenditure 2019/20	Committed Expenditure 2019/20	Total Actual & Committed Expenditure 2019/20	Variance to Deliverable Capital Programme	Forecast (Underspend)/ Overspend	Forecast Slippage to 20/21	Notes
		£	£	£	£	£	£	£	£	£	£	
	<b>General Fund Projects</b>											
	<b>Exe Valley Leisure Centre</b>											
CA633	Lords Meadow - Replace main pool filters	0	80,000	80,000	55,000	0	4,052	4,052	(50,948)			Project due to be completed by Q3 19/20
CA639	Spinning Room - New window - improve light	20,000	0	20,000	20,000	0	0	0	(20,000)			Project Complete Q2 19/20
CA640	Leisure Spinning Bike Replacement - all sites	60,000	0	60,000	60,000	60,000	0	60,000	0			Project Complete Q2 19/20
	<b>Culm Valley Leisure Centre</b>											
CA641	Fitness Gym Kit Replacement	185,000	0	185,000	185,000	0	15,901	15,901	(169,099)			
	<b>MDDC Depot Sites</b>											
CA829	Carlu Close - Air Conditioning units	25,000	0	25,000	20,000	308	0	308	(19,692)			Forecast project completion Q3 19/20
CA830	Carlu Close - Interceptor upgrade	30,000	0	30,000	30,000	371	1,430	1,801	(28,199)			Subject to EA - if required will be completed in Q3 19/20
CA831	Carlu Close - Solar PV options	20,000	0	20,000	20,000	308	600	908	(19,092)			Forecast project completion Q4 19/20
	<b>Play Areas</b>											
CA472	Open Space Infrastructure (incl Play Areas)	0	50,000	50,000	50,000	0	1,360	1,360	(48,640)			Forecast project completion Q4 19/20
CA632	Play area refurbishment District wide - Amory Park Tiverton	0	50,000	50,000	50,000	0	0	0	(50,000)		50,000	Forecast project completion Q3 20/21
CA628	Play area refurbishment - West Exe Recreation Ground Tiverton	0	50,000	50,000	50,000	0	0	0	(50,000)			Forecast project completion Q4 19/20
	<b>Other Projects</b>											
CA473	Land drainage flood defence schemes - St Marys Hemyock	0	25,000	25,000	25,000	0	0	0	(25,000)		25,000	Forecast project completion Q3 20/21
CA420	Land drainage flood defence schemes - Ashleigh Park Bampton	0	87,000	87,000	87,000	0	0	0	(87,000)		87,000	Forecast project completion Q3 20/21
CA574	Fore Street Flats refurbishment	0	47,000	47,000	47,000	150	2,463	2,613	(44,388)		45,000	
CA709	MSCP improvements (refer to Matrix condition report)	0	136,000	136,000	136,000	2,024	566	2,590	(133,410)			Phase 1 works will be complete by Q4 19/20
CA718	MSCP-Top Deck surfacing	70,000	50,000	120,000	70,000	0	0	0	(70,000)			Phase 1 works will be complete by Q4 19/20. Additional £50k approved at 22/08/19 Cabinet (minute 40)
CA476	Tiverton Cemetery - Infrastructure extension	80,000	0	80,000	80,000	0	0	0	(80,000)		40,000	Forecast project completion Q2 20/21
CA477	Land drainage flood defence schemes	25,000	0	25,000	25,000	0	0	0	(25,000)		25,000	Mary's Hemyock Project
CA202	Flexible Temporary Accomodation	75,000	0	75,000	75,000	0	0	0	(75,000)			
CA576	Tiverton Town Centre improvements	0	40,000	40,000	20,000	0	0	0	(20,000)			
CA579	Tiverton Town Centre - Street scene improvements	100,000	0	100,000	100,000	0	0	0	(100,000)			
CA832	Land acquisition for operational needs	600,000	0	600,000	0	0	0	0	0		600,000	This will be slipped into 2020/21
CA482	Contribution to South West Mutuals Bank	0	50,000	50,000	0	49,995	0	49,995	49,995			Per Cabinet report 07/03/19 to be funded by NNDR EMR
	<b>General Fund Development Schemes</b>											
CA575	District Wide Redevelopment project - Asset acquisition	0	3,953,000	3,953,000	45,000	65,155	53,200	118,355	73,355	(3,700,000)		Detailed schemes identified as part of forthcoming MTFP
CA462	Rear of Town Hall Development site (Riverside) - 3 Rivers Loan	0	3,679,000	3,679,000	3,077,110	1,185,260	1,891,850	3,077,110	0		601,890	This Project will cross financial years and be completed in 21/22
	3 Rivers Loan - Threwstones	0	468,000	468,000	468,000	355,000	113,000	468,000	0			This project will complete in 19/20
	3 Rivers Loan - Orchard House	0	1,224,000	1,224,000	677,500	157,500	520,000	677,500	0		546,500	This Project will cross financial years and be completed in 20/21
CA580	Tiverton redevelopment project	1,200,000	0	1,200,000	1,200,000	3,576	0	3,576	(1,196,425)		900,000	It is anticipated that the majority of the spend on this project will occur in 20/21
CA581	Waddeton Park	2,000,000	0	2,000,000	0	0	0	0	0	(2,000,000)		This project is now detailed in its entirety in the MTFP that was presented to Cabinet on 17/10/19
CA719	Cullompton Town Centre Relief Road	0	650,000	650,000	0	0	0	0	0			
CA720	Tiverton EUE A361 Junction Phase 2	0	50,000	50,000	0	0	0	0	0			
	GP Practice NHS Hub Building Crediton	0	2,100,000	2,100,000	0	0	0	0	0			
	<b>Economic Development Schemes</b>											
CA582	* Hydro Mills Electricity Project	680,000	0	680,000	0	0	0	0	0			
	* All Economic Development schemes are subject to acceptable Business Case											
	<b>ICT Projects</b>											
CA421	Desktop states replacement/refresh	0	6,000	6,000	6,000	6,594	0	6,594	594	600		Project complete
CA456	CRM replacement	0	175,000	175,000	175,000	0	0	0	(175,000)		175,000	It is anticipated that this project will slip into 20/21
CA474	Data centre hardware refresh servers/storage	0	120,000	120,000	100,000	97,854	0	97,854	(2,146)	(20,000)		Project complete
CA433	Unified Communications/telephony	0	107,000	107,000	32,000	32,554	0	32,554	554			Project to be delivered by Q4 19/20
CA464	Parking System Replacement (enforcement)	0	40,000	40,000	0	0	0	0	0	(40,000)		Project no longer required as coded to Revenue
CA465	Replacement Queue System	0	30,000	30,000	0	0	0	0	0			
CA423	Continued replacement of WAN/LAN	0	60,000	60,000	60,000	0	0	0	(60,000)	(60,000)		Project no longer required
CA425	Server farm expansion/upgrades	0	84,000	84,000	84,000	0	0	0	(84,000)			Project to be delivered by Q4 19/20
CA437	Digital Transformation	0	33,000	33,000	0	4	0	4	4			
CA478	UPS Power supplies refresh	25,000	0	25,000	20,000	19,925	0	19,925	(75)	(5,075)		Project complete
CA479	Continuous replacement/Upgrade of WAN/LAN (networking hardware switches)	100,000	0	100,000	0	0	0	0	0	(100,000)		Project no longer required. Core switches project will be flagged in MTFP that will be presented at 17/10/19 Cabinet
CA480	Lalpac Licensing System replacement (SN)	80,000	0	80,000	0	0	0	0	0			
CA481	Replacement Access Database - Property Services	100,000	0	100,000	0	0	0	0	0	(100,000)		This Project is timetabled for delivery in 21/22 & will be flagged as part of the forthcoming MTFP
	<b>Replacement Vehicles</b>											
CA717	Van Tipper (Grounds Maintenance)	0	25,000	25,000	25,000	25,330	0	25,330	330	330		Project complete
CA715	Van Tipper (Grounds Maintenance)	0	25,000	25,000	25,000	25,330	0	25,330	330	330		Project complete
CA712	Iveco Tipper (or equivalent) 3.5T Tipper	0	28,000	28,000	28,000	27,830	0	27,830	(170)	(170)		Project complete
CA822	7.5T Tipper	0	45,000	45,000	45,000	44,773	0	44,773	(227)	(227)		Project complete
CA825	3.5T Tipper	0	28,000	28,000	28,000	27,830	0	27,830	(170)	(170)		Project complete
CA827	3.5T Tipper	0	28,000	28,000	28,000	27,830	0	27,830	(170)	(170)		Project complete
		5,475,000	13,623,000	19,098,000	7,328,610	2,215,503	2,604,422	4,819,924	(2,508,686)	(6,024,552)	3,095,390	

	<a href="#">Private Sector Housing Grants</a>											
CG217	Empty homes and enforcement	108,000	0	108,000	30,000	0	0	0	(30,000)			
CG201	Disabled Facilities Grants–P/Sector	562,000	0	562,000	530,000	150,879	230,206	381,085	(148,915)			
CG208	Wessex					25,000		25,000	25,000			
		670,000	0	670,000	560,000	175,879	230,206	406,085	(153,915)	0	0	
	<a href="#">Affordable Housing Projects</a>											
CA200	Grants to Housing Associations to provide units (funded by commuted sums)	117,000	0	117,000	17,000	8,720	0	8,720	(8,280)	(100,000)		This forecast underspend will remain in EMR
		117,000	0	117,000	17,000	8,720	-	8,720	(8,280)	(100,000)	0	
	<b>Total General Fund Projects</b>	<b>6,262,000</b>	<b>13,623,000</b>	<b>19,885,000</b>	<b>7,905,610</b>	<b>2,400,102</b>	<b>2,834,628</b>	<b>5,234,730</b>	<b>(2,670,880)</b>	<b>(6,124,552)</b>	<b>3,095,390</b>	
CA100	<a href="#">HRA Projects - Existing Housing Stock</a>											
	Major repairs to Housing Stock	2,285,000	0	2,285,000	2,285,000	960,715	860,301	1,821,016	(463,984)			Currently recruiting to enable delivery for future, likely start date Oct '19 therefore will result in an underspend for 19/20
CA111	Renewable Energy Fund	250,000	0	250,000	150,000	0	0	0	(150,000)	(100,000)		
CG200	Home Adaptations - Disabled Facilities	300,000	0	300,000	300,000	129,524	0	129,524	(170,476)			
	<a href="#">Housing Development Schemes</a>											
CA119	Palmerston Park - Additional budget required	0	634,000	634,000	634,000	1,161,425	58,888	1,220,313	586,313	586,313		Additional spend on this project will be in part offset by additional Homes England Grant of £441k
CA135	Land acquisition for affordable housing	0	2,100,000	2,100,000	0	0	0	0	0	(2,100,000)		Detailed schemes identified as part of forthcoming MTFP
CA124	Queensway (Beech Road) Tiverton (3 units)	0	287,000	287,000	0	0	0	0	0			Project tendered. Project financial feasibility being considered
CA126	Sewerage Treatment Works - Washfield	0	25,000	25,000	25,000	0	0	0	(25,000)			Forecast project completion Q4 19/20
CA139	Replace end of life HRA Assets	2,000,000	0	2,000,000	0	0	0	0	0	(2,000,000)		Detailed schemes identified as part of forthcoming MTFP
CA140	Council Housing building schemes to be identified	2,000,000	0	2,000,000	0	0	0	0	0	(2,000,000)		Detailed schemes identified as part of forthcoming MTFP
CA141	Round Hill Tiverton- Site	1,500,000	0	1,500,000	200,000	0	0	0	(200,000)		1,350,000	It is anticipated that the majority of the spend on this project will slip into 20/21
CA142	RTB Buyback - 6 Cherry Gardens	0	153,000	153,000	153,000	152,438	0	152,438	(562)			
CA143	RTB Buyback- 39 Cameron Close	0	129,000	129,000	129,000	128,940	0	128,940	(60)			
	<b>Total HRA Projects</b>	<b>8,335,000</b>	<b>3,328,000</b>	<b>11,663,000</b>	<b>3,876,000</b>	<b>2,533,042</b>	<b>919,189</b>	<b>3,452,230</b>	<b>(423,770)</b>	<b>(5,613,687)</b>	<b>1,350,000</b>	
	<b>CAPITAL PROGRAMME GRAND TOTAL</b>	<b>14,597,000</b>	<b>16,951,000</b>	<b>31,548,000</b>	<b>11,781,610</b>	<b>4,933,144</b>	<b>3,753,817</b>	<b>8,686,961</b>	<b>(3,094,649)</b>	<b>(11,738,239)</b>	<b>4,445,390</b>	

## Housing Benefit Performance in 2018/19

### Speed of Processing

The 2018/19 average time for processing new claims was 21 days and changes of circumstance (CoC) was 5 days. Both of these times are at or below national average of 21 days and 6 days respectively.

18/19	Q1	Q2	Q3	Q4	YEAR
NEW	20	23	20	21	21
CoC	5	7	6	3	5

### Caseload

The numbers of Housing Benefit (HB) and Council Tax Reduction (CTR) claims have both fallen from the levels experienced in 2017/18. This is partially down to Tiverton Job Centre going to UC Full Service from July 2018 and Exeter Job Centre from September 2018.

18/19	Q1	Q2	Q3	Q4
HB	3,842	3,696	3,516	3,405
CTR	4,220	4,184	4,167	4,172

### Total Housing Benefit paid to date

The table below shows the total sum of Housing Benefit paid during 2018/19.

18/19	Q1	Q2	Q3	Q4
£m	4.6	8.5	13.2	15.6

Note - The figures shown above are cumulative

### Collection Rates - Comparison

Collection	CTAX	NDR
2017/18	98.00%	99.22%
2018/19	97.79%	99.29%
Difference	-0.21%	0.07%

### National Position

In 2018-19 local authorities collected a total of £29.8 billion in council tax, irrespective of the year to which it related. This was an increase of £1.8 billion, or 6.5%, over 2017-18. By the end of March 2019, they had collected £29.3 billion of council tax that related to 2018-19 and achieved an average in-year collection rate of **97.0%**, a decrease of 0.1 percent-age points over 2017-18. During 2018-19, local authorities collected £625 million in council tax arrears and wrote off £195 million of uncollectable council tax.

In 2018-19 authorities collected a total of £25.3 billion in **non-domestic rates**, irrespective of the year to which it related. This was an increase of £856 million, or 3.5% over the figure for 2017-18. By the end of March 2019, they had collected £25.7 billion in non-domestic rates that related to 2018-19 and achieved an average in-year collection rate of **98.3%** in 2018-19, a decrease of 0.1 percentage points over 2017-18. They also collected £645 million in non-domestic rates arrears and wrote off £213 million of uncollectable non-domestic rates in 2018-19.



# MID DEVON DISTRICT COUNCIL – SCHEDULE OF MEETINGS – 2020/21

Ratified by Council on .....

MEETING	Normal day and Time	1	2	3	4	5 2021	6	
<b>Planning Committee</b> <i>(first meeting of cycle)</i>	Wed	20 May	15 July	9 Sept	4 Nov	13 January	10 March	
<b>Planning Committee</b> <i>(second meeting of cycle)</i>	Wed	17 June	12 August	7 October	2 Dec	10 Feb	14 April	
<b>CABINET</b> <i>(first meeting of cycle)</i>	Thurs	14 May	9 July	3 Sept	29 October	7 January	4 March	
<b>CABINET</b> <i>(second meeting cycle)</i>	Thurs	11 June	6 August	1 October	3 Dec	4 Feb	8 April	
<b>Environment PDG</b>	Tues	19 May	14 July	8 Sept	3 Nov	12 January	9 March	
<b>Homes PDG</b>	Tues	26 May	21 July	15 Sept	10 Nov	19 January	16 March	
<b>Economy PDG</b>	Thurs	21 May	16 July	10 Sept	5 Nov	14 January	11 March	
<b>Community PDG</b>	Tues	2 June	28 July	22 Sept	17 Nov	26 January	23 March	
<b>Scrutiny</b> <i>(first meeting of cycle)</i>	Mon	1 June	20 July	14 Sept	9 Nov	18 January	15 March	
<b>Scrutiny</b> <i>(second meeting cycle)</i>	Mon	22 June	17 August	12 October	14 Dec	15 Feb	19 April	
<b>Audit Committee</b>	Tues (special on a <b>Monday</b> )	2 June	13 July	11 Aug	22 Sept	17 Nov	26 January	23 March
<b>Standards Committee</b>		10 June		14 October		3 February		
<b>Licensing Committee</b>		19 June			11 Dec			
<b>Regulatory Committee</b>		19 June			11 Dec			
<b>Away Days</b>	Fri 9.30am			11 Sept				
<b>COUNCIL</b>	Wed 6.00pm	1 July	26 August	28 Oct	6 January	24 Feb	28 April	12 May 2021

Note: (i) \*Annual meeting of the Council at 6.00pm. **Annual Meeting in 2020 is on 13 May**



# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

December 2019

The Forward Plan containing Key Decisions is published 28 days prior to each Cabinet meeting

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>District Officer Discretionary Time</b> For Members to receive a report from the Group Manager of Street Scene and Open Spaces on proposals for District Officer Discretionary Time.	Environment Policy Development Group  Cabinet	26 Nov 2019  19 Dec 2019	Stuart Noyce, Group Manager for Street Scene and Open Spaces Tel: 01884 244635	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
<b>Grant Allocations to the GWC, TIC and the Museum</b> To consider grant allocations.	Economy Policy Development Group  Cabinet	28 Nov 2019  19 Dec 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
<b>Statement of Community Involvement Review 2018</b> Report to seek authority to consult on the draft revised text.....	Scrutiny Committee  Cabinet  Council	2 Dec 2019  19 Dec 2019  8 Jan 2020	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>S106 Governance</b> To agree governance arrangements for S106 agreements	Scrutiny Committee  Cabinet	2 Dec 2019  19 Dec 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
<b>Council Tax Empty Levy Charge</b> To receive the Council Tax Empty Levy Charge	Scrutiny Committee  Cabinet  Council	2 Dec 2019  19 Dec 2019  8 Jan 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Business Rates - Discretionary Rate Relief</b> To receive the Business Rates - Discretionary Rate Relief	Scrutiny Committee  Cabinet  Council	2 Dec 2019  19 Dec 2019  8 Jan 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Homelessness Strategy</b> To consider a revised policy	Homes Policy Development Group  Cabinet	3 Dec 2019  19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>HRA Medium Term Financial Plan</b> To consider a MTFP for the	Homes Policy Development Group	3 Dec 2019	J P McLachlan, Principal Accountant	Cabinet Member for Finance (Councillor Alex	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
HRA.	Cabinet	19 Dec 2019		White)	
<b>Community Safety Partnership</b> To consider a report from the group Manager for Public Health and Regulatory Services outlining the Council's Community Safety Action Plan, and to seek Members recommendation to acknowledge and accept the priorities action plan	Community Policy Development Group  Cabinet	10 Dec 2019  16 Jan 2020	Simon Newcombe, Group Manager for Public Health and Regulatory Services Tel: 01884 244615	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Council Tax Reduction Scheme</b> To receive the Council Tax Reduction Scheme	Community Policy Development Group  Cabinet  Council	10 Dec 2019  16 Jan 2020  26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Strategic Grants Programme 2020-2023</b> To receive a report from the Group Manager for Growth, Economy and Delivery on the Strategic Grants	Community Policy Development Group  Cabinet	10 Dec 2019  19 Dec 2019	Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
Programme 2020-2023					
<b>Tiverton Town Centre Regeneration Project - Tender Outcome</b> To approve the outcome of the procurement exercise.	Cabinet	19 Dec 2019	Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Part exempt
<b>Cullompton Railway Station Project</b> To consider a report on proposed governance arrangements	Cabinet	19 Dec 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
<b>Area B Eastern Urban Extension - Masterplan Stage II Public Consultation</b> To request approval to go out to Stage II consultation on the masterplan documents.	Cabinet	19 Dec 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
<b>Tiverton Town Centre Masterplan Stage II Consultation</b> To request approval to go	Cabinet	19 Dec 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel:	Cabinet Member for Planning and Economic Regeneration	Open



<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
out to Stage II consultation on the masterplan documents			01884 234346	(Councillor Graeme Barnell)	
<b>Cullompton Town Centre Masterplan Stage 1 Public Consultation</b> To request approval to go out to Stage I consultation on the masterplan documents.	Cabinet	19 Dec 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
<b>Painting and Repairs - Council Houses 2020-2025</b> To consider the outcome of the tender.	Cabinet	19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Town Centre and Fore Street Flat Remodelling Projects</b> To consider the proposed projects	Cabinet	19 Dec 2019	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Replacement Roofing Contract 2020- 2023</b> To consider the outcome of the tender process.	Cabinet	19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Disposal of Land at Park Nursery, Park Road, Tiverton</b> To consider the consultation responses following the decision of Cabinet on 22 August 2019	Cabinet	19 Dec 2019	Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Fully exempt
<b>Carbon Base-line Report</b> Following the Climate Change Declaration in June 2019, it is necessary for the Cabinet to consider the Council's plans to reduce carbon emissions.	Cabinet	19 Dec 2019	Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
<b>Strategic Grants Allocation Process for 2020-2023</b> To consider the strategic grant allocation process for 2020-2023	Cabinet	19 Dec 2019	Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Gas Safety Contract</b> To request approval to exercise the second and final one year extension to the contract.	Cabinet	19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Part exempt

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Corporate Health &amp; Safety Policy</b> To receive the annual review of the Corporate Health & Safety Policy from the Director of Corporate Affairs and Business Transformation.	Community Policy Development Group  Cabinet	10 Dec 2019  16 Jan 2020	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
<b>Greater Exeter Strategic Plan for Consultation</b> To consider a report of the Head of Planning, Economy and Regeneration regarding draft strategic plan.	Scrutiny Committee  Cabinet	6 Jan 2020  16 Jan 2020	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
<b>Environment Educational Enforcement Policy</b> To receive a report from the Group Manager of Street Scene and Open Spaces on the updates to the Environment Education and Enforcement Policy	Environment Policy Development Group  Cabinet	14 Jan 2020  13 Feb 2020	Stuart Noyce, Group Manager for Street Scene and Open Spaces Tel: 01884 244635	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
<b>Climate Strategy and Action Plan</b> To receive the 4 yearly review of the Climate Strategy and Action Plan	Environment Policy Development Group	14 Jan 2020	Simon Newcombe, Group Manager for Public Health and Regulatory Services Tel: 01884 244615	Cabinet Member for the Environment (Councillor Luke Taylor)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
from the Group Manager for Public Health and Regulatory Services.	Cabinet	13 Feb 2020			
<b>Tax Base Calculation</b> To consider the statutory calculations necessary to determine the tax base for the Council Tax	Cabinet Council	16 Jan 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Draft Budget</b> To consider the draft budget	Cabinet	16 Jan 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Corporate Plan</b> To consider a revised Corporate Plan	Cabinet Council	16 Jan 2020 26 Feb 2020	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
<b>Bereavement Services Fees &amp; Charges</b> To receive the annual review of Bereavement Services Fees & Charges from the Group Manager for Corporate Property and Commercial Assets	Environment Policy Development Group Cabinet	14 Jan 2020 13 Feb 2020	Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948	Cabinet Member for the Environment (Councillor Luke Taylor)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Use of CCTV Policy and Guidance</b> To receive and approve the Use of CCTV Policy and Guidance	Community Policy Development Group  Cabinet  Council	28 Jan 2020  13 Feb 2020  26 Feb 2020	Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Income Management Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	21 Jan 2020  13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Allocations Policy and Resources</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	21 Jan 2020  13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Improvements to Council Property Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	21 Jan 2020  13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

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<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Compensation Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	21 Jan 2020  13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Garage Management Policy</b> To consider a review of the current policy.	Homes Policy Development Group  Cabinet	21 Jan 2020  13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Car Parking Management Policy (housing amenity, residential and permit holder car parks)</b> To consider a review of the current policy.	Homes Policy Development Group  Cabinet	21 Jan 2020  13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Market Policy</b> To consider a review of the policy.	Economy Policy Development Group  Cabinet	23 Jan 2020  13 Feb 2020	Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open



<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Corporate Asbestos Policy</b> To consider a revised policy.	Cabinet	13 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Replacement PVCU Double Glazed Units/Entrance Doors 2020 – 2024.</b> To consider the outcome of the tender process	Cabinet	13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Cleaning Contractors</b> To approve the outcome of the procurement exercise.	Cabinet	13 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
<b>Beech Road, Tiverton - Design and Build Tender</b> To consider the award of the tender	Cabinet	13 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Part exempt
<b>3 Rivers Development Limited - Business Plan</b> To consider the business plan.	Cabinet	13 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Fully exempt

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>National Non-Domestic Rates (NNDR1)</b> To receive an update on the income generation and financial implications of the number of Business Rate properties and to approve the NNDR1.	Cabinet  Council	13 Feb 2020  26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Budget</b> To consider the budget for 2020/21	Cabinet  Council	13 Feb 2020  26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Capital Programme</b> To consider the Capital Programme for 2020/21	Cabinet  Council	13 Feb 2020  26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Treasury Management Strategy and Annual Investment Strategy</b> To consider the proposed Treasury Management Strategy and Annual Investment Strategy	Cabinet  Council	13 Feb 2020  26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open

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<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Capital Strategy</b> To agree the proposed Capital Strategy	Cabinet Council	13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
<b>Policy Framework</b> To consider and endorse the Policy Framework	Cabinet Council	13 Feb 2020 26 Feb 2020	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
<b>The Establishment</b> To consider the overall structure of the Council showing the management and deployment of officers	Cabinet Council	13 Feb 2020 26 Feb 2020	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
<b>Pay Policy</b> To consider a report relating to Senior Officers pay	Cabinet Council	13 Feb 2020 26 Feb 2020	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Leader of the Council (Councillor Bob Deed)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Leasehold Management Policy</b> To consider a revised policy	Homes Policy Development Group  Cabinet	17 Mar 2020  26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>ASB Policy and Procedures</b> To consider a revised policy	Homes Policy Development Group  Cabinet	17 Mar 2020  26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Domestic Abuse Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	17 Mar 2020  26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Tenancy Policy review and Tenancy Strategy</b> To consider a revised policy	Homes Policy Development Group  Cabinet	17 Mar 2020  26 Mar 2020	Claire Fry, Group Manager for Housing Tel: 01884 234920	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Contaminated Land Cost Recovery Policy</b> To receive the 5 yearly review of the Contaminated Land Cost Recovery Policy	Environment Policy Development Group  Cabinet	10 Mar 2020  26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for the Environment (Councillor Luke Taylor)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Housing Revenue Account Asset Management Strategy</b> To consider a revised strategy.	Homes Policy Development Group  Cabinet	17 Mar 2020  26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
<b>Design Supplementary Planning Document - post consultation</b> To consider the Supplementary Planning Document post consultation	Cabinet	26 Mar 2020	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open

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