

# Public Document Pack

## MID DEVON DISTRICT COUNCIL

**AN EXTRAORDINARY MEETING** of the **MID DEVON DISTRICT COUNCIL** will be held in the Phoenix Chambers, Phoenix House, Tiverton on Wednesday, 4 December 2019 at 6.00 pm

**ALL MEMBERS** of the **COUNCIL** are summoned to attend for the purposes of transacting the business specified in the Agenda which is set out below:

**[The next meeting is scheduled to be held in Tiverton on Wednesday, 8 January 2020 at 6.00 pm]**

**STEPHEN WALFORD**

Chief Executive

26 November 2019

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

## AGENDA

### 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 the reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.

### 4 **Chairman's Announcements**

To receive any announcements which the Chairman of the Council may wish to make.

### 5 **Cabinet Report - 21 November 2019 - Local Plan Examination - Main Modifications** *(Pages 3 - 266)*

To receive the minutes of the Cabinet Meeting on 21 November which will include a recommendation with regard to the Local Plan Examination – Main Modifications.

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 to 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

Fax:

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 21 November 2019 at 6.00 pm

### **Present**

#### **Councillors**

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

### **Also Present**

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

E J Berry, R J Chesterton, Mrs C Collis, L J Cruwys,  
Mrs C P Daw, R J Dolley, R Evans, F W Letch,  
Miss J Norton, R F Radford, B G J Warren and A Wilce

### **Also Present**

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

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Corporate Affairs and Business Transformation), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Jenny Clifford (Head of Planning, Economy and Regeneration), Tristan Peat (Forward Planning Team Leader), Aarron Beecham (Forward Planning Assistant) and Sally Gabriel (Member Services Manager)

## 80. **APOLOGIES**

There were no apologies.

## 81. **PUBLIC QUESTION TIME**

Cllr Cutts representing Sampford Peverell Parish Council and referring to item 7 on the agenda stated that: According to the Main Modifications in your pack, the tie between Policy SP2 and Policy J27 is to be cut. I am concerned by the consequences of this proposed change.

Without the tie to J27 I can no longer see any need for 60 houses anywhere in the village.

In the Local Plan submission, your emerging policy S13, identifies Sampford Peverell as one of 23 villages where there will be '*... small scale housing and other limited development which enhances community vitality or meets a local social or economic need*'.

Using figures from the table on page 47 of your pack, calculations show that the proportion of housing allocated to our village is almost twice as high as that for any of the other 22 villages listed for 'limited development'.

The Inspector has indicated that the tie to J27 should be removed. He says that SP2's 60 houses are needed to meet the '*overall*' housing supply. Apparently he has

failed to note that emerging Policy S2 requires that housing in Sampford Peverell must meet '*local needs*', not '*overall*' needs. He is surely creating an internal inconsistency in the emerging Plan.

So, my question is ...In the light of emerging policies S2 and S13, and without the justification provided by the proposed development at Junction 27, what precise evidence does the Council now have for a 'local need' to justify 60 houses at Higher Town, Sampford Peverell?

Jamie Byron speaking in relation to item 7 on the agenda stated I trust you have all been able to consider the paper that I circulated to you on Tuesday evening. Thank you for giving time and consideration to that. It asks you to explore the deletion of Policy SP2. Please try to make it work. We are trying to avoid any possibility of legal challenges.

Paragraph 47 of the National Planning Policy Framework sets down a requirement that only 'deliverable' sites should appear in the first five years of a plan. To be 'deliverable' a site must 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*'. This must be based on '*robust up to date evidence*' (PPGuidance). A mistake could lead to months of delay.

Your officers assure you that SP2 is 'deliverable' and have told the Inspector that it will be fully built-out by March 2023 (in document ED20). I cannot see how this is possible. The five year period in question started in April 2018. Eighteen months have gone already and no applicant has secured even outline planning permission.

Officers apply the so-called HELAA model to calculate delivery times. To meet HELAA requirements, building should be starting five months from now - but ten months of drainage testing is still needed, as officers recognise (in document ED22).

Planning Practice Guidance lists evidence that can support claims of deliverability. These include '*a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates*'. There is an agent for SP2, but no developer. There is, therefore, no such written agreement with the Council.

Another issue is that the Devon Historic Environment Team has required a full programme of archaeological works to be carried out on the SP2 site. Results must be analysed before any outline permission can be granted. That work has just started. The Inspector does not know about this potential obstacle to deliverability.

My questions are:

1. Cabinet, will you please ask officers to publish, for all of us, a robust, up to date break-down to support their assertion to you and to the Inspector that 60 houses will be built-out at SP2 by March 2023 while keeping to the HELAA model?
2. (This is a separate issue that may require a Main Modification). Does the Head of Forward Planning stand by his statement to the Inspector that

development at SP2 will lead to 'no harm' to the setting of the Canal Conservation Area, given the conservation officer's contradictory assessment of this matter as part of the application that has gone to appeal?

Peter Dumble speaking about item 7 on the agenda In the report you have before you today, the Sustainability Appraisal for SP2 has incredibly been re-scored by +1 on the basis of adding a statement that there must be '*improved*' access for pedestrians moving between the site and the village.

Easy to say, impossible to do.

An experienced member of your planning committee in July 2018 when first voting against the planning application stated that he felt "*misled*" by Planning Officers.

There is a pattern.

From 2014 to 2016, the Sustainability Appraisal stated that '*Turnpike is a dangerous road for pedestrians*'. But in late 2016, when the site was brought into the Local Plan to justify the J27 development, the reference to Turnpike *being dangerous* was dropped. Why? No evidence has ever been given.

The text was then replaced with the assertion that '*There is a footpath [from the site] which leads into the village*'. That wording is still there. Again it is untrue and misleading. Local schools' risk assessments do not allow children to walk along Turnpike. The reality is that to walk from the site to the village there is a need to cross dangerous sections of road on 3 occasions including crossing on a blind bend approaching the canal bridge.

Few of your planning officers dared do this during a site visit – and I seriously ask all of you today in Cabinet to walk that route before you agree to recommend keeping SP2 in the local plan.

The failed planning application for 60 houses on the site provides new information which should be taken into account. Officers say this application complies with elements of SP2 and have recommended approval. Your fellow Councillors on the Planning Committee are adamant that permission should be refused. They have seen the evidence.

Highway experts have considered the applicant's plans for highway improvements to make access to the village safe. Every one of them describes the proposed improvements as 'substandard'. One says '*severely substandard*' and "*unsafe*". If that is the best that can be achieved, how did this policy ever get into your plan?

Removing or adding words does not remove the problem. Your Planning Committee Members know this.

Please, listen to your colleagues on the Planning Committee. Two differently composed Committees have been convinced that development at SP2 would be wrong. Only 1 vote in 22 cast was in favour.

In summary

There is no evidence that safe access for pedestrians is achievable and you will be undermining the considered judgements of your own Planning Committee.

Please will you take steps today to delete SP2 from the Plan?

Hayley Keary referring to item 7, stated I live at 44 Higher Town which is a designated heritage asset in its own right. I am the third generation of my family to live there and I have lived there 43 years.

I live approximately one metre away, and six foot below the level of the site known as SP2.

My question concerns Agenda item 7, the proposed Main Modifications, and how to resolve the fact that SP2 is unsound.

Three years ago, to the day, I asked officers why the Higher Town site was being included in the revised Local Plan proposals when it had not appeared in the 2015 version. I was clearly told that the reason was that the 60 houses were not needed in 2015 but that the Junction 27 allocation had created the need for additional housing. It even says this in the paragraphs below the policy wording. It cannot be denied. No other justification has ever been given for the SP2 allocation.

We have also been told time and time again by officers that this site was selected from a shortlist of sites that were all 'proximate to' Junction 27. This is made very clear in the 2018 Sustainability Appraisal Update.

But if the sites chosen had to be proximate to J27, why now are we being told that the housing serves district-wide need? If that is the case, this Council was wrong to apply the 'proximity test'. The houses could just as well have been built in some other more distant location.

As Mr Cutts has reminded us, this village is listed as being suitable for 'small scale' housing. Your Sustainability Appraisal defines small-scale as 1-19 dwellings. Even these are only allowed to meet 'local needs'.

If Sampford Peverell was always an appropriate place for district wide housing provision, why was it not allocated more housing in 2015? The answer is clear: not only was there no need, there could be no justification for 60 extra houses at Sampford Peverell without the J27 allocation.

Pressing ahead with this allocation will take Grade 2 farmland without any justification. The Framework is very clear that this should not be done where lower grade land is available. It is - at Willand, where 83 extra houses have been confirmed. They are also within the 'proximity' of J27. You have no need for SP2.

There is clearly no local need. It will do harm. There should be no allocation.

My question is to Cabinet Members:

Please will you stand up for us and do what is right and fair by seeking the deletion of SP2? We are depending on your integrity to protect us.

Referring to Item 7 on the agenda, Greta Tucker stated Residents of Sampford Peverell understand that the request to delete policy SP2 may raise concerns over creating a precedent. Other allocations may ask why this opportunity to seek deletion was not open to them. There are, however, strong justifications for saying that SP2's situation is unique.

1. It appears that all other Main Modifications to housing policies are being made either by agreement or by amendments that were set out long ago in document SD14. This is not the case with SP2.
2. Policy SP2 has been contentious from the moment it was belatedly proposed for allocation. It missed the first full consultation. No other housing allocation has brought such a degree of consistent opposition within the plan-making process. Consultation data and minutes of meetings will prove this.
3. The proposed Main Modification amendments would remove criteria that were explicitly included by officers and Councillors in order to ensure the site was sustainable. Without them there is every reason to believe the policy would not have been allowed by full Council on 1 December 2016.
4. SP2 has been the focus of specific sessions at the Inspector's Hearings in September 2018 and February 2019. No other housing allocation can claim this. Similarly, no other proposed allocation was invited to comment on the proposed wording of the Main Modifications in July 2019 (other than a contingency site).
5. No other site in the Plan submission includes wording that ties it to another policy in the way that SP2 and J27 are linked. There is clearly something very different about this unique arrangement. It deserves special attention.

So, my question is ...

Please will the Council and its officers pass on to the Inspector

- these reasons for respectfully suggesting that no other allocation matches the unique situation of Policy SP2 and
- our view that no other allocation can reasonably claim a right to request that it be deleted at this stage?

David Barnes addressing the Cabinet in relation to the Local Plan Review asked in considering the review the Inspector questions whether the Local Plan review will meet delivery targets for housing and along with 3 other proposals he asked that consideration be given to bringing forward the contingency sites previously identified in the Plan. The amended Local Plan Review being considered today does not include bringing forward the contingency site at Tidcombe Hall TIV13. My question is does this mean that MDDC delivery targets for housing can be met without the land at Tidcombe Hall TIV13 being developed?

Stephen Pugh stated he was a resident near Tidcombe Hall and stated that he would like to refer to 2 documents. The first one, refer to pages 121 and 122 where it mentions in the modified proposals that TIV 13 the Tidcombe Hall proposal is not deliverable and there appears to be significant land assembly issues. My question though referring to page 80 is that I note in this Local Plan Review that the Tidcombe



Hall contingency site has been expanded from its original 5 hectares to 8.4 hectares. I have three related questions regarding this change:

What was the reason for this change?

Was there a requirement to consult on the change?

If there was a requirement to consult did this take place?

Vicky Macaulay-Pugh speaking with regard to the site at Tidcombe Hall TIV13 asked: is the Cabinet aware that the Secretary of State for Housing is currently reviewing the screening decision in relation to the requirement for a full Environmental Impact Assessment of the Tidcombe site. Is the Cabinet therefore aware that this review will determine if Tidcombe is classifiable as a sensitive site as defined by the National Planning Framework due to 3 pertinent factors: the nearby SSSI, the area floods and that the site contains heritage features

Judy Tucker stated she wanted to talk about item 10 on the agenda. First of all I welcome the fact that the Cabinet has dipped a toe, all be it a very small toe, into the water of governance review. At least there is acknowledgement that there is room for improvement in the present situation. However I can't help contrasting Mid Devon's minimalist and reluctant approach with that of our neighbours in East Devon, they are also conducting a review of governance but appear to be embracing it with openness and enthusiasm and inclusivity. They claim its part of their policy to become an outstanding council. Does Mid Devon really aspire to less? I urge the Cabinet and Council to undertake a full and proper review of all governance options and not to be held back by scare stories of past problems with the committee system for instance. We are in a different time, different Council and even a different committee system if other Councils experiences is to be examined. What are you afraid of? I would suggest to use a well-worn phrase you have nothing to fear but fear itself. I would ask you please, therefore, to continue with a full and extensive review of governance.

Mary Nation speaking on Item 10 stated I would like to ask this meeting are you aware that the people of Cridton are extremely concerned and hurt about the decision that was made to sell their Council building and they continue to be upset and hurt about that. The 4 options in this report do not address their concerns that the Cabinet made a decision which went against the wishes of the whole council and therefore it is needed that the Cabinet extends the review to consider different forms of committee structure of the Council or some other element which will prevent the same thing happening either to places in Cridton or within the whole of Mid Devon district.

Alderman David Nation also referring to item 10 stated we're pleased to see the review, obviously, and hugely disappointed that it fails to address the concerns expressed by so many members of the public not only in Cridton but elsewhere in the district at the failure of the last authority to demonstrate an adequate determination to see that democracy is done. Our major concern is that a council of whatever complexion which can override the wishes of the Full Council is not democracy in action. The Cabinet system here is not working as originally intended and as some of you know I was very closely involved in the introduction of the Cabinet system and the first Chair of the Scrutiny Committee; the powers of which now seem to be quite inadequate, certainly in respect in the way in which the Constitution legally now seems to operate. I want you all to be aware, and I would ask you to bear this in mind please, that unless your system of governance can be



changed to take account of these concerns there is still such great strength of feeling in the Crediton area in particular but in the district I believe as a whole that we will be seeking public support for a referendum if you fail to switch to a Committee system voluntarily. There has to be some way of ensuring that the decisions of this authority operates in an open and transparent way but I think your report states you wish to achieve that, but also in a way which takes in to account the feelings of the majority of councillors and provides opportunity for all Councillors including back benchers to have an influence and for their voices to be heard in these matters. I hope very much that you are able to find a way of achieving that and we don't want to put the authority to the expense and the trouble that would be involved in a referendum if indeed you cannot adequately address our concerns.

Cllr Nick Way, DCC, stated that as you know I was also involved in the transfer from the Committee to the Cabinet system all those years ago and at that time I was quite a fan of the Cabinet system. To some extent I still am but the thing is times do change and in those days when we all sat here as Councillors as I did then with many of you we had a lot of other things to think about. We provided a lot more services than we do at the moment and things have changed. I do think that needs to be taken into consideration when you consider changing your governance. I think it's an important thing that you should seriously think about because when all's said and done it affected a lot people's opinion of this Council in my area which I still represent as the County Councillor. It has had a very bad effect on people, notwithstanding it was a Conservative administration that allowed our Council offices to be sold off in Crediton it did give local Government a very bad name as far as the democratic process goes. I hope when you consider this you consider the fact that it's something that needs to be thought of. PR is important for the Council as it is for all organisations and I do think that redeeming yourself would been a good thing to do. I am a little bit disappointed in the report because it does mention in a couple of places about going back to a Committee system would make decisions making longer, that I am not sure is correct but it could do to some extent. It would depend on what system you went back to but what I am concerned about is it doesn't say anything about democracy and I think that's important. It important that residents actually believe that there is a democratic process that they can use and their voices can be heard through their local Members. Unfortunately in my mind it's something that doesn't happen at the moment as well as it should. Going back to a Committee system will go a long way to put that right.

The Chairman indicated that questions would be answered during the debate.

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

Cllr Mrs N Woollatt declared a personal interest as a supporter of the Campaign for Local Democracy for item 10 (Governance Arrangements) on the agenda.

All Members of the Cabinet declared that they had received an email from the objectors to policy SP2 within agenda item 7 (Local Plan – Main Modifications).

## **83. MINUTES OF THE PREVIOUS MEETING (00-35-03)**

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

84. **MOTION 560 (COUNCILLOR R J CHESTERTON – 23 OCTOBER 2019) (00-35-35)**

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

**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.

The Chairman invited Cllr Chesterton to speak to the motion.

Cllr Chesterton addressed the meeting stating that he felt that a review of Development Policies were required for parking on new estates, he understood the process for reviewing policies but felt that a start could be made on those policies and maybe others in line with the climate declaration. There was a need to recognise the use of electric cars and plug in hybrid vehicles and clearer parking policies would be useful, there was also a need through policy to recognise the opportunity for electric vehicles.

Consideration was given to the timescales mentioned within the motion and it was felt that negotiation was required on this.

It was therefore:

**RECOMMENDED** to Council that Motion 560 be supported subject to further discussion prior to Council with regard to the timeframe for any report to the Planning Policy Advisory Group.

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

85. **SINGLE EQUALITIES POLICY AND EQUALITY OBJECTIVE (00-42-47)**

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 had made the following recommendation: that the Equality Policy and Objectives for 2019-2021 be approved.

The Cabinet Member for Community Well-Being outlined the contents of the report stating that under the Equality Act 2010 local authorities had 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.

Consideration was given to the importance of mental health and dementia awareness.

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

(Proposed by Cllr D J Knowles and seconded by Cllr Mrs N Woollatt)

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

## 86. **LOCAL PLAN EXAMINATION - MAIN MODIFICATIONS (00-45-28)**

The Cabinet had before it 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 would be submitted with consultation responses received on them to the Planning Inspectorate together.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that a package of 55 Main Modifications were proposed. The package followed the Inspector's advice in his Post Hearings Advice Note in order for the Plan to be found sound and for it to be capable of being adopted by the Council.

The Main Modifications followed the Inspector's suggested remedies to overcome his significant concerns about the housing trajectory in the early years of the Plan. They were based on realistic assumptions about the delivery of the Town Centre Relief Road and housing allocations at Cullompton, and they avoided looking for new housing sites and the risk this would bring of further significant delay to the Local Plan through the need for technical assessment work and the potential for further examination hearings to be held.

The Main Modifications included:

- Bringing forward development on the allocation at Higher Town, Sampford Peverell sooner because the Inspector had found there were no good reasons for restriction in terms of timing and where he had made clear that the tie to J27 and the requirement for the completion of improved access works to the A361 should be removed. This had followed the Inspector's careful

consideration of the site allocation policy including two specific hearing sessions.

- Bringing the contingency site at Colebrook Lane, Cullompton into the early years of the housing trajectory following Devon County Council's highway advice,
- Providing some flexibility for allocated Gypsy and Traveller pitches to be provided off-site away from urban extensions provided that a more favourable outcome for Gypsies and Travellers could be achieved.
- Making necessary modifications to clarify the requirements of some development management and other policies in the Plan

The strong feelings of residents of Sampford Peverell and others about the inclusion of SP2 in the Local Plan Review were noted. Those strong feelings had also been recognised by the Inspector. However, Members should be aware that once the plan had been submitted for independent examination further changes could only be made if they were necessary to make the plan sound and/or legally compliant, provided that such modifications were recommended by the Inspector (highlighted within Section 23 of the Planning and Compulsory Purchase Act). The Inspector had already provided his conclusions in relation to the site at Higher Town, Sampford Peverell. There was therefore no provision in the legislation which allowed the Council to replace all or part of the submitted plan with a revised plan during the examination.

He stated that there was an urgent need for the new Local Plan to be adopted as soon as possible so that the Council had up to date policies and a five year supply of land for housing that would provide greater certainty to where development could take place in Mid Devon, and where planning applications would be refused. He proposed that an amendment be made to the recommendation within the report, Schedule of Main Modifications (Appendix 1) so that Main Modification MM36 [page 58 of the reports pack] showed the deletion of the penultimate sentence in paragraph 3.149 in the Local Plan so that it was consistent with the deletion of the same sentence that was proposed in Main Modification MM35.

The Head of Planning, Economy and Regeneration answering questions posed in public question time stated that it was very important that the meeting looked at the allocation policy within the Local Plan and not at specific planning applications, many of the arguments heard from the speakers on policy SP2 had already been made as part of the Local Plan process, 2 separate hearings with regard to the SP2 allocation had been considered by the inspector, he had considered issues with regard to the relationship with J27, the impact on heritage assets, the site selection process and the scale of the allocation, all those issues and more had been considered by the inspector when coming to his conclusion and this was available in his post hearing advice note. The inspector had also visited the site and heard evidence from the Highway Authority before he had come to his conclusions. Mitigation measures had been suggested by the inspector in his post hearing advice note which specifically referred to policy SP2 and that he was of the view that the policy was sound and could be delivered in the early years of the plan. He specifically suggested that this site be brought forward in the housing trajectory. With regard to any deletions at this stage in the timetable she referred to legislation and the options available to proceed

with a sound and legally compliant plan. Main modifications were the only route to amend a plan once submitted and as they could only be used to make a plan sound or legally compliant, there appeared to be no scope in law for the Inspector to recommend a main modification for any other purpose even if the Local Authority were to ask him to do so.

Referring to Tidcombe Hall and the Environment Impact Assessment she advised that this was part of the pre app discussions with regard to a planning application. A sustainability assessment had been considered separately as part of the Local Plan process. With regard to considering policy TIV13 as part of the main modifications, the authority did not believe that the land could be easily assembled as there was a restrictive covenant on the land which had an impact on deliverability. She stated that the extend of the allocated site had been correct on the maps, but with a drafting error in the text. This had been corrected prior to the 2017 consultation. With regard to the housing trajectory, this was covered in the report and did not include policy TIV13 being made a main allocation in the plan.

She added that following a decision of the Council, the Main Modifications consultation would begin and that this would be a further opportunity for representations to be put the inspector.

Consideration was given to:

- There was a need for the Local Plan to move forward for the benefit of the whole of Mid Devon
- The site at Colebrook Lane, Cullompton had been removed from a contingency site status and included as an allocation within the plan and why the Highway Authority views had changed
- Flood plains and flood storage areas in Cullompton
- The impact of 60 houses to the village of Sampford Peverell and a request for the deletion of policy SP2 from the plan and to leave the settlement limit in the village as it was in 2015.
- The previous lack of a 5 year land supply, policies being out of date and the need to rely on the NPPF
- Applications at Uffculme and Willand which had been granted because of the lack of a 5 year land supply
- The removal of the need for development at Colebrook Lane, Cullompton to be delayed until the relief road and the north West Cullompton Link Road were in place
- The unlinking of employment development at J27 and policy SP2
- The planning application at Higher Town, Sampford Peverell
- The need for the Local Plan to be progressed
- The risk of an unsound plan

It was therefore:

**RECOMMENDED** 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 with amended Main Modification MM36 to show the deletion of the penultimate sentence to paragraph 3.149 in the Local Plan)
  - 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.

(Proposed by Cllr G Barnell and seconded by Cllr L D Taylor)

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

#### 87. **LOCAL DEVELOPMENT SCHEME (1-34-17)**

The Cabinet had before it 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.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Local Development Scheme provided interested people and organisations with the Council's project plan for the preparation of local development documents, namely the Local Plan Review 2013 -2033, the Greater Exeter Strategic Plan and a New Local Plan for the area.

The paper also sought approval on the proposed scope and timetable for the Greater Exeter Strategic Plan. With changes in administration arising from the local elections, it had been necessary to ensure that the GESP was proceeding in a way and on a timetable which continued to meet the objectives of the four councils. Discussions between lead officers and members had therefore been taking place. The Council's leaderships had now confirmed their commitment to continuing GESP preparation with a revised table. The plan would cover the local authority areas of East Devon, Exeter, Mid Devon and Teignbridge and would be prepared jointly by those four local planning authorities with the support of Devon County Council. It would set an overall vision and strategy for the area, contain policies and proposals for strategic and cross boundary issues, set the overall amount of growth for the period 2020 – 2040, promote the Liveable Exeter vision, implement the overall vision and strategy by allocating strategic sites and provide district's local plans with targets for non-strategic developments. The timetables for each local development document was set out in full in Appendix 1 of the report.

**RESOLVED** that:



1. The revised Local Development Scheme attached as Appendix 1 to come into effect on 29 November 2019 be approved.
2. The proposed scope and timetable for the Greater Exeter Strategic plan as detailed in the report and summarised in Appendix 1 be agreed.

(Proposed by Cllr G Barnell and seconded by Cllr D J Knowles)

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

## 88. **DRAFT DESIGN SUPPLEMENTARY PLANNING DOCUMENT (1-38-45)**

The Cabinet had before it a \* report of the Head of Planning Economy and Regeneration requesting it to approve the draft Mid Devon Design Guide Supplementary Planning Document for Public Consultation.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Draft Design Guide would expand on local plan policy for design and provide detailed guidance on urban, village and rural design issues in Mid Devon. It was intended to raise design awareness and standards throughout the planning process and he outlined the consultants used for the exercise. He continued by adding that regular and meaningful stakeholder engagement had been essential in shaping the design guide to date. A series of stakeholder sessions had been held with local agents, architects, developers, statutory consultees, neighbourhood plan groups, town and parish councils, and elected members. Those sessions had usefully helped shape both the methodological approach and usability of the Design Guide

As a result, the Draft Design Guidance was structured into four volumes and a pocket toolkit as follows:

- Volume 1 – Procedural guidance: This sets out the overarching core principles for the Design Guide as well as some background information and context. It also explains how to navigate through the guide.
- Volume 2 – Designing for Landscape and Settlement Form: This volume provides a step by step guide to preparing design responses to landscape, settlement form and site situation. It also provides framework design guidance for each of the 3 main towns and additional guidance for development in the countryside,
- Volume 3 – Compendium of District Design. This volume represents a study of the built environment in Mid Devon and provides a summary of the treatment of each feature and the contribution it can make to good design.
- Volume 4 – Special Topic Guides – This final section provides guidance on specific ‘special topics’ (e.g. custom and self build).
- Pocket ‘toolkit’ enabled the Council’s officers and applicants easy ‘table-top’ use of the Design Guide to inform discussions at the pre-application stage and throughout the application process.

Subject to approval, a six week public consultation was proposed to be undertaken, commencing on a date to be agreed. Once the consultation had ended and all



comments have been taken into account, the final version of the Design Guide would be presented to a future meeting of the Cabinet with a recommendation to adopt the document as an SPD.

Consideration was given to how useful the initial workshops had been in formation of the guide.

**RESOLVED** that:

1. 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) be approved 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.

(Proposed by Cllr G Barnell and seconded by Cllr Mrs N Woollatt)

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

#### 89. **GOVERNANCE REVIEW (1-44-04)**

The Cabinet had before it a \* report of the Group Manager for Legal Services and Monitoring Officer considering the current governance arrangements.

The Leader outlined the contents of the report stating that the report sought to offer options for consideration with regard to possible changes that could be made to enhance the current governance arrangements. Although the report did not consider a full review of the governance arrangements some of the options may be useful in the meantime.

Consideration was given to:

- The restrictions of the Cabinet system and that the report did not satisfy those who had concerns
- The need for a member led review to consider options available
- Doubts with regard to the Cabinet system and the need to include all members in decision-making
- The manner in which certain decisions had been made by the previous administration and the need to avoid such situations arising again

**RESOLVED** that the item be deferred to the next meeting to allow the report to be amended to include a recommendation for a full review of governance arrangements.

(Proposed by Cllr G Barnell and seconded by Cllr Mrs N Woollatt)

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

90. **FINANCIAL MONITORING (1-52-23)**

The Cabinet had before it and **NOTED** a \* report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure to date.

The Cabinet Member for Finance outlined the contents of the report stating that the General Fund was now showing a surplus of £29k, the key items to note were savings made from the waste partnership and the receipt of a significant planning application. The Housing Revenue Account was forecasting an underspend of £486k made up of several deficits and surpluses as outlined in paragraph 4.3 of the report. He highlighted the slippage within the capital programme and the project timetable and the treasury management position.

Discussion took place regarding:

- The loan to 3 Rivers Developments Limited and the proposed impairment of this loan
- Accountancy requirements for both the Council and the company
- The difficult and complicated St Georges View scheme
- The need to consider delays in current projects included in 3 Rivers Business Plan and the Council's Capital Programme, working capital considerations and whether profits would be ploughed back into the company or provided as dividends to the council
- The savings made within the HRA relating to staffing within the repairs team and whether reduced staff equalled reduced outputs.

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

91. **SCHEDULE OF MEETINGS (2-11-34)**

This item was deferred to allow for a clear recommendation to be made to the January meeting of Council.

92. **NOTIFICATION OF KEY DECISIONS ((2-11-34)**

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

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

(The meeting ended at 8.17 pm)

**CHAIRMAN**

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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.

#### **Contacts for more Information:**

Mrs Jenny Clifford, Head of Planning, Economy and Regeneration 01884 234346  
[jclifford@middevon.gov.uk](mailto:jclifford@middevon.gov.uk)

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

#### **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 ~~strikethrough~~ 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</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.
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><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.
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.
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>

			<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></p>	
MM40	J27: Land at Junction 27 of the M5 Motorway	128	<p>Include additional criterion in policy as follows:</p> <p><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>.</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 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).</p>
MM41	Paragraph 3.184d	129	<p>Include the following text at the end of the paragraph 3.184d:</p> <p><b><u>"Priority habitats exist within the site and in line with criterion c) of Policy J27 should be protected and enhanced."</u></b></p>	<p>Amendment as agreed with Natural England (see Statement of Common Ground SCG-6 MDDC and Natural England)</p>



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>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>
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></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 <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><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><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><b><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></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 made available for occupation before</u></b></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>

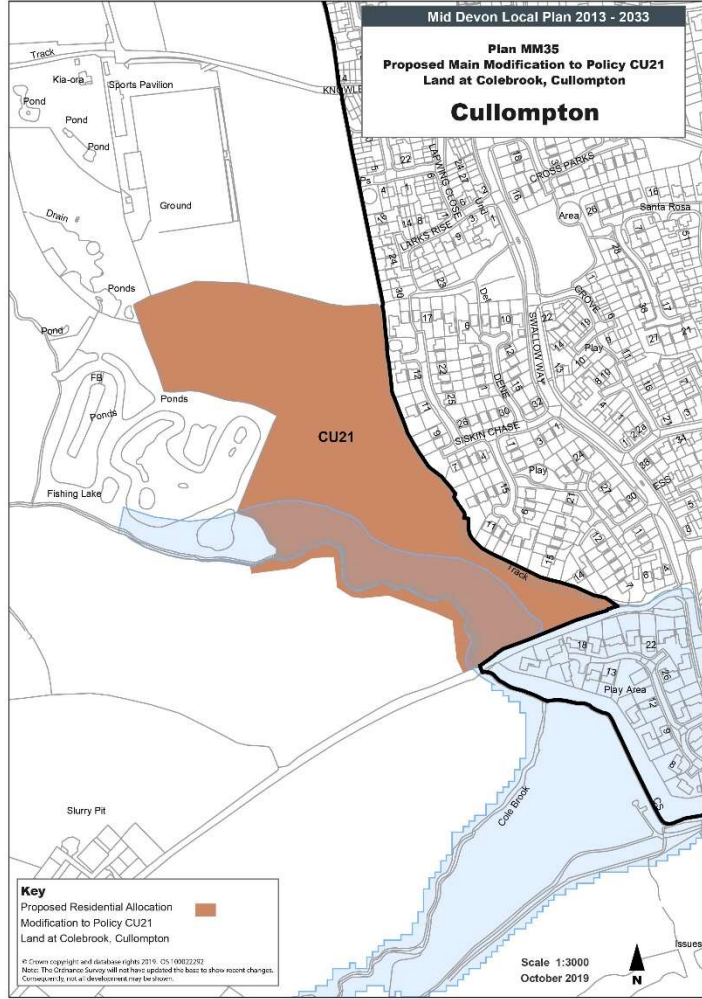
MM51	DM25: Development affecting heritage assets	186	<p>Amend Policy DM25 as follows:</p> <p>“a) Apply a presumption in favour of <b><u>preserving or enhancing all designated preservation in situ in respect of the most important</u></b> heritage assets <b><u>and their settings</u></b>;</p> <p>b) Require 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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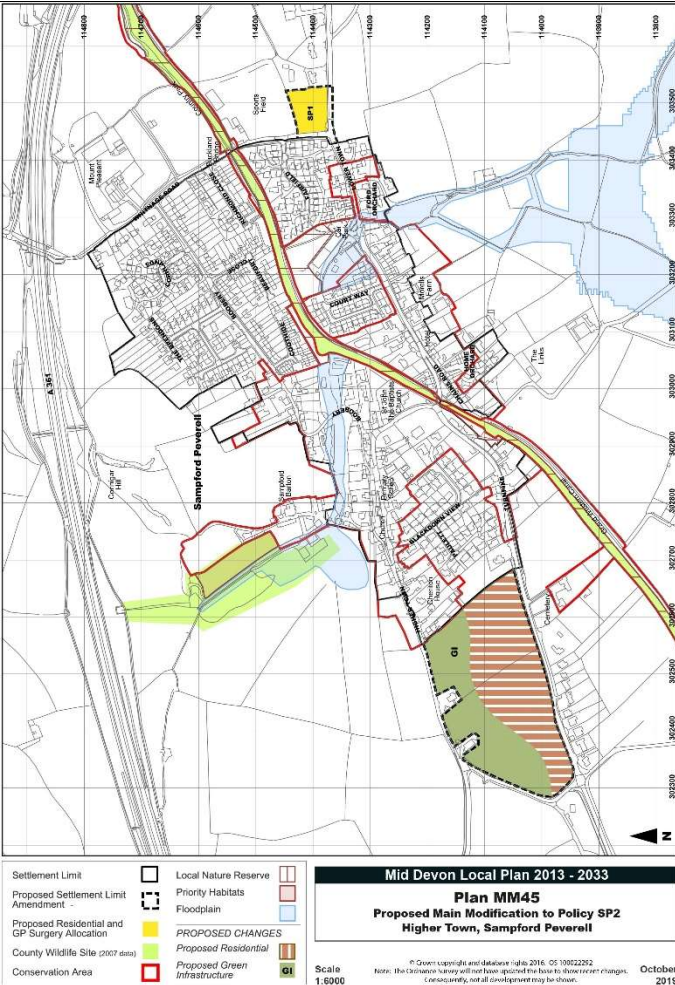


MM52	Paragraph 4.88	189	<p>Amend paragraph 4.88 as follows:</p> <p>... “Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <b><u>although developments should recognise that floodplain cannot necessarily provide year-round amenity 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><b>Plan MM35</b> Proposed Main Modification to Policy CU21 Land at Colebrook, Cullompton</p> <p><b>Cullompton</b></p> <p>CU21</p> <p><b>Key</b> 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 action should be taken on the basis of this document.</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 <u>(in conjunction with the</u> <del>and</del> <u>spatial strategy)</u> 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:			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	
			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.	

			<table><tr><td>AL/BO/3</td><td>Bow, South West of Junction Road</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/BO/3	Bow, South West of Junction Road	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.				
AL/BO/3	Bow, South West of Junction Road	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.								
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.
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>								
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:  “ <del>7,860</del> <del>7,200</del> dwellings are required over the plan period, equating to <del>393</del> <del>360</del> dwellings per year. The following table sets out the situation at 31st March <del>2018-2016-2014</del> , indicating a remaining need for about <del>3,512</del> <del>4,924</del> <del>5,511</del> 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><del>7,860</del><del>7,200</del></td></tr><tr><td>Completions since 2013</td><td><del>1,730</del><del>924</del><del>320</del></td></tr><tr><td>Commitments (dwellings under construction or with planning permission)</td><td><del>2,618</del><del>2,012</del><del>1,369</del></td></tr><tr><td>Uncommitted requirement</td><td><del>3,512</del><del>4,924</del><del>5,511</del></td></tr></table>	Local Plan requirement	<del>7,860</del> <del>7,200</del>	Completions since 2013	<del>1,730</del> <del>924</del> <del>320</del>	Commitments (dwellings under construction or with planning permission)	<del>2,618</del> <del>2,012</del> <del>1,369</del>	Uncommitted requirement	<del>3,512</del> <del>4,924</del> <del>5,511</del>	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 <del>2018</del><del>2016</del><del>2014</del>)</td><td>Commitments (at 1 April <del>2018</del><del>2016</del><del>2014</del>)</td><td>Remainder</td></tr><tr><td>Tiverton</td><td><del>2,358</del><del>2,160</del> (30%)</td><td><del>478</del><del>261</del><del>93</del></td><td><del>1,275</del><del>745</del><del>522</del></td><td><del>605</del><del>1,352</del><del>1,545</del></td></tr></table>	Location	Requirement	Completions (from 1 April 2013 – 31 March <del>2018</del> <del>2016</del> <del>2014</del> )	Commitments (at 1 April <del>2018</del> <del>2016</del> <del>2014</del> )	Remainder	Tiverton	<del>2,358</del> <del>2,160</del> (30%)	<del>478</del> <del>261</del> <del>93</del>	<del>1,275</del> <del>745</del> <del>522</del>	<del>605</del> <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 <del>2018</del> <del>2016</del> <del>2014</del> )	Commitments (at 1 April <del>2018</del> <del>2016</del> <del>2014</del> )	Remainder										
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			<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> <del>2,220</del></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> <del>2,220</del>	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)
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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> <u>129</u> 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>4,2181,550</u></td><td><u>43,216805</u></td><td>37,000 (<u>8,981</u>)<del>38,000</del></td></tr><tr><td>Cullompton</td><td><u>9,2733,598</u></td><td><u>29,80819,669</u></td><td>57,000 (<u>30,702</u>)<del>65,000</del></td></tr><tr><td>Crediton</td><td><u>2,045520</u></td><td><u>6,8632052</u></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>30,9774,119</u></td><td><u>48,47620,733</u></td><td>22,355 (<u>0</u>)<del>13,000</del><del>8,800</del></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>4,2181,550</u>	<u>43,216805</u>	37,000 ( <u>8,981</u> ) <del>38,000</del>	Cullompton	<u>9,2733,598</u>	<u>29,80819,669</u>	57,000 ( <u>30,702</u> ) <del>65,000</del>	Crediton	<u>2,045520</u>	<u>6,8632052</u>	9,820 ( <u>5,429</u> )	Junction 27	0	0	42,550 ( <u>42,550</u> )	Rural	<u>30,9774,119</u>	<u>48,47620,733</u>	22,355 ( <u>0</u> ) <del>13,000</del> <del>8,800</del>	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>																									
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			<b>Totals</b> <div> <div>46,513,787</div> <div>128,363,43,259</div> <div>168,725 (87,662)</div> <div>159,370 121,620</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.
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															

						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).															



			<table><tr><th>Site</th><th>Policy</th><th>Gross site area (ha)</th><th>Net site area (ha)</th><th>No. dwellings allocated <del>without permission</del></th></tr><tr><td>Eastern Urban Extension</td><td>TIV1-TIV5</td><td>153</td><td>64.86</td><td><del>550</del>12501520</td></tr><tr><td><del>Moorhayes Park</del></td><td><del>TIV8</del></td><td><del>0.4</del></td><td><del>0.4</del></td><td><del>8</del></td></tr><tr><td>Howden Court</td><td>TIV9</td><td>0.47</td><td>0.38</td><td>10</td></tr><tr><td>Roundhill</td><td>TIV10</td><td>0.4</td><td>0.4</td><td>20</td></tr><tr><td><del>Palmerston Park</del></td><td><del>TIV11</del></td><td><del>0.9</del></td><td><del>0.72</del></td><td><del>25</del></td></tr><tr><td>Phoenix Lane</td><td>TIV12</td><td>1.4</td><td>1</td><td>60</td></tr><tr><td>Blundells School</td><td>TIV16</td><td>14</td><td>6</td><td>200</td></tr><tr><td>Total</td><td></td><td></td><td></td><td><del>840</del>1,5401643</td></tr></table>	Site	Policy	Gross site area (ha)	Net site area (ha)	No. dwellings allocated <del>without permission</del>	Eastern Urban Extension	TIV1-TIV5	153	64.86	<del>550</del> 12501520	<del>Moorhayes Park</del>	<del>TIV8</del>	<del>0.4</del>	<del>0.4</del>	<del>8</del>	Howden Court	TIV9	0.47	0.38	10	Roundhill	TIV10	0.4	0.4	20	<del>Palmerston Park</del>	<del>TIV11</del>	<del>0.9</del>	<del>0.72</del>	<del>25</del>	Phoenix Lane	TIV12	1.4	1	60	Blundells School	TIV16	14	6	200	Total				<del>840</del> 1,5401643	
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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 ( <del>adopted December 2014</del> ), <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>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 Allocations (within the plan period)</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Housing (dwellings)</td><td><del>252</del><del>209</del><del>199</del></td><td><del>545</del><del>487</del><del>87</del></td><td><del>3,238</del><del>3,118</del> 3,533</td><td><del>4,035</del> 3,814 3,819</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> 89,267</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 Allocations (within the plan period)	Total	Housing (dwellings)	<del>252</del> <del>209</del> <del>199</del>	<del>545</del> <del>487</del> <del>87</del>	<del>3,238</del> <del>3,118</del> 3,533	<del>4,035</del> 3,814 3,819	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> 89,267	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> <tr> <th>Site</th><th>Policy</th><th>Gross Site Area (ha)</th><th>Net site area (ha)</th><th>Allocated dwellings</th></tr> <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> </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.
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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).																																													

			<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>	
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>Commitments at 31 March <del>2018</del>2016<del>2014</del> 4</th><th>Completions from 1 April 2013 – 31 March <del>2018</del>2016<del>2014</del></th><th>Uncommitted Allocation s</th><th>Total</th></tr> </thead> <tbody> <tr> <td>Housing (dwellings)</td><td>295245<del>216</del></td><td>136107<del>58</del></td><td>548583<del>633</del></td><td>979 935<del>90</del> 7</td></tr> </tbody> </table>	Use	Commitments at 31 March <del>2018</del> 2016 <del>2014</del> 4	Completions from 1 April 2013 – 31 March <del>2018</del> 2016 <del>2014</del>	Uncommitted Allocation s	Total	Housing (dwellings)	295245 <del>216</del>	136107 <del>58</del>	548583 <del>633</del>	979 935 <del>90</del> 7	To reflect most recently available housing and commercial land monitoring data for Crediton (March 2018).
Use	Commitments at 31 March <del>2018</del> 2016 <del>2014</del> 4	Completions from 1 April 2013 – 31 March <del>2018</del> 2016 <del>2014</del>	Uncommitted 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>20162014</th><th>Completions from 1 April 2013 to 31 March <del>2018</del>20162014</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> 20162014	Completions from 1 April 2013 to 31 March <del>2018</del> 20162014	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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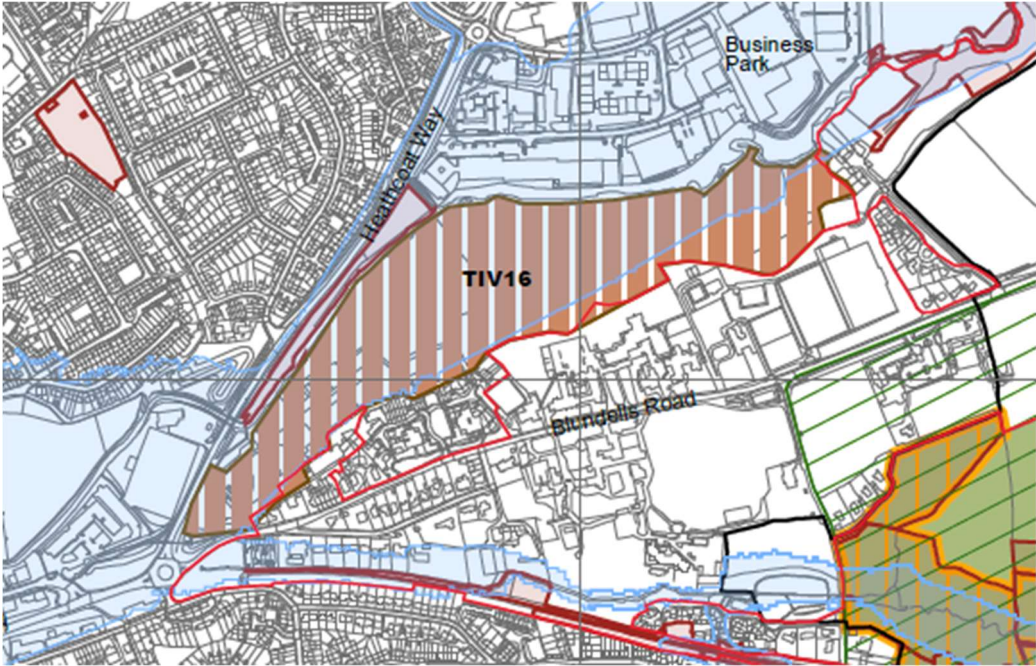
70.	Rural Areas	130	Paragraph 3.186, amend as follows:  “Twenty- <del>one</del> <u>five</u> housing sites are allocated in rural areas and are considered achievable in principle, corresponding to rural settlement maps that accompany this document.”	To accurately reflect the total number of allocated 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).
Parish/location	Policy	Site	Gross Site Area (ha)	Net site area (ha)	Uncommitted Local Plan allocations																																																					
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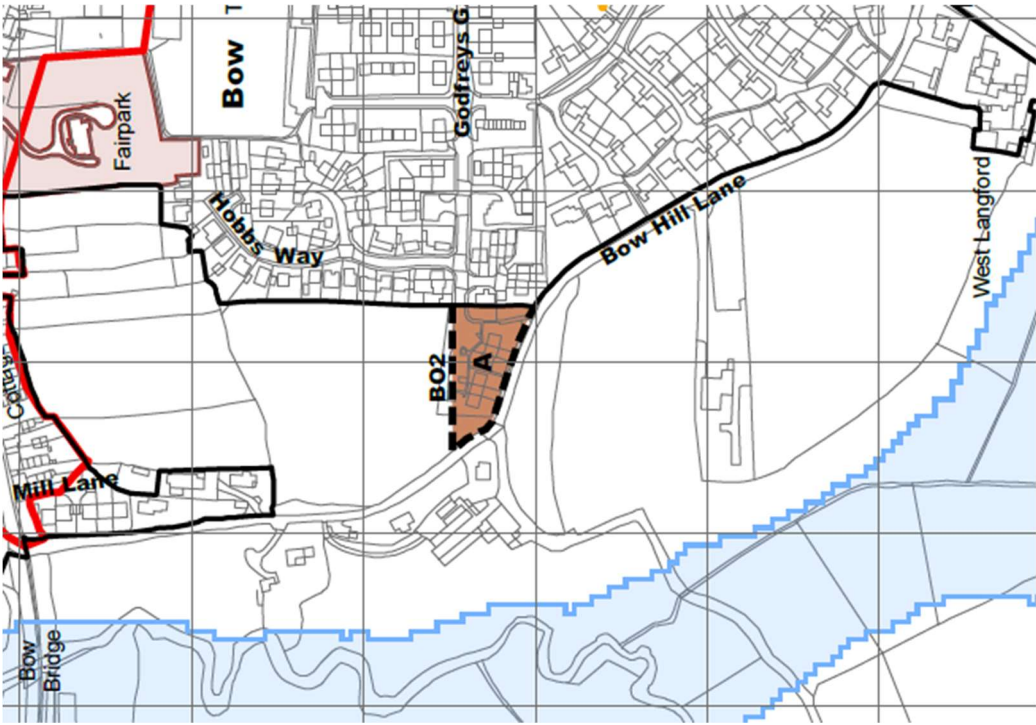
			<del>Copplestone</del>	<del>CO1</del>	<del>Old Abbatoir</del>	<del>1.5</del>	<del>1.2</del>	<del>30</del>	
			Culmstock	CL1	Linhay Close	0.23	0.23	6	
			<del>Culmstock</del>	<del>CL2</del>	<del>Hunter's Hill</del>	<del>0.4</del>	<del>0.4</del>	<del>10</del>	
			Halberton	HA1	Land adj Fishers Way	0.6	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	

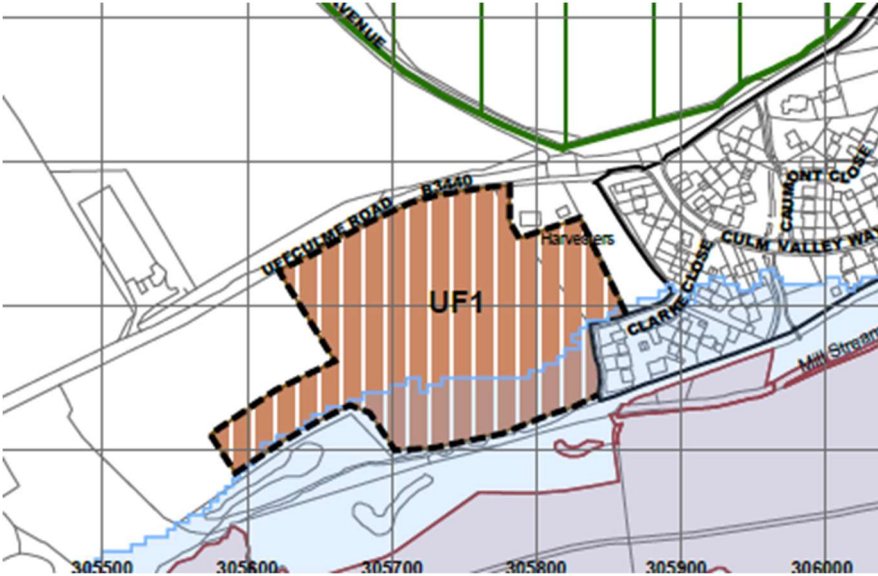
72.	Rural Areas	131	<p>Paragraph 3.187, amend as follows:</p> <p><del>“Three</del><u>Five</u><del>The nine</del> allocated housing sites <u>not listed in the table above</u> already have planning approval <u>or have recently been implemented, and these are set out below.</u> <u>Seven of these sites have 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>4476</del> <u>210</u>	
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. is available, suitable and achievable.</u> "				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 <u>30</u> <del>8</del> % 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 <u>107</u> <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="589 197 1169 225">Settlement limited to be extended to include BO2</p> 	<p data-bbox="1644 197 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

Planning & EIA  
Design  
Landscape Planning  
Landscape Management  
Ecology  
GIS & Visualisation

LUC BRISTOL  
12<sup>th</sup> Floor Colston Tower  
Colston Street Bristol  
BS1 4XE  
T +44 (0)117 929 1997  
[bristol@landuse.co.uk](mailto:bristol@landuse.co.uk)

Offices also in:  
Edinburgh  
Glasgow  
Lancaster  
London  
Manchester



Land Use Consultants Ltd  
Registered in England  
Registered number: 2549296  
Registered Office:  
250 Waterloo Road  
London SE1 8RD  
LUC uses 100% recycled paper

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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**

Page 121

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
MM01	Overall Provision of housing and employment	26-27	<p>Replace Table 6: Housing forecast 2013 – 2033 with the following update:</p> <table><tr><th></th><th></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>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>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>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>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>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>100</td><td>97</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>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></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></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>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>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>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></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>98</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>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>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>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>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>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></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>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>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>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>136</td></tr><tr><td>Credition Total</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>49</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>979</td></tr><tr><td colspan="13"><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></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>5</td></tr><tr><td>Hollywell</td><td>BD1</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></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>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></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>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></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>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></td><td>20</td></tr><tr><td>Barnshill Close</td><td>CF1</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></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>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></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>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></td><td>10</td></tr><tr><td>Greenaway</td><td>MD1</td><td></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>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>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></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>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></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>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>Old Butterleigh Road</td><td>SI1</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>The Garage</td><td>SI2</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></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></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>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></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>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>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>521</td></tr><tr><td>Rural Sites Total</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>0</td><td>0</td><td>0</td><td>0</td><td>0</td><td>1627</td></tr><tr><td>Total (Mid Devon - all areas)</td><td></td><td></td><td>320</td><td>316</td><td>288</td><td>304</td><td>502</td><td>574</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>497</td><td>400</td><td>400</td><td>400</td><td>9234</td></tr><tr><td>Five year totals</td><td></td><td></td><td>1730</td><td></td><td></td><td></td><td></td><td>2801</td><td></td><td></td><td></td><td></td><td>2756</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>1947</td></tr><tr><td>Cumulative five year totals</td><td></td><td></td><td>1730</td><td></td><td></td><td></td><td></td><td>4531</td><td></td><td></td><td></td><td></td><td>7287</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>9234</td></tr></table>			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	TV1-TV5							25	100	100	100	25	550	Howden Court	TV9					10						10	Roundhill	TV10					12	8					20	Phoenix Lane	TV12					4		25	31			60	Tidcombe Hall (contingency)	TV13											0	Blundells School	TV16					12	25	25	50	50	38	200	Commitments						107	149	136	143	135	100	100	100	100	100	97							1275	Completions			93	70	88	89	128																478	Tiverton Total			93	70	88	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	120	179	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	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	<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	979	<b>Rural sites</b>													Newton Square	BA1										5											5	Hollywell	BD1							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	MD1										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															521	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	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>
		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> <b><u>approximately 7,860</u></b> <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."	<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> <b><u>approximately 7,860</u></b> <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 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 124			<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 128					<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 130					<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;</del> <b><u>Provision of a 420-place 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 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
					<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	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.	<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	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 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>	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

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
Page 136			<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 137					<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>

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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 140	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 141					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 <del>CONTINGENCY SITE</del></p> <p>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:</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</del> the Town Centre</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>

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 146	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 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
Page 151			<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> <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.

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Page 152			<p>permitted where there is specific justification and the location, <b><u>scale, and nature of the proposed development</u></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>		

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> This need is proposed to be met on the largest strategic allocations. <del>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> 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></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>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 style="padding-left: 40px;"><del>i) Mixed use of the site that incorporates an employment-generating use, then</del></p> <p style="padding-left: 40px;"><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</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>

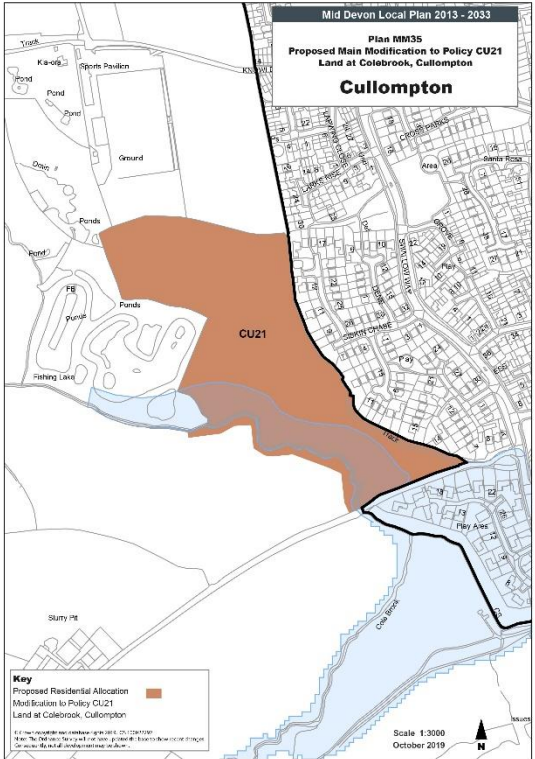
No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously	
Page 158			<p>d) Where a development proposal <del>would</del> <b>will</b> lead to less than substantial harm <b>to the significance of a designated heritage asset, this that</b> harm <del>will</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

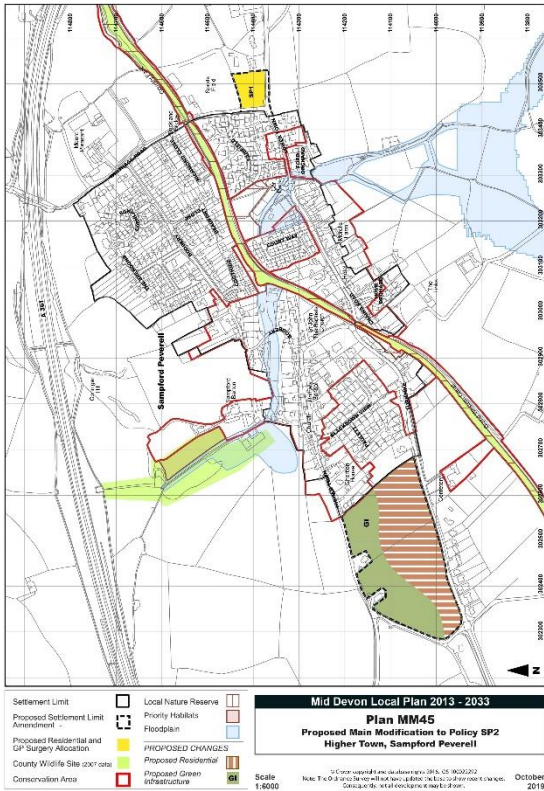
No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for SA findings reported previously
			<b><u>submit management and maintenance details for the proposed green infrastructure.</u></b>	made by the Environment Agency to ensure green infrastructure is protected and managed beyond 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 160				<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 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 SA findings:</b> This proposed amendment to the Policies Map reflects proposed modifications to the CU21 site allocation policy, which are considered separately above in terms of their implications for the SA findings (see MM35).</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.

<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  
October 2019

Planning & EIA  
Design  
Landscape Planning  
Landscape Management  
Ecology  
GIS & Visualisation

LUC BRISTOL  
12<sup>th</sup> Floor Colston Tower  
Colston Street Bristol  
BS1 4XE  
T +44 (0)117 929 1997  
[bristol@landuse.co.uk](mailto:bristol@landuse.co.uk)

Offices also in:  
Edinburgh  
Glasgow  
Lancaster  
London  
Manchester



Land Use Consultants Ltd  
Registered in England  
Registered number: 2549296  
Registered Office:  
250 Waterloo Road  
London SE1 8RD  
LUC uses 100% recycled paper

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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**

Page 183

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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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>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>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>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>25</td><td>25</td><td></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>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></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>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>15</td></tr><tr><td>Commitments</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>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>136</td></tr><tr><td>Credition Total</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>0</td><td>0</td><td>0</td><td>0</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>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>Hele Road</td><td>BR1</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></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>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>Land off Church Lane</td><td>CB1</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>Barnhill Close</td><td>CF1</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></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>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></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>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></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>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>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>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>The Garage</td><td>SI2</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></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>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>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>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>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>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>571</td></tr><tr><td>Rural Sites Total</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>0</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>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>497</td><td>400</td><td>400</td><td>400</td><td>250</td><td><b>9234</b></td></tr><tr><td><b>Five year totals</b></td><td></td><td></td><td colspan="4">1730</td><td colspan="4">2801</td><td colspan="4">2756</td><td colspan="4">1947</td><td colspan="5"></td></tr><tr><td><b>Cumulative five year totals</b></td><td></td><td></td><td colspan="4">1730</td><td colspan="4">4531</td><td colspan="4">7287</td><td colspan="4">9234</td><td colspan="5"></td></tr></table>	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	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	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	69	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	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	<b>Total (Mid Devon - all areas)</b>			320	316	288	304	502	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									<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 HRA findings:</b> The proposed modification relates to the supporting information for policy S2 and certain housing site 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 184	S2: Amount and Distribution of Development	32	“The diverse needs of the community will be met through the provision of <u>a minimum of</u> <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 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</u> <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 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 186			<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 188	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 189	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 190	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 <del>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>"</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><del>"Financial contributions towards Capacity</del> <b>improvements at Junction 28 of the M5, to</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><b>deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site."</b></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><b>"e) Contributions towards a new recycling centre to serve Cullompton"</b></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 194	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 195	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><u>"g) Contributions towards a new recycling centre to serve Cullompton"</u></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>Page 200</div> <div>MM36</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 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 and would need to ensure appropriate mechanisms are in place to ensure that the integrity of the Culm Grasslands SAC will not</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 204			<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>	modification 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
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 207			<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 208			<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 209			<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 within</del> 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 210 MM49			<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>		
	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</del></b></p>	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
			<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 212	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>



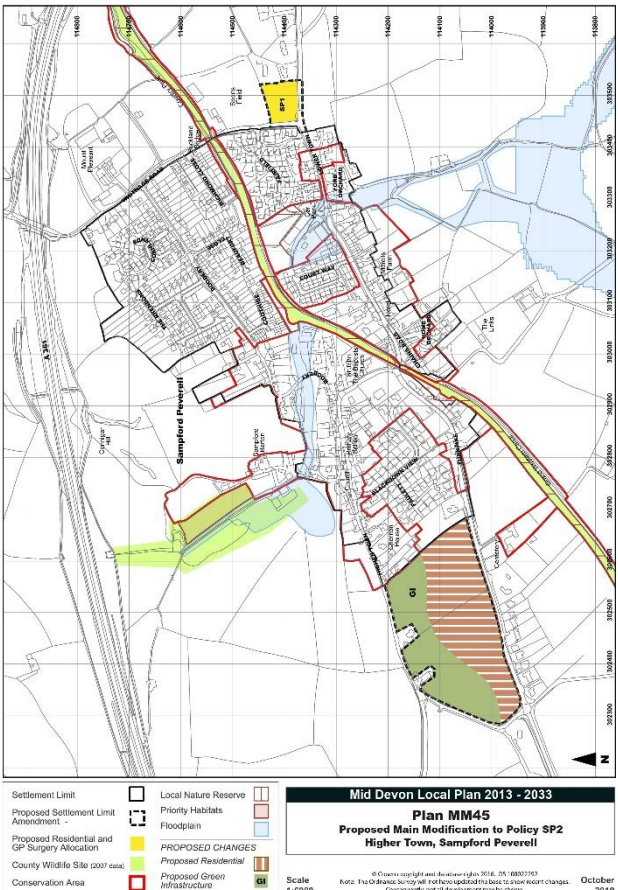
No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously	
Page 213			<p><del>outweighs that harm</del> or the requirements of <del>paragraph 133</del> of the National Planning Policy Framework are met;</p> <p>d) Where a development proposal <del>would 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>	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."		
	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>	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 HRA findings:</b> The proposed modification does not affect the overall scale or location of development proposed through the Local Plan Review.
	MM53	Paragraph 4.88	189	<p>At the end of paragraph 4.88 include the following sentence:</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing	<b>No change to HRA findings:</b> The proposed modification does not affect

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  Page 214	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>	<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.

No.	Policy/ Paragraph	Local Plan Page	Proposed Changes	Reason	Implications for HRA findings reported previously
Page 215				<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 216			<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 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	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><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 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></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>

			<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>		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.
MM06 Page 233	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 infrastructure plan"</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 S8 in terms of the five policy areas and impact on the protected characteristics identified in the Equalities Impact Assessment 2017.
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</del> <b>adjoining</b> the Blackdown Hills Area of Outstanding Natural	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 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

			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>

					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:  “ <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.	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:  “ <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.	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

			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.”		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:  “The Development will need to mitigate its impact upon capacity at junction 28 of the M5 by financial contributions towards junction improvements.”	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 Siskins 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 “<u>with early years provision and children’s centre service delivery base</u>”.</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 247	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:</u></b> <del>and that the development will preserve.”</del></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 256			<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>

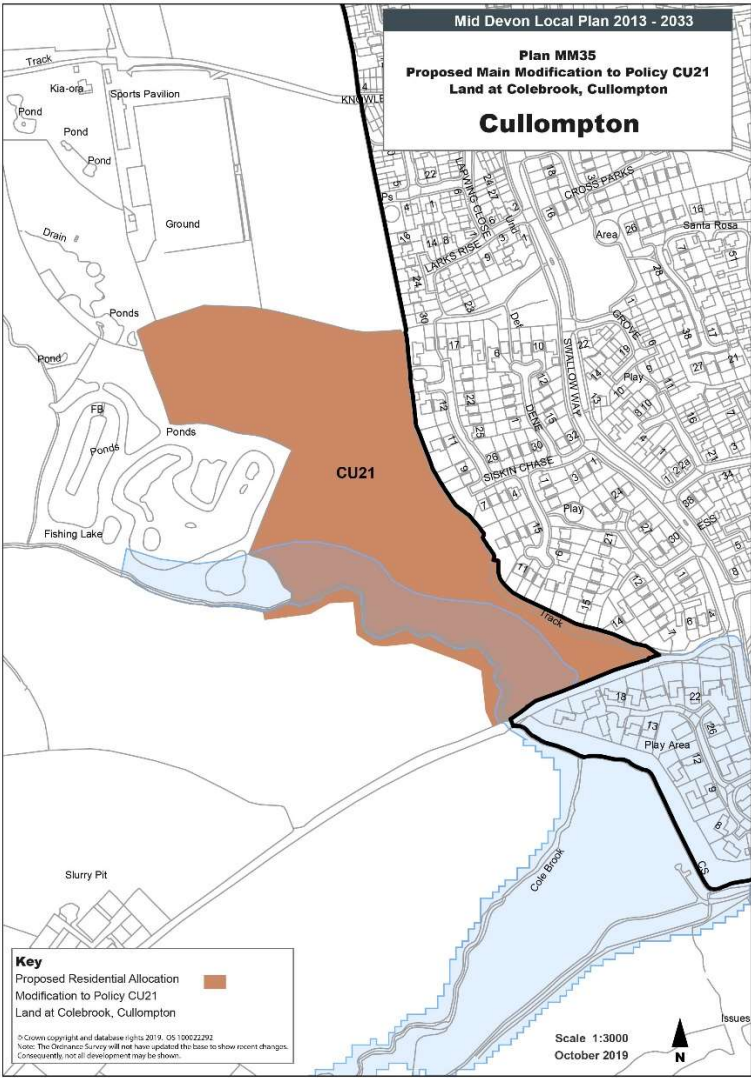
				floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.	
MM53	Paragraph 4.88	189	At the end of paragraph 4.88 include the following sentence:  <b><u>“Development incorporating green infrastructure will be required to submit management and maintenance details 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.

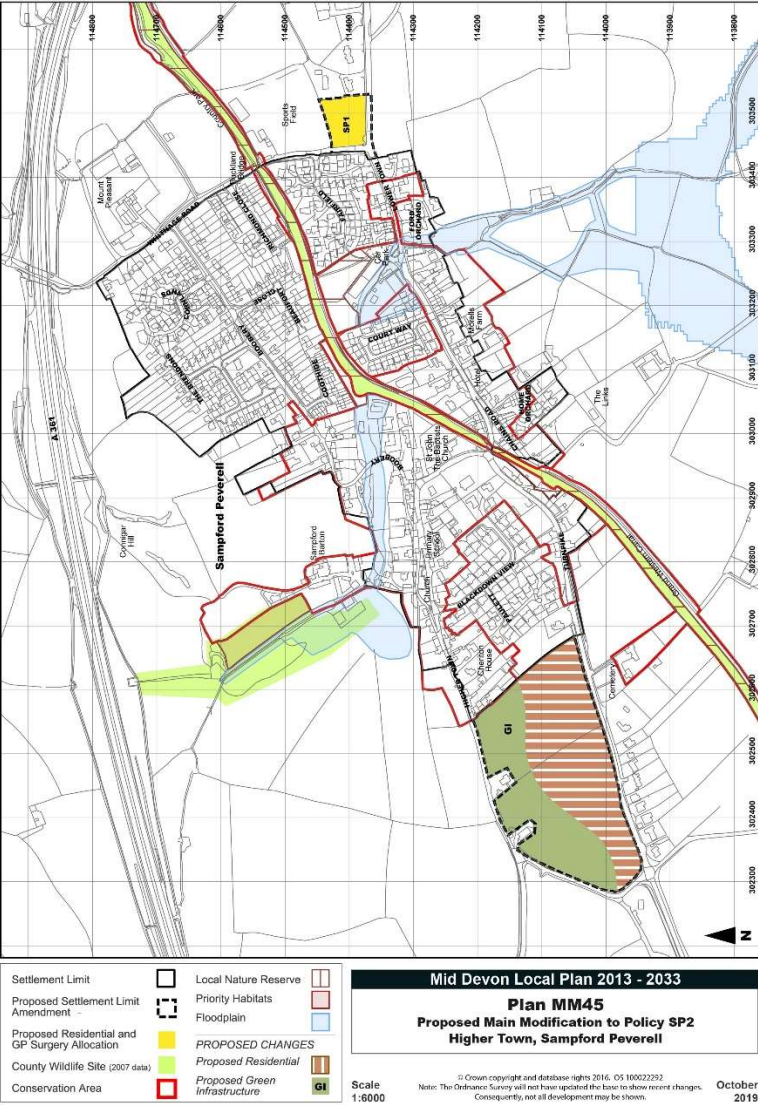
				<p>specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text.”</p> <p>The Council has considered the Inspector’s post hearings advice note 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 261	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>Page 263</p>	<p>CU21: Land at Colebrook</p>	<p>Policies Map</p>	 <p>Mid Devon Local Plan 2013 - 2033</p> <p><b>Plan MM35</b> Proposed Main Modification to Policy CU21 Land at Colebrook, Cullumpton</p> <p><b>Cullumpton</b></p> <p>CU21</p> <p>Key Proposed Residential Allocation Modification to Policy CU21 Land at Colebrook, Cullumpton</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>Please refer to proposed Main Modification MM35.</p>
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<p>Plan MM45</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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