

**CABINET  
14TH JUNE 2018**

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

**TIVERTON EASTERN URBAN EXTENSION: RESULTS OF PUBLIC CONSULTATION. ADOPTED MASTERPLAN SUPPLEMENTARY PLANNING DOCUMENT (AREA A)**

**Cabinet Member:** Cllr Richard Chesterton  
**Responsible Officer:** Mrs Jenny Clifford, Head of Planning, Economy & Regeneration

**Reason for Report:** To update Members on the outcome of the public consultation regarding the proposal to amend the adopted Masterplan Supplementary Planning Document (SPD) by removing housing land parcels on the southern side of West Manley Lane (within Area A) and to seek approval to revise the adopted Masterplan SPD accordingly.

**RECOMMENDATIONS:**

- 1. That Cabinet note the results of the public consultation; and**
- 2. Recommends to Council :**
  - i) That the Tiverton Eastern Urban Extension Masterplan Supplementary Planning Document be amended to encompass the proposed changes as set out in Appendix B and adopted; and**
  - ii) That the April 2014 Tiverton Eastern Urban Extension Masterplan Supplementary Planning Document be revoked.**

**Relationship to Corporate Plan:** The adopted Tiverton EUE Masterplan SPD provides guidance on the planning and delivery of a strategic site for Mid Devon. It directly relates to all four Corporate Plan priorities of economy, homes, community and environment.

**Financial Implications:** The adopted Masterplan SPD was produced by consultants and the Council through the Council working collaboratively with promoters. Revising the adopted masterplan text and associated plans will incur additional cost to the Council from capacity funding.

**Legal Implications:** Any revision to the existing Masterplan SPD requires a period of public consultation in accordance with the requirements of the Council's Statement of Community Involvement. Whilst the adopted Masterplan SPD does not form part of the Development Plan, the SPD and any revisions adopted would be a

material consideration in the determination of planning applications relating to the site.

**Risk Assessment:** The existing Masterplan SPD for the site has been through a process incorporating two stages of public consultation and formal adoption following Council resolution. Any changes to it need to be justified in planning terms.

**Equality Impact Assessment:** There are no equality issues identified in this report.

## **1.0 INTRODUCTION**

1.1 The Council adopted the Tiverton Eastern Urban Extension (EUE) Masterplan as a Supplementary Planning Document (SPD) in April 2014. SPDs are used where they can help applicants make successful applications and/or aid infrastructure delivery (NPPF, para 153). As such they should build upon and provide more detailed guidance on the policies of the Local Plan and not add unnecessarily to the financial burdens of the development.

## **2.0 BACKGROUND**

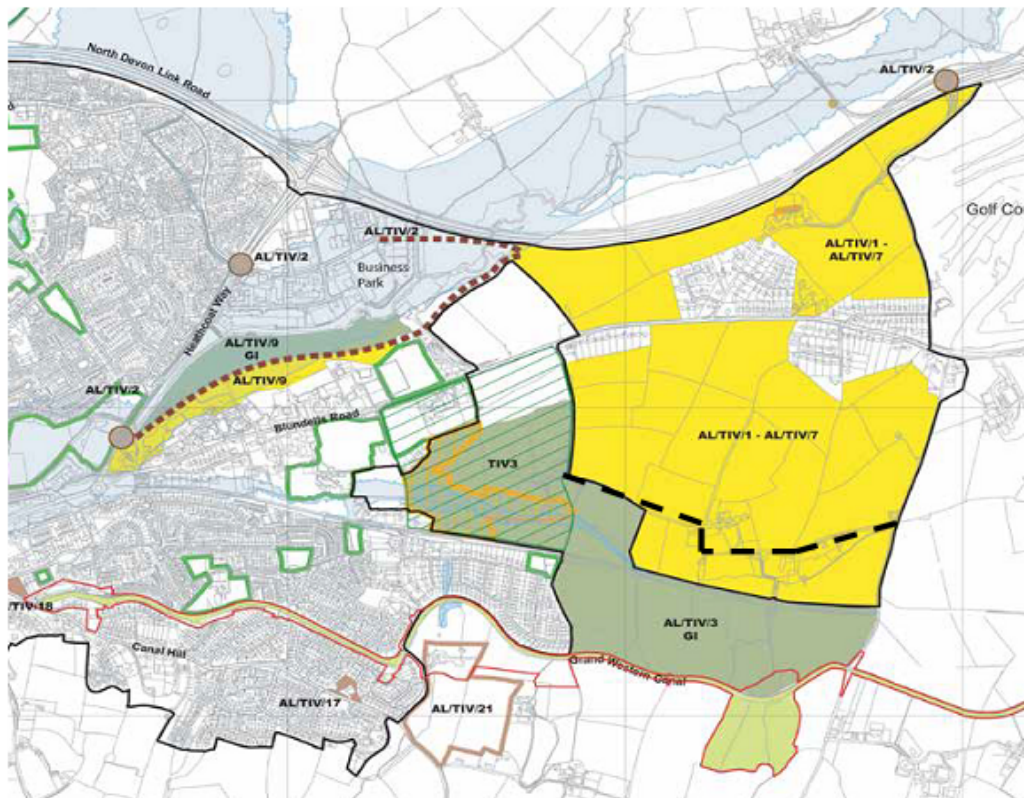
2.1 The Mid Devon Core Strategy sets out the strategic planning policy framework for Mid Devon District over the period 2006 to 2026. The Allocations and Infrastructure Development Plan Document (AIDPD) provides further guidance on how the strategic policies in the Core Strategy are to be applied including the identification of sites for development. One such site is the 153 hectare EUE. Policy AL/TIV/1 sets out how the EUE is allocated for a mixed use development.

2.2 Policy AL/TIV 7 describes how 'before a planning application is made, the Local Planning Authority will carry out a major public consultation exercise into the masterplanning of the site, leading to the adoption of a Supplementary Planning Document. A masterplanning exercise for the urban extension site as a whole was completed in 2013/14 and the Masterplan SPD was adopted by the Council in April 2014. This was the culmination of approximately three year's work and involved two periods of public consultation upon the scope of the masterplan and draft version respectively. It dealt with the north and western parts (Area A) of the site in detail. A copy of the SPD as adopted is attached at **Appendix 1**.

2.3 SPDs are produced to support the adopted Local Plan as a means to help applicants make successful applications by clarifying requirements and setting out expectations. They contain clear and reasoned justification for the guidance within them and explain their relationship with the development plan.

2.4 Cabinet requested a report (4<sup>th</sup> January 2018) to understand options available to it in the event that changes were to be made to the Adopted Masterplan. This request was specifically in relation to development land parcels to the south of West Manley Lane.

2.5 The Allocations and Infrastructure Development Plan Document (AIDPD) (Local Plan Part 2, Policies Map) includes the residential and employment areas of the EUE within the settlement limit of Tiverton. The southern part of these areas follows the line of West Manley Lane for some distance, before extending south of it towards the former railway line. The principal of development is established within the allocated site. The allocation plan also identifies areas as Green Infrastructure (GI), mainly between the former railway line and the canal.



Tiverton EUE allocation site (West Manley Lane marked - - - - - )

2.6 The Masterplan SPD takes the AIDPD identifies the main areas of development as north of West Manley Lane and those south of West Manley Lane as areas of GI. However the Illustrative Framework Plan of the Masterplan SPD indicates three low density housing clusters on three small land parcels south of West Manley Lane. Together they have the potential to provide up to 15 units (shown circled by a dashed line).



2.7 Outline planning permission (with signed S106) was approved 9th June 2017 for development on the Chettiscombe Trust land including 700 houses. The area of low density land parcels south of West Manley Lane initially formed part of the red line area of the application. The application was subsequently amended at the request of Planning Committee to remove it from the red line boundary. Whilst this removed the land parcels from the planning application, it did not amend the way that the area was treated within the adopted Masterplan SPD. Cabinet at its meeting on the 4<sup>th</sup> January 2018 resolved to amend the masterplan through the removal of the land parcels south of West Manley Lane and to undertake public consultation on this revision.

### 3.0 PUBLIC CONSULTATION

3.1 A period of public consultation was undertaken between 22<sup>nd</sup> February and 5<sup>th</sup> April 2018. 66 comments were received (with a further 2 comments received after the closure date for comments). Comments received were as follows:

1 in support of the retention of the housing clusters in the SPD.

1 of no comment- Devon County Council

67 in support the removal of the housing clusters from the SPD for the following reasons

- Protecting the setting of the railway walk and Grand Western Canal
- Providing a protective corridor to Tidcombe Fen and potential discharge of surface waters to it
- Mitigation against flooding, foul water and sewage
- Protection of this green and scenic area that is enjoyed by walkers and cyclists
- Loss of open countryside
- Aligning the permitted planning application and Adopted Masterplan SPD

- Ecological value of retaining the landscape with no development
- West Manley Lane acts a clear and well defined boundary to development
- Cabinet resolved (26 October 2017) that development within Area B should not extend beyond West Manley Lane
- Protection of important hedgerows

3.2 It can be concluded that there is over whelming support for the removal of the three housing clusters south of West Manley Lane.

3.3 Officers have reviewed the Adopted Masterplan SPD and identified the changes that would be required. A schedule of changes proposed to the masterplan is attached at **Appendix 2**. The document incorporating these changes will require a resolution from Council in order that it be readopted.

#### 4.0 CONCLUSION

4.1 The results of the public consultation indicate support for the proposed changes to the SPD. Officers accordingly advise that in accordance with the Cabinet resolution of 4<sup>th</sup> January 2018, the necessary amendments are made to the adopted SPD Masterplan to remove the housing clusters south of West Manley Lane (within Area A) as detailed in Appendix B.

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**List of Background Papers:** The adopted policies relating to the Tiverton Eastern Urban Extension may be viewed in the AIDPD at  
<https://new.middevon.gov.uk/residents/planning-policy/mid-devon-local-plan/part-2-aidpd/>

The Adopted Tiverton EUE Masterplan may be viewed at  
<https://www.middevon.gov.uk/residents/planning-policy/masterplanning/>

Cabinet 17<sup>th</sup> April 2014, 7<sup>th</sup> April 2016, 26<sup>th</sup> October 2017, 4<sup>th</sup> January 2018

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