

## **AMENDMENTS AND WRITTEN QUESTIONS – EXTRAORDINARY MEETING OF THE COUNCIL – 4 December 2019**

### **AMENDMENTS**

#### **1. AGENDA ITEM 5**

##### **Amendment submitted by Councillor: G Barnell**

“that the policy map for the contingency site CU21 at MM35 be amended to reflect the revised settlement limit (map circulated)”

##### **WORDING IF AMENDMENT APPROVED:**

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:
  - a) 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) **subject to the policy map for the contingency site CU21 at MM35 being amended to reflect the revised settlement limit (map circulated)**
  - b) Schedule of Additional (Minor) Modifications to the Mid Devon Local Plan Review (Appendix 2)
  - c) Addendum to the Sustainability Appraisal (Appendix 3),
  - d) Addendum to the Habitat Regulations Assessment (Appendix 4), and
  - e) Addendum to the Equalities Impact Assessment 2017 (Appendix 5)
3. Following this consultation the documents listed in recommendation 2, excluding 2(b) are submitted to the Planning Inspectorate together with the consultation responses received on them.

#### **2. AGENDA ITEM 5**

##### **Amendment submitted by Councillor: A Wilce**

That this Council, in accordance with its' duty in respect of maintaining the health and well-being of Mid Devon residents, RESOLVES not to proceed with the recommendation contained in MM35 to remove any conditions relating the prior construction of the Cullompton Town Centre Relief Road, so as not to exacerbate the issue of poor air quality in an area already designated as Air Quality Management Area.

For the removal of doubt, Policy CU21 paragraph b) should read *'The development shall not commence until the Town Centre Relief Road has been provided;'*

And the following paragraphs should have their letter identification amended to follow on from b).

And paragraph 3.149 should be amended to read:

*'Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. 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 adverse impacts. The site is expected to contribute to off-site highways infrastructure. 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.'*

#### **WORDING IF AMENDMENT APPROVED:**

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, **subject to:**

(a) the reinstatement in MM35 (Policy CU21) of sub-paragraph b) requiring *"The development shall not commence until the Town Centre Relief Road has been provided"*; and

(b) the amendment of MM36 by including the following words in paragraph 3.149 of the supporting text to Policy CU21:

*"Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. 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 adverse impacts. The site is expected to contribute to off-site highways infrastructure. 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"*.

2. The following documents are published for a minimum 6 week period of public consultation:

a) 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) **with the amendments to MM35 and MM36 as set out in 1 above**

b) Schedule of Additional (Minor) Modifications to the Mid Devon Local Plan Review (Appendix 2)

c) Addendum to the Sustainability Appraisal (Appendix 3),

d) Addendum to the Habitat Regulations Assessment (Appendix 4), and

- e) Addendum to the Equalities Impact Assessment 2017 (Appendix 5)
- 3 Following this consultation the documents listed in recommendation 2, excluding 2 (b) are submitted to the Planning Inspectorate together with the consultation responses received on them.

### **3. AGENDA ITEM 5**

#### **Amendment submitted by Councillor: Mrs C A Collis**

In the event that (a) the Inspector recommends the adoption of the Local Plan Review including policy SP2 (with or without main modifications) and it is so adopted and (b) planning permission is refused by an Inspector for reasons which go to the principle of development of the site on the scale envisaged by policy SP2, that an early review of policy SP2 takes place in line with the Council's own Local Development Scheme.

#### **WORDING IF AMENDMENT APPROVED:**

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:
  - a) 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)
  - b) Schedule of Additional (Minor) Modifications to the Mid Devon Local Plan Review (Appendix 2)
  - c) Addendum to the Sustainability Appraisal (Appendix 3),
  - d) Addendum to the Habitat Regulations Assessment (Appendix 4), and
  - e) Addendum to the Equalities Impact Assessment 2017 (Appendix 5)
3. Following this consultation the documents listed in recommendation 2, excluding 2(b) are submitted to the Planning Inspectorate together with the consultation responses received on them.
4. In the event that (a) the Inspector recommends the adoption of the Local Plan Review including policy SP2 (with or without main modifications) and it is so adopted and (b) planning permission is refused by an Inspector for reasons which go to the principle of development of the site on the scale envisaged by policy SP2, that an early review of policy SP2 takes place in line with the Council's own Local Development Scheme

#### 4. AGENDA ITEM 5

##### Amendment submitted by Councillor: Miss J Norton

That Policy SP2 be amended by way of an Additional (Minor) Modification to include the following text:

'In the event that (a), the Inspector recommends the adoption of the Local Plan Review including policy SP2 (with or without main modifications) and it is so adopted and (b), planning permission to develop the SP2 site is refused by an Inspector, that an early review of policy SP2 takes place'.

##### WORDING IF AMENDMENT APPROVED:

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:
    - a) 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)
    - b) Schedule of Additional (Minor) Modifications to the Mid Devon Local Plan Review (Appendix 2), subject to an Additional (Minor) Modification to Policy SP2 to include the following as a new sub-paragraph (h) in that policy: *In the event that (a), the Inspector recommends the adoption of the Local Plan Review including policy SP2 (with or without main modifications) and it is so adopted and (b), planning permission to develop the SP2 site is refused by an Inspector, that an early review of policy SP2 takes place'.*
    - c) Addendum to the Sustainability Appraisal (Appendix 3),
    - d) Addendum to the Habitat Regulations Assessment (Appendix 4), and
    - e) Addendum to the Equalities Impact Assessment 2017 (Appendix 5)
  3. Following this consultation the documents listed in recommendation 2, excluding 2(b) are submitted to the Planning Inspectorate together with the consultation responses received on them.
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