

**SCRUTINY COMMITTEE
24TH FEBRUARY 2020**

**REPORT ON THE PORTFOLIO OF THE CABINET MEMBER FOR PLANNING
AND ECONOMIC REGENERATION.**

THE SERVICE

The service pulls together the Council's economic development, regeneration, growth, delivery and planning functions. The emerging Corporate Plan 2020-2024 identifies the strands of homes, economy, community and environment with an emphasis on sustainability through sustainable and prosperous communities, a sustainable planet and sustainable participation. The Council is creating strategic partnerships with other authorities within the Greater Exeter area in the areas of economy and planning and is working to a shared strategy for economic growth and prosperity. The Council is an active partner in the development of a Greater Exeter Strategic plan which will set out the vision and spatial aspirations for the area to 2040. There is a need to plan for, allocate, enable and ensure delivery of the sustainable growth in a coordinated and focused way.

The structure of the service seeks to be responsive to the needs of this growth agenda and allow for this part of the organisation to adapt a more external facing and interventionist role in securing the delivery of growth and infrastructure including its funding.

ECONOMIC DEVELOPMENT.

1.0 STRATEGIC CONTEXT

1.1 Heart of the SW Partnership

The Heart of the SW Partnership (including the LEP, 17 local authorities, 2 national parks and 3 Clinical Commissioner Groups) published a jointly agreed green paper 'Driving productivity in the Heart of the South West' in order to stimulate debate about how we can drive economic growth in the area. This green paper is itself a response to the Government's Industrial Strategy which focuses on narrowing the productivity gap between the UK and other G7 countries. The LEP finalised a Productivity Strategy in 2018. The themes of work emanating from the Productivity Strategy are now being progressed. The Economic Development team have been assisting with this work particularly with regard to rural productivity.

The Heart of the SW Partnership has also produced a Local Industrial Strategy highlighting the importance of co-ordinated economic development activities and seeking to transform the economy through clean and inclusive growth in order to raise productivity and drive prosperity for all.

In January 2020 an economic roadmap to drive a £45 billion uplift to the South West economy was presented to the Government via The Great South West prospectus and covering the Heart of the South West LEP, Dorset, Cornwall and the Isles of Scilly. At the heart of the growth prospectus is the ambition to

make the area the cleanest economy in England and the first to be net carbon zero.

1.2 Mid Devon Economic Strategy

The Growth, Economy and Delivery team developed an Economic Strategy, which was approved by Cabinet in February 2019. The strategy sets out the Council's ambitions to grow the local economy in the direction of creating higher waged, higher skilled jobs and outlines the measures that will be taken by the Council under the five themes of:

- Employment and skills
- Place
- Infrastructure
- Hi-tech, innovation and green energy
- Agriculture, Food and Drink.

With the overall objectives of

- Increasing wages
- Upskilling the workforce
- Increasing productivity
- Delivering the growth agenda

The team will be discussing second year actions with members of the Economy PDG on the 20th February 2020.

2.0 BUSINESS

2.1 Supporting business growth and job creation

Notable successes over the past year were as follows:

- Successful first round bid for Cullompton Heritage Action Zone Project (potentially a £2 million project)
- Agreements signed with Homes England for £18.2 million of transport infrastructure improvements to deliver growth and reduce traffic through Cullompton town centre
- Successfully attracted monies from new developments and agreed MDDC investment to reinvigorate the Shopfront Enhancement Scheme
- Finalists at the National LGC (Local Government Chronicle) Awards for Driving Growth
- Best Market Team National award from NABMA (National Association of British Market Authorities)
- Visit Mid Devon Website set up (January 2020 Launch)

- Successful £1.2 million Interreg bid with the Blackdown Hills AONB for the 'Connecting the Culm' Catchment Based Assessment project

2.2 Inward Investment – Attracting new business into the area

Several significant employment land allocations have been brought forward for planning, the outcomes of which are still to be determined. The Growth, Economy and Delivery Team has worked with business investment enquiries, matching them with local sites where possible. Several employment land owners have been forwarding enquiries to the GED team which they are unable to service due to their own sites being fully occupied. The current planning applications moving through the system will go some way to reduce the gap between supply and demand, but demand is still likely to remain relatively high.

2.3 Mills Project update

The Hydro Mills project aims to restore Mid Devon's historic mills, leats and weirs, to generate local, clean, sustainable energy for businesses, residents and public buildings. It aims to be a catalyst for attracting investment from the low carbon business sector, and addresses a number of issues of national significance, including the climate emergency, flood risk mitigation and energy resilience.

A full feasibility of the Tiverton Weir project has now been completed. Environment Agency permissions have all been applied for (and are awaiting decisions). Planning pre-application meetings have been undertaken and work is now being undertaken to prepare the full planning application.

The Hydro Mills Group (an entity consisting of riparian owners) have been moving forward with schemes at Flockmill, near Rewe, and Thorverton (Manor) Mill in parallel with our work in Tiverton. The intention is to bring all 3 schemes forward simultaneously and to then share the learning from these projects to encourage others to consider hydroelectric schemes at their sites.

2.4 Direct business support and access to funding

Up to December 2019, the Growth, Economy and Delivery Team has assisted 118 businesses since the start of the financial year. Unfortunately most grant funding programmes have been closed during this time, though we did support 1 business to submit an unsuccessful ERDF bid to deliver incubator space. The value of the bid was £1.5 million.

3.0 PLACE

3.1 Cullompton High Street Heritage Action Zone

The Council submitted an Expression of Interest to Historic England under their High Street Heritage Action Zone Programme for Cullompton in July 2019. Following the successful outcome of this bid, we were invited to develop a detailed delivery plan for the scheme, which was submitted on the

20th December 2019. The bid is currently being assessed and moderated nationally. The outcome will be announced in late March, with a project start date, if successful, of April 2020.

3.2 Cullompton Town Centre Masterplan and Delivery Plan

The tender process, involving Mid Devon District Council, Cullompton Town Council and Historic England, to commission for the masterplanning of Cullompton town centre has been completed, with consultants engaged. This will support the regeneration of the town in conjunction with the provision of major infrastructure projects. A stakeholder workshop, member briefing and workshops with pupils from two Cullompton primary schools have been undertaken. Stage 1 public consultation will take place between February and April 2020.

3.3 Tiverton Town Centre Investment and Regeneration Masterplan

The first of two stages of public consultation on the Tiverton Town Centre Masterplan has been completed. A draft masterplan, completed by the consultants acting on behalf of the Council, is being considered by Officers. Once the draft has been considered by Officers and Cabinet as second public consultation will be held. This will take place later this year with adoption of the Masterplan anticipated in the autumn of this year.

3.4 Crediton town centre investment and regeneration masterplan

Cabinet at its meeting on 7th March 2019 agreed that consultants will be engaged to deliver the proposed masterplan with work expected to commence on its production in 2020/21. Crediton Town Council will be offered the opportunity to participate in the procurement process and stakeholder events. Their views over appropriate participants from the town and consultation events will also be sought.

3.5 Tiverton Market

Tiverton Market increased its footfall for the first 6 months of the financial year (+3.9% over 2017/18) with increased market letting and new traders. Tiverton Night Market Events have expanded to include artisans and craft stalls. In November 2018 a monthly Farmers Market at Tiverton Pannier Market was launched following demand and is proving popular.

A highly successful 'Poppy Day' event was held at Tiverton Market to commemorate the centenary of World War Two. This attracted over 2,000 poppies from 13 schools. The event also included a special remembrance service involving Councillors from the District and Tiverton Town Councils.

3.6 Launch of Tiverton Town Centre Partnership

In September 2018 the new Tiverton Town Centre Partnership was formally constituted and is chaired by a local trader. The Vice Chairman is the Chair of

the Council's Economy Policy Development Group. Although still in its infancy, this partnership of traders and business interests has already been very active. An example of this was the concerted efforts of businesses in opening on Sundays during December and working together to promote one another's businesses. Work is underway to organise other events during the year and plan for December 2019. The partnership includes representatives from local traders, MDDC councillors and officers, Town councillors, the Police and other local partners.

4.0 GARDEN VILLAGE PROJECT

In the past year the following have been achieved:

- Regular meetings of the Delivery Board, Community Stakeholder Forum and Landowner Forum have taken place. In addition, a new Member Forum has been set up, bringing together County, District, Town and Parish Councillors.
- The Greater Exeter Strategic Plan policy context has been progressed with the GESP team.
- Catchment wide flooding, flood management work and modelling started as part of Connecting the Culm Interreg EU funded project including baseline data and mapping, engagement and solutions design.
- A site visit with Environment Agency has taken place to aid understanding of the existing river, stream and drainage networks.
- Two further workshops with the Community Stakeholder Forum have been held to inform the development of a garden village masterplan. Themes were: health and wellbeing and relationships with surrounding communities. A student workshop was held at Plymouth University on masterplanning the Garden Village. A schedule of further workshops has been programmed for the remainder of 2020.
- Analysis of Stage 1 public consultation on the East Cullompton Masterplan SPD and Garden Village Vision & Concept documents has been completed and reported to the Delivery Board and Cabinet.
- Infrastructure requirements are being scoped and various potential funding streams are being investigated. HIF funding has been secured for the Cullompton Town Centre Relief Road. A technical working group has been set up to initiate a process of further work between the key public sector players to progress a business case for J28 M5 improvements.
- Four rounds of Government capacity funding to help support the project have been received, the latest being £150,000 to support the development of the garden village which will be used towards:
 - Project management, technical work and studies
 - Enabling delivery of the key project milestones including planning policy, master plans and transport
 - Local engagement, and areas of innovation and non-conventional thinking (climate change, energy, sustainability, delivery, local empowerment/stewardship)

Next steps for the project will be:

- Continue stakeholder and local engagement including the schedule of programmed workshops.
- Prepare a draft masterplan for the East Cullompton allocation and a revised Vision & Concept document for Stage 2 public consultation in autumn 2020.
- Culm GV Project Team to continue to work closely with GESP team on approach to site analysis, policy making and master planning. Greater Exeter Strategic Plan public consultation to take place June 2020.
- Produce a Design Guide to sit alongside the master plan work to support delivery of design quality throughout delivery.
- Establish key gaps in the evidence base. Work with land promoters and other key stakeholders to produce the necessary technical studies to support master planning.
- Support delivery of the Cullompton Town Centre Relief Road.
- Continue J28 delivery working group with key stakeholders.
- Investigate delivery and stewardship mechanisms.
- Produce a development viability model.

5.0 OTHER MAJOR DEVELOPMENT PROJECT WORK

5.1 Tiverton Eastern Urban Extension (Tiverton EUE)

In 2014 the Tiverton EUE Masterplan was adopted and updated in 2018 to provide a comprehensive plan for the development of the area. This has been supported by the production and adoption of the Tiverton EUE Design Guide.

On 1st February 2018, the Government announced the successful award of £8.2 million through the Housing Infrastructure Fund bid towards the northern part of the A361 road junction. The due diligence process with Homes England over this award has now been completed and the grant fund agreement entered into with Homes England in late November 2019. Construction of Phase 2 of the A361 road junction is due to commence September 2021 and together with the works already completed, will complete the grade separated junction.

The Braid Park development (towards the north east of the Tiverton EUE) is now fully under construction with the first occupations having occurred during December 2019. This will see 248 houses and three gypsy and traveller pitches being developed. A Reserved Matters application for the first phase of (housing) development on the Chettiscombe Trust land (north and south of Blundell's Road) on the EUE is anticipated during the autumn of 2020.

There is outline planning permission approved by Devon County Council for the primary school. The neighbourhood centre layout has now been agreed with partners. Work on planning for a community centre to serve the urban

extension is underway and discussions are taking place with a third party that maybe interested in taking on ownership and management.

Consultants have been engaged to produce the Tiverton EUE Area B Masterplan. Landowner meetings and stakeholder workshops have been undertaken as part of this process. The final, Stage 2 public consultation, will take place between February and April 2020 with the draft document having been considered by Cabinet. Adoption of the Tiverton EUE Area B Masterplan is anticipated May / June 2020.

5.2 NW Cullompton Urban Extension

Three major planning applications in relation to Phase 1 (600 houses, link road, primary school land, green infrastructure and community facilities and contributions to town centre relief road) were approved at Planning Committee in July 2019, subject to negotiation of Section 106 Agreements. Work on the Section 106 agreements is ongoing.

Two major outline planning applications for 315 houses (in total) and employment land have been received in relation to Phase 2. Phase 2 comprises 600 houses, employment land, local centre, green infrastructure and gypsy and traveller pitches. Applications for the remainder of Phase 2 are expected in spring 2020.

6.0 INFRASTRUCTURE AND FUNDING

6.1 Cullompton town centre relief road

Following consideration of alignment options by MDDC Cabinet and DCC Cabinet, work on the project over the past year has focussed on the requirements of the forthcoming planning application including developing and finalising the design, finalising junction arrangements at either end of the scheme, developing environmental mitigation and identifying a strategy for the relocation of sports pitches and compensating land for the loss of public open space. Devon County Council undertook a further public consultation exercise between 19th November and 20th December 2019. The constitution responses are being analysed and are expected to be made public shortly by the County Council.

6.2 Housing Infrastructure Fund

The Council has been successful with both the Housing Infrastructure Fund bids. These relate to £10m for improvements to J28 of the M5 at Cullompton (via delivery of the Cullompton town centre relief road), plus £8.2m to deliver the northern half of the A361 junction to serve the Tiverton Eastern Urban Extension. Ministerial announcements were made on 1st February 2018. These schemes will assist in bringing forward housing development which is dependent on these highway improvements. A process of due diligence with

Homes England has now concluded and both grant fund agreements were entered into with Homes England towards the end of 2019.

6.3 Capacity funding

The Council has been awarded a further tranche of £150,000 Government capacity funding to support the delivery of housing on the Culm Garden Village for the period 19/20.

7.0 PLANNING

7.1 Local Plan Review and Community Infrastructure Levy

The Local Plan Review, proposed Community Infrastructure Levy (CIL) draft charging schedule and associated documents were submitted to the Planning Inspectorate for examination at the end of March 2017. Examination hearings into the Local Plan Review have now concluded, having taken place in September 2018 and February 2019.

In May 2019 the Inspector sent his Post Hearings Advice Note to the Council, in which 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 (Cheriton Bishop);
- 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.

However, the Inspector expressed concern about the housing trajectory in the early years of the Plan in particular, and he suggested the Council consider 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.”*

In response to this, officers prepared a Draft Housing Land Supply Update June 2019 and a Sustainability Appraisals Implication Report and consulted participants at the examination main hearings in relation to housing land supply on these. 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:

Officers prepared a schedule with a package of 55 Proposed Main Modifications to the Local Plan Review, together with a schedule of additional (minor) modifications, addenda to the Sustainability Appraisal and Habitat Regulations Assessment (by consultant LUC), and amendments to the Equalities Impact Assessment 2017.

The Proposed Main Modifications follow the Inspector’s suggested remedies to overcome his significant concerns about the housing trajectory in the early years of the Plan. They are based on realistic assumptions about the delivery of the Town Centre Relief Road and housing allocations at Cullompton, and they avoid 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 Proposed Main Modifications include:

- Bringing forward development sooner at the allocation at Higher Town, Sampford Peverell where the Inspector has found there are no good reasons for restriction in terms of timing and where he has made clear that the tie to J27 and the requirement for the completion of improved access works to the A361 should be removed. This follows 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 will be achieved.
- Making necessary modifications to clarify the requirements of some development management and other policies in the Plan

These documents were considered by the Cabinet on 21st November 2019 and were subject to recommendations to the Council at its extraordinary meeting on 4th December 2019 when it was resolved:

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 (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,*
 - b) *Schedule of Additional (Minor) Modifications to the Mid Devon Local Plan Review,*
 - c) *Addendum to the Sustainability Appraisal,*
 - d) *Addendum to the Habitat Regulations Assessment, and*
 - e) *Addendum to the Equalities Impact Assessment 2017.*
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.

A letter was sent on 5th December 2019 to the Planning Inspectorate requesting that it recommends 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. The schedule of Proposed Main Modifications and associated documents were published for public consultation on 6th January 2020. A six week period for comments to be made on these concluded on 17th February (5pm). Comments are not being invited on the unchanged content of the draft Mid Devon Local Plan Review that we submitted to the Planning Inspector in March 2017 for examination.

The consultation documents and comments received them (with the exception of the schedule of additional (minor) modifications) will then be sent to the Inspector. The Inspector will consider these together with all previously submitted documentation to decide if the plan can be found 'sound' and legally compliant, or whether further examination hearings are needed, before he prepares his final report with his conclusions on the examination of the Plan. It is anticipated this will be received in the early spring 2020.

The process going forward will be as follows.

- 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).
- Final Inspector's report issued 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.
- 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.
- 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).

Examination hearing dates into the Community Infrastructure Levy are not yet known, but will be publicised for 6 weeks in advance. It is not expected that the timing of the CIL examination will affect the next steps for the Local Plan.

7.2 Greater Exeter Strategic Plan and revised Local Development Scheme

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

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

With changes in administration arising from the local elections held in May 2019 it has been necessary to ensure that the GESP is proceeding in a way and on a timetable which continues to meet the objectives of the four councils. The Council's leaderships have since confirmed their commitment to continuing GESP preparation with a revised timetable which has been formally inserted into the Councils' Local Development Scheme (LDS). On the 21st November 2019 the Cabinet approved a revised LDS and agreed the proposed scope and timetable for the GESP.

In summary:

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

- Set an overall vision and strategy for the area in the context of national and other high level policy and in particular climate emergency declarations and the NPPF;

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

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

The revised timetable will be:

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

The Greater Exeter Strategic Plan, as its name indicates, is intended to provide an overarching strategy for the area, but will not include the full suite of policies and proposals. Each council will continue to update their own individual local plan (or plans) covering issues not included in GESP. This can provide an opportunity for a more bespoke vision, set of objectives and policy context reflecting local issues in Mid Devon. In addition, Neighbourhood Plans will continue to be prepared by local communities. The various plans, once adopted, will be read together to provide the “Development Plan” against which planning applications are to be assessed.

Members are currently engaged in the preparation of the GESP through the GESP Leadership Group and a Member Reference Forum which includes 10 Members from Mid Devon and is politically balanced.

Approval of the GESP at each stage in its preparation will be subject to future decisions taken by each Council. This will include Mid Devon's Cabinet and Council as required. Full decision making power is retained by each council.

The approved revised Local Development Scheme also includes a timetable for the preparation of a new Local Plan for Mid Devon following the adoption of the Local Plan Review. This timetable currently includes issues consultation in November 2020, but will be subject to the successful achievement of the GESP and kept under review.

7.3 Neighbourhood planning

Neighbourhood plan areas have been designated in Cullompton (2014), Silverton (2014), Crediton (2014) and Tiverton (2018). Officers have been attending meetings and corresponding with the neighbourhood planning groups to offer advice and guidance where requested.

All Neighbourhood Plans are at different stages of production, the most advanced being Cullompton which is now at examination. Subject to a successful conclusion to the examination process, it is anticipated that the Cullompton Neighbourhood Plan would be put to a referendum in the spring or early summer 2020. The Crediton Neighbourhood Plan went through a pre-submission consultation in summer 2019 and it is expected that a final draft version of the plan will be submitted to the Council in the coming months. Officers undertook a 'screening' exercise for the Silverton Neighbourhood Plan in autumn 2018 and the Neighbourhood Plan group are now working on a strategic environmental assessment in preparation for the pre-submission consultation. The Tiverton Neighbourhood Plan group has identified key topics that their plan will address and are working on developing the evidence base to support potential plan policies.

Willand Parish Council and Kentisbeare Parish Council have expressed interest to officers about the potential for preparation of neighbourhood plans for their areas.

7.4 Self Build Register and Right to Build Task Force

The Government wants to enable more people to build their own home. The Council recognises the potential benefits of self-build in meeting the housing needs of Mid Devon residents. It can represent a more affordable housing option for local people, support the construction industry and give people more choice in the housing market. The Council has a legal requirement to keep a register to hold a register of individuals who seek to acquire serviced self-build plots and to give permission for serviced plots to meet demand for self-build and custom housebuilding.

Support for the Council in meeting our obligations was considered by Cabinet in August 2018. Technical support to the Council has since been provided by the Right to Build Task Force which has been funded via a Government new burdens payment. This has included a secondment of the Self Build Project Officer from Teignbridge District Council, and workshop / seminars to officers, Members and Town / Parish Councils. Officers have also received written technical advice from the Task Force. This has been used to inform the examination of the Local Plan Review and help justify the inclusion of a policy requirement to support self-build and custom dwellings on sites of 20 dwellings or more where developers will supply at least 5% of serviced dwelling plots for sale to self-builders. It has also helped the Council publish in June 2019 a “guide to delivering custom and self-build in your community”. Further written advice to the Council will be used to inform the future preparation of a Custom and Self Build Supplementary Planning Document (SPD) and a paper about the benefits of custom and self-build to the local economy

7.5 Mid Devon District Design Guide

Good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations. The Government has also recently published the National Design Guide which sets out the characteristics of well-designed places and demonstrates what good design means in practice.

The Council commissioned work on the production of a new District Design Guide in 2018 using consultants DHUD Ltd in conjunction with Hilton Barnfield Architects and Hyas Associates Ltd. This will be a Supplementary Planning Document (SPD) and will expand on local plan policy for design and provide detailed guidance on urban, village and rural design issues in Mid Devon. It is intended to raise design awareness and standards throughout the planning process.

The work has included stakeholder engagement with local agents, architects, developers, statutory consultees, neighbourhood plan groups, town and parish councils, and Members. These sessions have usefully helped shape both the methodological approach and usability of the Design Guide.

A draft Mid Devon Design Guide SPD has now been completed. This is structured into four volumes and a pocket toolkit.

Cabinet approval was given on 21st November 2019 for the draft Mid Devon Design Guide SPD to be published for public consultation. This consultation will take place soon and a final version of the Design Guide will be presented

to a future meeting of the Cabinet in the spring 2020 with a recommendation to adopt the document as a supplementary planning document

7.6 Housing Delivery Test

The Housing Delivery Test (HDT) forms the means by which the Government assesses the level of housing delivery against local requirements. It compares the total number of new homes delivered against the total number of homes required for each Council over a three year period.

The most recently available HDT results were announced by the Government in February 2019, covering the three year period to March 2018. Mid Devon's result of 135% indicates housing delivery exceeded the number of homes required over this period and being over 85%, means that no penalties are applied and no action plan is required. The result means that in Mid Devon there is no longer 'significant under delivery' of housing and accordingly a 5% rather than the previous 20% buffer is applied to for the purposes of calculating future housing land supply.

The next set of results were expected in November 2019 but have been delayed due to the recent national elections. Based on completion data for the 2018/19 year, it is anticipated that the results will indicate housing delivery in Mid Devon continues to exceed requirements.

7.7 Housing land supply

The Council has previously been found at appeal to not be able to demonstrate a 5 year housing land supply and as a result has experienced the receipt of speculative housing applications on unplanned sites. A report on this and its implications was brought before the meeting of Scrutiny Committee on 9th October 2017. A series of mitigation measures were identified within this report, first and foremost being advancing the Local Plan Review to adoption.

The Mid Devon 5 year housing land supply requirement is currently set against local housing need which is established using the Government's standard methodology. This is due to our currently adopted strategic housing policies being more than five years old. With the publication of the results of the Housing Delivery Test for Mid Devon and by applying the standard methodology, we now consider that we have a 7.43 year housing land supply (including a 5% buffer).

However, legal advice has been provided to the Council in relation to the application of the strategic housing policies within the adopted local plan. Even with a 5 year housing land supply, these strategic housing policies within the Core Strategy remain out of date, being inconsistent with the National Planning Policy Framework. The implication is that they be accorded limited weight in planning decision making until they are replaced. When planning applications for housing are considered, The Council is still required

to apply the 'tilted balance' in paragraph 11 of the NPPF (the Framework) which requires the grant of planning permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

This will remain until the adoption of the Local Plan Review expected in spring 2020 (or indication by the Inspector that he is satisfied with the plan's 5 year housing land supply and strategic housing policies).

7.8 Gypsy and traveller forum and Local Government Association funded research

A Mid Devon Gypsy and Traveller Forum was set up in 2018 to improve engagement with the community, aid policy development and to better understand the needs of that community. The Council has a public sector equalities duty (PSED) under the Equality Act 2010. This sets out that a public authority must in the exercise of its functions have due regard to the need to eliminate discrimination and to advance equality of opportunity and to foster good relations between those who share protected characteristics and persons who do not share it. The Council is also required to have a 5 year land supply of deliverable housing sites and Gypsy and Traveller Pitches, as well as developing fair and effective strategies to meet longer term needs. The establishment of the Forum will assist in meeting these requirements and legal duties.

Four Forum Meetings have been held since May 2018, with a future meeting planned in the spring and a further meeting to be arranged in the autumn 2020. Officers have also helped develop their understanding of the housing needs of the Gypsies and Travellers through networking with the South West Peninsula Wide Gypsy and Traveller Officers Forum, National Housing Policy Advisory Panel on Gypsy, Romany and Traveller Accommodation, and with housing and planning officers from other Councils in Devon. A further training event for officers, Members and Town and Parish Councils will be arranged later in 2020.

The Council has also commissioned research by De Montfort University about the challenges facing local authorities in delivering sites for Gypsies and Travellers in planned urban extensions. This work has been funded by the Local Government Association through its Housing Advisers Programme and will conclude in the spring 2020 with a technical report to the Council.

7.9 Playing pitch strategy

Officers have commenced the preparation of a Playing Pitch Strategy (PPS) for Mid Devon with the completion of early stages of work following guidance by Sport England. Consultants for this work will be engaged in the spring 2020. The PPS will involve a qualitative and quantitative assessment of pitch sports provision in Mid Devon, engagement with sports clubs and providers, and assessment of future needs. The PPS will be used to help inform the new Local Plan for Mid Devon, and the preparation of masterplans and other programmes and strategies.

7.10 Application determination performance.

The latest performance results for quarter 3 of 19/20 indicates that the national planning performance indicators for the speed and quality of planning application decision making have been met and exceeded by the service with improvement against earlier quarters in this financial year.

Speed:

- Majors: More than 60% of major applications determined within 13 weeks (over 2 year period). Mid Devon performance on this for the 2 year period to the end of December 2018 was **75%**.
- Non majors: More than 70% of non-major applications determined within 8 weeks (over 2 year period). Mid Devon performance on this for the last 2 years was **80%**.

Quality:

- Majors: for applications determined over a 2 year period, no more than 10% of 'major' decisions to be overturned at appeal. The Mid Devon figure over the last 2 year period was **3.16%**.
- Non majors: This indicator of quality of decision making is measured over a 2 year assessment period: no more than 10% of 'non major' decisions to be overturned at appeal. The Mid Devon figure over the last 2 year period was **0.43%**.

Development management performance against national and local indicators is set out below.

Planning Performance	Service	Target	16/17	17/18	18/19	19/20	19/20	19/20
			Year	Year	Year	Q1	Q2	Q3
Major applications determined within 13 weeks		60%	90%	82%	77%	33%	75%	75%
Minor applications determined within 8 weeks		65%	80%	85%	73%	65%	85%	95%
Other applications determined within 8 weeks		80%	89%	90%	84%	75%	89%	98%

Householder applications determined in 8 weeks	85%	98%	95%	89%	86%	95%	98%
Listed Building Consents	80%	84%	84%	66%	64%	80%	97%
Enforcement site visits undertaken within 15 days of complaint receipt	87%	96%	92%	81%	68%	65%	100%
Delegated decisions	90%	94%	93%	94%	95%	96%	97%
No of applications over 13 weeks old without a decision	(Less than 45 apps)	29	44	75	82	74	82
Major applications determined within 13 weeks (over preceding 2 years)	More than 60%	82%	74%	85%	72%	71%	75%
Major applications overturned at appeal as % of all major decisions over preceding 2 years *	Less than 10%	7%	4%	3%	0%	4.84%	3.16%
Non-major applications determined within 8 weeks (over preceding 2 years)	More than 70%	77%	79%	60%	77%	78%	80%
Non-major applications overturned at appeal as % of all non-major decisions over preceding 2 years **	Less than 10%	<1%	<1%	0%	0%	0.47%	0.43%
Determine all applications within 26 weeks or with an extension of time (per annum –Government planning guarantee)	100%	100%	99%	99%	96%	99%	100%
Building Regulations Applications examined within 3 weeks	95%	88%	93%	94%	84%	90%	98%
Building Regulation Full Plan applications determined in 2 months	95%	91%	96%	96%	99%	96%	100%

For all applications determined within 8 or 13 weeks, the performance figures include those where there has been an extension of time. This is in accordance with the methodology for reporting planning application determination set out by the Government

The Development Management team has experienced a period of staffing fluctuation over the past 12 months or so which resulted in a backlog of work. With the efforts and commitment of staff and the addition of temporary resource, a significant reduction in this backlog has been realised and further efforts are being made to deliver improvements.

7.11 Planning enforcement

The Local Enforcement Plan was agreed by Council on 21st February 2018. It sets out prioritisation criteria for compliant investigation together with performance standards.

Activity within the enforcement part of the planning service by quarter for 18/19 and quarters 1 – 3 for 19/20 is as follows:

Q ref	Details	Target	18/19				19/20		
			Q1	Q2	Q3	Q4	Q1	Q2	Q3
PE01	Register and acknowledge all written complaints. Indicator – within 3 working days	100%	98%	92%	90%	99%	100%	100%	100%
PE02	Highest priority complaint investigation. Indicator - 90% of first site visits before the end of the next working day following registration.	90%	100%	100%	None reported	100%	None reported	100% (1)	100%
PE03	High priority complaint investigation. Indicator - First site visit within 3 working days of registration.	100%	100%	100%	100%	100%	100%	None reported	100%
PE04	Medium priority complaint investigation. Indicator - First site visit within 10 working days of registration.	100%	94%	88%	100%	100%	75%	75%	100%
PE05	Low priority complaint investigation. Indicator - First site visit within 15 working days of registration.	100%	97%	89%	76%	97%	96%	97%	100%
PE06	Initial response to complainant setting out progress or informing about a decision in cases where there is no breach. Indicator – within 5 working days of the date of the initial site visit.	100%	92%	92%	91%	98%	89%	86%	100%

PE07	Notify complainant that Enforcement Notice has been served or decision that 'no action' will be taken. Indicator – within 5 working days of the issue of the notice [or decision to take no further action].	100%	92%	92%	98%	98%	89%	86%	100%
PE08	New enforcement cases registered (in quarter)		93	104	111	118	109	107	120
PE09	Enforcement cases closed (in quarter)		71	77	96	133	107	82	128
PE10	Committee authorisations sought (delegation now changed)		1	1	1	1	1	0	0
PE11	Total Notices Served		10	3	2	3	6	5	2
	<i>Planning contravention notices served (PCN)</i>		5	2	0	3	4	4	2
	<i>Breach of condition notices served</i>		0	1	0	0	0	0	0
	<i>Section 215 notice (untidy land)</i>		0	0	0	0	0	0	0
	<i>Section 330 notice (requisition for information)</i>		4	0	0	0	0	0	0
PE12	Total outstanding cases at end of quarter					179	180	205	197

7.12 S106 governance and monitoring

An audit of the management of S106 funds in February 2018 identified a number of instances where controls and procedures required improvement. Significant work has been undertaken to comprehensively update the database of s106 monies, reconcile records and improve management information.

A review of governance procedures has been undertaken, addressing the allocation and spend of S106 contributions to ensure efficient controls are in place. Consultation has taken place with Parish and Town Councils. Members of the Planning Policy Advisory Group have requested that an informal working group/ sub group of its members consider the proposals further before returning to Cabinet for consideration. The first meeting of the sub group is being set up.

8.0 BUILDING CONTROL.

8.1 Building Control Partnership

Mid Devon's Building Control service operates in partnership with North Devon Council as NMD Building Control. The partnership service has been operational since April 2017 and is delivered from offices in South Molton. A Joint Committee oversees the delivery of the functions of the partnership service. 2019 has seen a period of consolidation realising the benefits of the partnership.

- 8.2 The Building Control service has exceeded the performance target relating to the assessment of full plans applications. Response times for plan checking have improved throughout each of the year and are now above target. The below target response times were due to replacing a senior surveyor with a trainee which impacted on available resource temporarily. The trainee has developed well and is now making a real contribution to our work which combined with improvements to the management system have resulted in the improvements. Fee income has been very high in 2019. The primary reason for this was a change in the charging structure so that more projects are charged in full at the time of deposit of the application rather than invoicing when work commences. This has reduced administration both within the Building Control Service and within Finance but is effectively a one off windfall as the older projects being invoiced at commencement will drop off in the next financial year.

Key performance indicator	Year	2018/19		
	Target	Qu 1	Qu 2	Qu 3
Building Regulation Full Plan applications determined in 2 months	95%	99%	96%	100%
Building Regulation Applications examined within 3 weeks	95%	84%	90%	98%

- 8.3 Changes resulting from the Dame Judith Hackitt led review of Building Regulations and Fire Safety have continued in 2019. This has included the need to validate expertise of surveyors throughout their career. In response to this five Surveyors passed the LABC competence assessment exam qualifying them as Level 6 Fire Specialists, which is the highest possible level of validation. This means that they will receive a licence to practice on the most complex types of development including high rise residential developments. This validation now forms an integral part of the Partnership's quality assurance system that is accredited to ISO 9001, ensuring the requirements of the competency framework are met. This effectively future proofs the service ensuring that it will be able to provide a complete service regardless of the scope of work included in government proposals for stricter controls which are to be introduced and ensures that we are confident that we can provide the highest quality advice to our clients.