

Extract from the minutes of the Cabinet meeting of 9 July 2020

197. LOCAL PLAN REVIEW - INSPECTOR'S REPORT ON ADOPTION (00-15-12)

The Cabinet had before it a *report of the Head of Planning, Economy and Regeneration presenting the Inspector's report into the adoption of the Mid Devon Local Plan Review 2013-2033 including main modifications and additional (minor) modifications.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Council had received the Inspector's report on 26th June in which he set out his conclusions on the examination of the Mid Devon Local Plan Review 2013 – 2033.

The Inspector had confirmed that the Local Plan Review provided an appropriate basis for the planning of the district and had set out where 55 Main Modifications were needed in order for the Local Plan Review to be found sound and so that it could be adopted by the Council. Once adopted, the Local Plan Review would replace existing Local Plans for Mid Devon and would carry full weight for the determination of planning applications, as part of the development plan alongside the Devon Minerals and Waste Plans and Neighbourhood Plans. He stated that it was vital to understand that with an adopted plan this would safeguard against speculative development and give greater control where development took place.

The Inspector's recommended Main Modifications concerned matters that were discussed at the examination hearings. They followed from proposed Main Modifications that were approved by the Council on 4th December 2019 for the purpose of public consultation, alongside an updated Sustainability Appraisal, Habitat Regulations Assessment and Equalities Impact Assessment. The Inspector's Main Modifications overcame his previous concerns about housing delivery in the early years of the housing trajectory and should ensure a rolling five-year supply of deliverable housing sites. The Inspector had amended the detailed wording of modified policies for new Gypsy and Traveller sites to allow more flexibility for off-site provision to be made where sites were required on the major urban extensions. He had also made clearer why a full Retail and Leisure Impact Assessment was needed for any planning application which includes a designer outlet shopping centre at Junction 27.

A question was raised with regard to the suggestion made by Mr Byrom with regard to the green infrastructure being protected and whether modifications to the map could be made prior to adoption and the implications of any amendments to the plan.

The Head of Planning, Economy and Regeneration stated that whilst the modification may seem minimal and a minor modification, there would be a consequential main modification to the policy, the site was 6 ha including the green infrastructure and criterion f highlighted the 2.5 ha of green infrastructure. The text within the policy also referred to the green infrastructure so if a minor modification was made to the map it would introduce an inconsistency with the policy which would require a main modification.

Consideration was given to:

- Whether the settlement line and the allocation area (SP2) had the same boundary
- Whether the Local Plan with regard to green infrastructure was inconsistent
- Whether the Local Plan should be adopted at any cost as the Council had a responsibility to the local community
- The size of all the documentation before Members
- Whether typographical, grammatical and presentational changes should be made before the documents were considered by Council
- The need for a 'clean' plan without track changes to be presented to Council if possible
- Whether the 2.5ha of green infrastructure within Policy SP2 could be guaranteed without an amendment to the plan; with the Head of Planning, Economy and Regeneration Economy and Regeneration referred to text accompanying the policy stating that 'development of the highest ground should remain as undeveloped green infrastructure'. She believed the green infrastructure could be safeguarded through the policy
- The Climate Change Declaration of 2019 and the need for a stronger provision for the climate goals agreed and whether this would be considered in the next version of the plan
- The Local Development Scheme considered the timetable for producing the next plan

RESOLVED that a briefing note be prepared with regard to any modification to the map for Policy SP2 and for it to be considered by Council.

(Proposed by Cllr Mrs N Woollatt and seconded by Cllr L D Taylor)

It was therefore

RECOMMENDED TO COUNCIL that:

It notes the Inspector's Report at Appendix 3; and that:

(a) The Council adopts the Mid Devon Local Plan Review 2013 – 2033 (Appendix 1), under Regulations 26 and 35 of the Town and Country (Local Planning)(England) Regulations 2012, including main modifications pursuant to section 23 of the Planning and Compulsory Purchase Act 2004 confirmed by the Inspector in his report (Appendix 3), and the Council's additional (minor) modifications (Appendix 4).

(b) The Council adopts the Mid Devon Local Plan Review 2013 – 2033 Policies Map (Appendix 2) together with any changes needed to this through the Inspector's main modifications in his report (Appendix 3) including Plan MM35 (Appendix 9), Plan MM45 (Appendix 10) and the Council's additional (minor) modifications (Appendix 4) as described in Section 6 to this report.

(c) The Council notes that, in accordance with Regulations 26 and 35 of the Town and Country (Local Planning)(England) Regulations 2012 the following documents will be

published on the Council's website, and will be made available for inspection, free of charge at the Council's Phoenix House office during its opening times and in local libraries in Mid Devon once this becomes possible following a relaxation of restrictions of movement and public gatherings currently in place due to the Covid-19 pandemic:

- (i) Mid Devon Local Plan Review 2013 – 2033
- (ii) Mid Devon Local Plan Review 2013 – 2033 Adoption Statement (Appendix 5); and
- (iii) Sustainability Appraisal Report (Appendix 6) and Sustainability Appraisal Post-Adoption Statement (Appendix 7).
- (d) The Council notes that the Adoption Statement (Appendix 5) is sent to the Secretary of State and to any person who has asked to be notified of the adoption of the Mid Devon Local Plan Review 2013- 2033.
- (e) The Council approves the Sustainability Appraisal Report (Appendix 6) and the Sustainability Appraisal Post-Adoption Statement (Appendix 7).
- (f) Delegated authority is given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to make any typographical, grammatical, graphical and presentational changes to the Mid Devon Local Plan Review 2013 – 2033 (e.g. paragraph and table numbers) and its Policies Map to finalise the plan before it is published, including any changes that are necessary to the Policies Map to reflect the Devon Minerals and Waste Plans.

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

Notes:

- i) Cllr Warren declared that as Chairman of Willand Parish Council he had closely followed the journey of the Local Plan since 2014 and had spoken at committee and at the enquiries with regard to this matter.
- ii) *Report previously circulated, copy attached to minutes.