

To members of MDDC Cabinet – From Jamie Byrom, of Sampford Peverell

In Public Question Time at Cabinet on 9 July I will put this question:

Please will this Cabinet today do what is needed to make the following recommendation to full Council on 29 July 2020:

“MDDC Cabinet recommends that an additional (minor) modification be made to the policies map for SP2. The dotted line marking the extension of the village settlement area should be moved so that all the Green Infrastructure at the site is left in countryside”. (Illustrated in Figure 4 overleaf).

An explanation of this request now follows

When the allocation at Higher Town was originally put forward, the suggestion was that the full site should be available to development. No Green Infrastructure was included.

At the Cabinet meeting in November 2016, the settlement boundary of Sampford Peverell was logically shown as being extended around the two fields. (See Figure 1).

On 1 December 2016, the Council voted to allocate the site. By then, however, it had agreed that development should be restricted to the striped area shown in Figure 2.

Paragraph 3.224a of the supporting text for Policy SP2 said then (and still says now) that ‘... 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’. The Inspector has now approved this text.

In his final report, the Inspector has gone further. He has said in paragraph 114 that an extra 0.5ha of Green Infrastructure must be added at the east of the site. (See Figure 3).

This proposal emerged from consultation in early 2017. The extra GI is to protect a Listed Building adjacent to the north east corner of the site. The Inspector says this protection provided by the GI is ‘essential’. The Council proposes to add the 0.5ha and change the map. This is shown on the map for MM45 (page 335 of your pack).

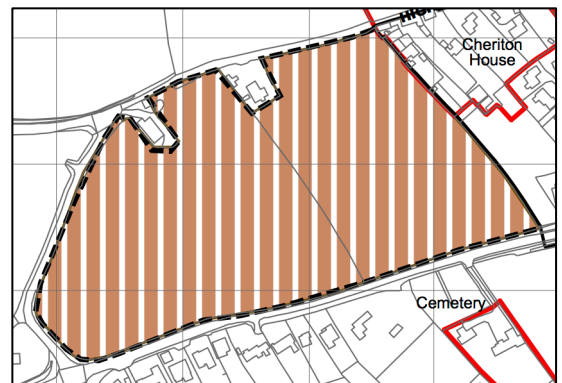


Figure 1 – November 2016

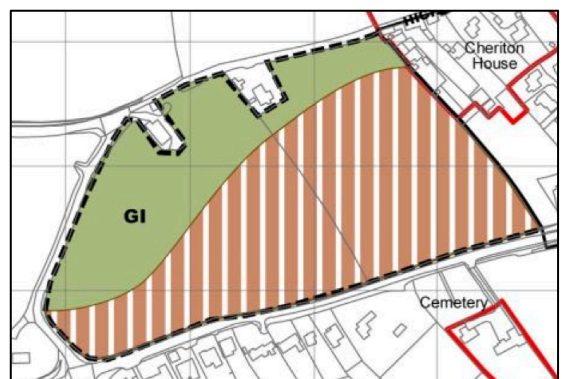


Figure 2 – December 2016

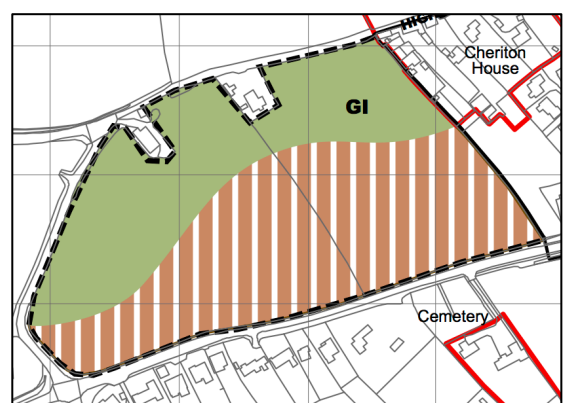


Figure 3 – March 2017

In paragraph 12 of his Final Report, the Inspector makes clear that he has no authority to recommend changes to policies maps. Only the Council may make such changes. On behalf of residents of Sampford Peverell, I therefore ask you to recommend one very minor, additional modification to the map.

We ask you to recommend that the settlement boundary on the policies map for SP2 be moved to the position shown in Figure 4.

It is illogical and potentially harmful to leave the settlement boundary around the full site as proposed in November 2016.

The Inspector agrees that there must be no development of the highest land. This limitation can be strengthened if the boundary is re-drawn to leave all the Green Infrastructure area in the countryside. This is allowed by new policy S14 (Countryside).



Figure 4 – Our proposed revision of SP2 policies map

Paragraph 1.3 of the *Procedure Guide for Local Plan Examinations, June 2019* says that *'The LPA may also make additional (minor) modifications to the plan on adoption, but only if they do not materially affect the plan's policies. Additional modifications are not subject to the formal examination process'*.

Our proposed change would not materially affect the plan. It would –

- leave every word of the text of SP2 unaltered from that finally recommended by the Inspector
- keep the location and extent of the Green Infrastructure exactly as shown on the policies map
- be entirely consistent with and reinforce the clear intent of the policy concerning the area of Green Infrastructure
- leave all the policy's Green Infrastructure in the countryside, providing it with extra protection against development under Policy S14
- **require minimal work - no more than a simple alteration to one map**
- be consistent with the way GI is treated at Tiverton, Cullompton and Crediton where GI can already be found beyond the edge of settlements.

The Planning Inspectorate has recently published a report that considers edge of settlement allocations. Paragraph 140 warns against including areas that a Council wishes to protect from development within the settlement boundary. It says that this *'... could have the unintended consequence of establishing a principle in favour of development on land that was intended to act as mitigation for development delivered through the allocation'*.

We have reason to fear such *'unintended consequences'* at Sampford Peverell.

Moving the settlement boundary will help to honour a promise made by the Council when the site was allocated. The promise was that no development would be allowed on the highest land in the site, as defined by the policies map. This amendment would show that the Council stands firmly by that promise. I commend it to you.