

CABINET

12TH JULY 2022

CREDITON NEIGHBOURHOOD PLAN – DECISION ON EXAMINER’S REPORT

Cabinet Member(s): Councillor Richard Chesterton, Cabinet Member for Planning and Economic Regeneration

Responsible Officer: Richard Marsh, Director of Place

Reason for Report: To seek approval for the recommended modifications made in the Examiner’s Report and seek approval for the Crediton Neighbourhood Plan to proceed to referendum

RECOMMENDATION:

To Cabinet that:

- (i) the Examiner’s modifications be agreed, and that subject to these modifications the Crediton Neighbourhood Plan is determined to meet the Basic Conditions (as defined in Town and Country Planning Act 1990 Sch 4B) and other legislative requirements;**
- (ii) the Decision Statement attached at Appendix 2 be approved; and**
- (iii) the Crediton Neighbourhood Plan (at Appendix 3) subject to the Examiner’s modifications and the typographical correction to the title of Map 5 Views, proceed to a local Referendum based on the boundary of Crediton Neighbourhood Area.**

Financial Implications: The process leading to the adoption of a Neighbourhood Plan has financial implications. The costs of support in terms of advice and technical support, examination and referendum must be met by Mid Devon District Council. The Council has received new burdens payments from the Government to help meet these costs to the sum of £5,000 for the area designation process and £20,000 to cover costs associated with the Examination and Referendum. Since the Council has resolved (at its meeting on 6th January 2021, Minute 270) not to progress a Community Infrastructure Levy for Mid Devon there will be no neighbourhood proportion of a Community Infrastructure Levy to be passed to Crediton Town Council.

Legal Implications: The referendum is a statutory requirement, and will be subject to The Neighbourhood Planning (Referendums) Regulations 2012. Section 38(3A) of the Planning and Compulsory Purchase Act 2004 mean a neighbourhood plan attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum, rather than when it is made (adopted) by the relevant authority. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Policies of the Neighbourhood Plan will be used

alongside policies in the adopted Mid Devon Local Plan, the Devon Minerals and Waste Plans, to help guide planning applications submitted to the Council for determination and the decisions made on these.

Risk Assessment: None identified.

Budget and Policy Framework: Once the Neighbourhood Plan has been ‘made’ by the Council following its approval at a referendum it will form part of the Council’s policy framework as part of the statutory development plan for the district.

Equality Impact Assessment: The Decision Statement for the CREDITON Neighbourhood Plan (see **Appendix 2**) concludes that ‘the Plan, as modified, meets the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and that the Plan complies with provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004’. Therefore, the Council has concluded that the ‘making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area, which were subject to a full Equalities Impact Assessment. On this basis, the CREDITON Neighbourhood Plan will not in itself lead to any impacts on the equality strands protected under the Equality Act 2010 (the “protected characteristics”) over and above those considered and addressed through the Local Plan Equalities Impact Assessment.

Relationship to Corporate Plan: If the CREDITON Neighbourhood Plan is approved by referendum, it will form part of the statutory development plan for Mid Devon and the strategy for guiding new development in the district, allocate sites for housing and economic development, the provision of infrastructure, as well as policies for the protection of the environment and managing development. The plan will help meet the Corporate Plan priorities: ‘Homes’, ‘Environment’, ‘Community’ and ‘Economy’.

Impact on Climate Change: The preparation of development plans is a key method for climate change mitigation and environmental protection, through appropriate policies and development strategy.

1.0 INTRODUCTION / BACKGROUND

About neighbourhood plans

- 1.1 The Localism Act 2011 and Neighbourhood Planning (General) Regulations 2012 (as amended) introduced powers to allowing qualifying bodies (parish councils, or neighbourhood forums in areas without parish councils) to produce neighbourhood plans and Neighbourhood Development Orders. Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided. The Neighbourhood Plan can be used to inform planning applications in neighbourhood area submitted to the local planning authority for determination and the decisions made on these. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community’s needs and where

the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Crediton Neighbourhood Plan

- 1.2 The Crediton Neighbourhood Plan has been prepared by Neighbourhood Plan Steering Group for Crediton Town Council. It includes:

- A vision statement for Crediton
- 8 sections:

New Development; Community and Facilities; Town Centre; Transport; Sustainability; Employment; Heritage, Environment.

Each section has aims and objectives and the neighbourhood plan includes 34 policies covering a range of planning matters. The neighbourhood plan recognises that Crediton is expected to have less development and fewer houses than Tiverton or Cullompton, and accepts the development allocations proposed by the adopted Mid Devon Local Plan.

Strategic Environmental Assessment and Habitat Regulations Assessment

- 1.3 The Crediton Neighbourhood Plan has been subject to a Strategic Environmental Assessment and Habitat Regulation Assessment screening undertaken by the Council (2019).

Stages in production of a neighbourhood plan

- 1.4 There are a number of key stages in the production of a neighbourhood plan and these can be summarised as follows in relation to the preparation of the Crediton Neighbourhood Plan:

Key stage	Action	Date
1. Neighbourhood Area designation	Crediton Neighbourhood Plan Area designation requested by Crediton Town Council and approved by Mid Devon District Council. This sets the area the Neighbourhood Plan will apply to.	2 nd July 2014
2. Pre-Submission Consultation	Regulation 14 consultation (minimum 6 weeks) organised by Crediton Town Council	8 th April 2019 – 20 th May 2019
3. Submission	Crediton Parish Council submitted the Crediton Neighbourhood Plan to Mid Devon District Council	Plan submitted 24 th September 2021 Formal confirmation by MDDC 16 th November 2021

4. Publication	Regulation 16 consultation (minimum 6 weeks) organised by Mid Devon District Council	22 nd November 2021 – 14 th January 2022
5. Examination	Independent Examiner reviews the Plan against the statutory Basic Conditions. The Examiner either recommends that a Neighbourhood plan does not proceed to Referendum, or can proceed Referendum, with or without modifications, and recommends the extent of the area the Referendum applies to.	Final version received 13 th May 2022
6. Plan Proposal Decision	Mid Devon District Council considers the Examiner's Report, including the recommended modifications and if satisfied with the Plan proposal agrees for it to proceed to Referendum	19 th July 2022
7. Referendum	Organised and funded by Mid Devon District Council. Where if more than 50% of those voting are in favour of the Neighbourhood Plan, it comes into force as part of the statutory development plan, and must be 'made' by the Council.	Date to be confirmed in 2022

The examination

- 1.5 Following the Regulation 16 consultation, an Independent Examiner was appointed by Mid Devon District Council, with the consent of the Parish Council, to carry out the examination of the Neighbourhood Plan. The Examiner, Barbara Maksymiw examined the Plan by written representations, and undertook an unaccompanied site visit of the Neighbourhood Plan area.
- 1.6 The role of the Examiner is to check (as required under Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990) whether the Neighbourhood Plan meets certain legal requirements:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and

- the policies in the plan meet the requirements of Section 38 of the Planning and Compulsory Purchase Act (that is, it specifies the period to which it has effect, does not include provision about excluded development and does not relate to more than one neighbourhood area), and
 - the plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body, in this case by Crediton Town Council.
- 1.7 The Examiner must consider a variety of matters, including whether the submitted plan meets the 'Basic Conditions' set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. A plan meets the basic conditions if:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area;
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with retained European Union (EU) obligations; and
 - such other prescribed conditions which include those set out in the following regulations.
- 1.8 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions. These are:
- the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 , and
 - having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to this examination as it is not about a neighbourhood development order).

Examiner's report

- 1.9 The Examiner has now examined the Crediton Neighbourhood Plan and has issued her report (see **Appendix 1**). The Examiner has concluded that subject to the modifications set out in her report the Crediton Neighbourhood Plan meets the basic conditions and other statutory requirements, and has recommended that subject to the modifications set out in her report the Crediton Neighbourhood Plan should proceed to referendum.

- 1.10 The Examiner is also required to consider whether the referendum should be extended beyond the Crediton parish area. The Examiner sees no reason why it should be necessary to alter or extend the plan area for the purposes of holding a referendum and has not received any representations to that effect. The Examiner has therefore concluded that the plan should proceed to referendum based on the neighbourhood area approved by Mid Devon District Council in July 2014.

The role of the Mid Devon District Council as the local planning authority

- 1.11 The Council, as the Local Planning Authority must take decisions at key stages in the neighbourhood planning process and within specified time limits, and has a duty to provide advice or assistance to a parish council as it considers appropriate for the purpose or, or in connection with, facilitating the making of proposals in relation to the neighbourhood plan. This includes providing comments on 'general conformity' of the neighbourhood plan policies with the strategic policies of the Local Plan, advising on neighbourhood plan requirements (including Strategic Environmental Assessment 'SEA' and Habitat Regulations Assessment 'HRA'), undertaking post-submission consultation on the neighbourhood plan (Regulation 16 consultation), the appointment of an independent examiner, making a decision on the Examiner's report, making arrangements for the referendum, and bringing the neighbourhood plan into force.
- 1.12 Once the Council has received the Examiner's report it must decide what action to take. Regulation 18 of the Neighbourhood Plan (General) Regulations 2012 (as amended) provides that once the LPA has made one of the following decisions, it must publish the decision with the reasons for such, include details for inspection of the decision statement and in the case of (c) below, the Examiner's report:
- (a) to decline to consider a plan proposal;
 - (b) to refuse a plan proposal;
 - (c) what action to take in response to the recommendations of an examiner made in a report;
 - (d) what modifications, if any, they are to make to the draft plan;
 - (e) whether to extend the area to which the referendum (or referendums are) to take place; or
 - (f) that they are not satisfied with the plan proposal.
- 1.13 There are no grounds to decline to consider the Neighbourhood Plan under part (a), since this is not a repeat proposal (i.e. where the same or similar proposal has been refused by the Council within the previous 2 years or where a referendum relating to a proposal that is the same as or similar has been held and 50% or less than 50% of those voting voted in favour, and the Council considers no significant change in national policy and advice in Secretary of State guidance of relevance to the proposal, or the strategic

policies of the development plan for the area of the authority have occurred since the refusal or referendum).

- 1.14 There are no grounds to refuse to consider the Plan under part (b), since the legislative requirements have been met. This is in terms of the parish council being authorised to act, the neighbourhood plan's submission, the neighbourhood plan's scope and definition, and the correct procedures in relation to the pre-submission consultation and publicity being followed.
- 1.15 In relation to part (c), the Examiner has made a series of recommendations. The Council needs to consider what action to take in relation to these. This is discussed in section 2 of this report. The Council must also consider, under part (d) whether there are any other modifications which are required to ensure the basic conditions are met; to ensure the Neighbourhood Plan is compatible with the Convention rights, to ensure the requirements of legislation are met, and to correct errors. If the Council proposes to make a decision which differs from that recommended by the Examiner, and the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by the Council as to a particular fact, then a six week period must be given for people to make representations. If the Council considers it appropriate, then the issue can be referred to further examination.¹
- 1.16 Officers consider that the plan meets the requirements under part (d) and do not consider that any further modifications are needed in addition to those recommended by the Examiner, with the exception of one typographical correction as follows:

Neighbourhood Plan Section / Policy	Recommended Council modification	Reason
Appendix 1, page 56, Map 5 Views	Amend the title of the map from "Map 5 Views" to "Map 6 Views".	The map is incorrectly numbered map '5' and the modification is needed so that the map number is consistent with the cross reference to Map 6 included in the wording of Policy En5.

This typographical correction is minor and would not impact on the plan, and has been made in accordance with the relevant provision of the Act (Schedule 4B, paragraph 12 (6)(e) modifications for the purpose of correcting errors. There is no requirement to consult on this typographical correction.

- 1.17 The Local Authority must consider whether to extend the area to which the Referendum is held under part (e). This is discussed in section 3 of this report.

¹ Regulations 12 and 13 of Schedule 4B of the Town and Country Planning Act 1990 and

- 1.18 If the Local Authority is not satisfied that the plan meets the basic conditions, is not compatible with Convention rights or requirements of legislation are not met then they must refuse the Neighbourhood Plan under part (f). This is not the case with this Neighbourhood Plan.
- 1.19 The Neighbourhood Plan (General) Regulations 2012 state that a LPA must publish the actions which will be taken in response to the recommendations of the Examiner. This is known as a 'Decision Statement'.

2.0 CONSIDERATION OF THE EXAMINER'S REPORT AND PROPOSED MODIFICATIONS

- 2.1 The Examiner has recommended modifications to ensure that the Plan meets the basic conditions and have the clarity required by national guidance and ensure that the policies do what they are intended to do. These are set out in her report (see **Appendix 1**) and are also set out below together with the Council's decisions that are recommended by Officers, and the reasons for these:

Neighbourhood Plan Section / Policy	Examiner's recommended modifications	Recommended Council decision and reason
Section 1.3	Add a new sentence at the end of the third paragraph under Section 1.3 on page 8, to read "For the purposes of this Neighbourhood Plan, the settlement limit and land allocations shown on the Proposals Map for Crediton which accompany the adopted Mid Devon District Plan Review are carried forward and used in the NP."	Agreed. This modification will add clarity to the neighbourhood plan.
Maps	Add updated mapping and figures to the NP, as supplied by MDDC	Agreed. This modification will add clarity to the neighbourhood plan.
Section 1.3	Amend first sentence of first paragraph of section 1.3 to read "The previous Mid Devon Local Plan included three parts - Core Strategy adopted July 2007, Allocations and Infrastructure Development Plan Document adopted January 2011, and the Local Plan Part 3 Development management policies adopted October 2013. This was accompanied by a Policies Map which was adopted October 2013." Amend last three sentences of first paragraph of section 1.3 on page 8 and replace with: "The District Council adopted the Mid Devon	Agreed. This modification is a factual correction to refer to the current adopted Mid Devon Local Plan. There are environmental constraints to development at Crediton.

	<p>District Plan Review in July 2020 to cover the period 2013-2033. The plan brings forward sites that are deliverable within the plan period.”</p> <p>Amend second sentence of last paragraph of section 1.3 to read “Because of its topography and other environmental constraints, Crediton is expected to have less development and fewer new houses than Tiverton and Cullompton.” Amend the last sentence of the third paragraph under section 1.3 to read “The Neighbourhood Plan accepts the development allocations identified in the adopted Mid Devon District Plan Review.”</p>	
Policy D2 Sites allocated in the Mid Devon Local Plan as shown in the Adopted Policies Map for Crediton	Amend first sentence of Policy D2 to read “Full planning applications and reserved matters applications for allocated residential sites and mixed use sites should be supported by detailed plans and proposals which include:”	<p>Agreed.</p> <p>This modification will clarify that full planning applications and reserved matter applications will require detailed plans and proposals.</p>
Policy D2 Sites allocated in the Mid Devon Local Plan as shown in the Adopted Policies Map for Crediton	Retitle “Design Statement “ as “Crediton Design Guide” and place under NP entry on the District Council and Town Council websites. Add “Crediton” before “Design Guide” at end of first bullet point of Policy D2	<p>Agreed.</p> <p>This modification will clarify that the document referred to is the Crediton Design Guide.</p>
Policy D4 Custom and Self Build Housing	<p>Reword Policy D4 to read: “Custom and self-build housing, especially where supported by locally specific evidence, can provide a more affordable housing solution and will be supported subject to other policies in the development plan.”</p> <p>Amend last sentence of second paragraph of supporting text to read “Custom and self build housing can offer an affordable route to achieving a home as well as offering opportunities for innovative and energy efficient design and could be a feasible solution for some residents.” Add a new sentence at the end of the third paragraph of the supporting text in Section 1.4 (page 19) to read “ Supporting evidence is also set out in the Local Plan Review</p>	<p>Agreed.</p> <p>The reworded policy though this modification is consistent with the Council’s response made to the Regulation 16 stage submission consultation on the Crediton Neighbourhood Plan</p>

	evidence base, such as the Custom and Self Build Demand Assessment Framework (Three Dragons, July 2018). Other useful sources of supporting evidence could include local housing needs surveys or secondary data from external sources such as Buildstore (www.buildstore.co.uk)."	
Policy D5 Design	Add a new sentence at the end of the last bullet point of Policy D5 to read: "The design of any Sustainable Urban Drainage System (SUDS) should comply with the relevant Devon County Council guidance." In the fifth bullet point delete "the Green Infrastructure Plan for Crediton" and substitute "green infrastructure of Crediton as promoted in policy En4"	Agreed. The reworded policy through this modification is consistent with the Council's responses made to the Regulation 16 stage submission consultation on the Crediton Neighbourhood Plan.
Policy TC1 Town centre development	Reword first two sentences of Policy TC1 to read "Development proposals within the town centre boundary, as defined in Figure 2, will be supported where they provide:"	Agreed. This modification will add clarity to the neighbourhood plan in respect of where the policy applies.
Policy TC2 Town centre living	Reword policy TC2 to read: "Within the town centre boundary, development will be supported that re-uses buildings for residential use above ground floor level, including live/work accommodation and 'living over the shop'"	Agreed. This modification will add clarity to the neighbourhood plan in respect of where the policy applies.
Policy TC4 High Street to St Saviour's Way car park access route	In second paragraph of Policy TC4, delete "cf LPR DM19" and replace with "Mid Devon District Plan Review Policy DM19"	Agreed. This modification will add clarity to the neighbourhood plan in terms of cross referencing to the adopted Mid Devon Local Plan.
Policy S1 Renewable energy excluding wind turbines	Delete "wind turbines are not considered in this plan as no suitable" at the bottom of the supporting text under Section 5.1 Renewable energy. Change "proposals" to "Proposals" and add "small" before "groups of properties" in first sentence of Policy S1. Add a comma after "appropriate" in last bullet point of policy.	Agreed. This modification will remove superfluous text and is consistent with the Council's response made to the Regulation 16 stage submission consultation on the Crediton

		Neighbourhood Plan in respect of the inclusion of the word 'small' in Policy S1. This will make the policy more explicit about the scale of development that proposals for renewable energy would serve.
Policy S2 Energy diversification	Reword Policy S2 to read "Initiatives that would enable local businesses to develop renewable and low carbon energy will be supported where: - the primary function is to support their operations - they are subordinate to the primary business - the siting, scale and impact of the proposed development is appropriate to its setting and position in the wider landscape"	Agreed. These modifications will make minor typographical corrections to the policy.
Policy E2 Change of use of allocated employment land	Add as a new sentence at the end of the text box under 6.2 Change of use of allocated employment land (Page 36) to read : "For this reason, the loss of any of the allocated employment sites (defined in Policy DM19 in the adopted Local Plan), through a change of use will be resisted."	Agreed. This modification will add clarity to the neighbourhood plan that Policy E2 will apply to allocated employment sites in the adopted Mid Devon Local Plan.
Policy H4 Credton Station	Reword first sentence of Policy H4 to read "Credton station buildings and signal box form an important part of the heritage of Credton Neighbourhood Plan area". Change "thy" to "they" in second sentence.	Agreed. This modification will add clarity to the neighbourhood plan by making clear that Policy H4 will apply to Credton station buildings and signal box.
Policy En2 Trees	Reword opening sentence of Policy En2 to read: "In order to improve and increase tree cover in the plan area and to retain and enhance green corridors and the street scene and to capture carbon, the following principles of retaining, avoiding harm, enhancement and compensation will apply." Move Principle 1 to become Principle 2 and vice versa. Reword first two paragraphs of	Agreed. This modification will add clarity to the neighbourhood plan through giving the policy a more logical structure and ensuring it complies with the National Planning Policy Framework.

	<p>Principle 1 to read “Avoid harm. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland or veteran trees) should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. The following principles should guide the design of a development where ancient woodlands or veteran trees may be affected:”</p> <p>Amend formatting of second paragraph under Principle 3 Enhance, so that it is consistent with Principle 1 Avoid harm.</p> <p>Reword last paragraph of Principle 4 to read:“ In circumstances where compensation cannot be delivered on site, arrangements to compensate elsewhere, through financial contributions to offsite tree planting (including management costs) should be explored.”</p>	
Policy En3 Flood Plains	<p>Reword second sentence of policy En3 to read “In addition, any proposals for development within the floodplain should, where appropriate, be supported by....”</p>	<p>Agreed.</p> <p>This modification will add clarity to the neighbourhood plan. The inclusion of the words “where appropriate” in the second sentence of Policy En3 will make clear that not all development proposals within the flood plain will need to be supported by detailed information.</p>
Policy En4 Green Infrastructure	<p>In Policy En4 change “Map 5 see Appendix 1 p 53” to “Map 4 on page 52, open spaces”. In the second sentence of the policy change “Map 6” to “Map 5 on Page 53 Green Corridors”</p>	<p>Agreed.</p> <p>This modification will add clarity to the neighbourhood plan through correcting the cross referencing to maps in the Appendix 1.</p> <p>The reference to page “52” will be amended to page “54” and reference to page “53” will be amended to page “55” to reflect the reformatted</p>

		"referendum" version of the neighbourhood plan.
Policy En5 Views and Vistas	Delete "views shows" and substitute "view from Downeshead shown" after in the second line of Policy En5.	Agreed. This modification will add clarity to the neighbourhood plan in terms of the view that Policy En5 applies to.

The Examiner's recommended modifications and the Council's decisions and reasons are set out in the Decision Statement attached at **Appendix 2**. The Decision Statement also includes the typographical correction referred to at paragraph 1.17 of this report.

- 2.2 Having considered each of the recommendations made in the Examiner's Report and the reasons for them, Officers agree that the Examiner has undertaken a fair examination of the submitted Neighbourhood Plan, properly considering all duly made representations. Officers recommend that the Council agrees with all of the Examiner's modifications to the Neighbourhood Plan.
- 2.3 Crediton Town Council has been provided with the Examiner's report and has not made any comments on the modifications recommended by the Examiner. Crediton Town Council has amended the neighbourhood plan to include the Examiner's recommendations and the typographical correction, and has provided a reformatted "referendum" version of the neighbourhood plan (**Appendix 3**) to meet the 2018 Accessibility Regulations.
- 2.4 Officers have considered whether any other modifications are required to ensure that the Neighbourhood Plan meets the required conditions. It is not considered that any additional modifications are required except the typographical correction described at paragraph 1.16 of this report.
- 2.5 Officers consider that, subject to the Examiner's modifications being made to the Plan, the Crediton Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended), is compatible with the Convention Rights and meets the requirements of paragraph 8(1) of Schedule 4B to the Town and Country Planning Act (as amended).

3.0 Next steps and Referendum

- 3.1 It is recommended that Cabinet agrees the Examiner's recommended modifications to the Neighbourhood Plan and the typographical correction that is necessary to Map 5 Views, and that the modified Neighbourhood Plan proceeds to Referendum. The Neighbourhood Plan incorporating the Examiner's modifications and with the typographical correction made is attached at **Appendix 3**.

- 3.2 It is recommended that Cabinet agrees the Decision Statement and that this is published as soon as possible and publicised in a manner to meet publicity requirements in the Regulations.
- 3.3 In relation to the Referendum area, the Examiner concluded that there is no reason to alter, or extend the Plan area, for the purpose of holding a Referendum. Officers agree with this recommendation and therefore recommend to Cabinet that the area for the Referendum should be the Crediton Neighbourhood Plan Area as approved by Mid Devon District Council on 2nd July 2014 (shown in **Appendix 3**). The Neighbourhood Area covers the entirety of Crediton parish.
- 3.4 Once the Council has published the Decision Statement detailing its intention to send the Crediton Neighbourhood Plan to Referendum, the Council's Development Management Team will be able to give significant weight to this plan when determining planning applications within the Crediton Neighbourhood Plan Area.
- 3.5 Subject to the decision of Cabinet recommended in this report, arrangements will be made for the Referendum to be held in the Crediton Neighbourhood Plan area (Crediton Parish). To meet statutory requirements the Referendum will be held within 56 working days following the publication of the Decision Statement and the date for the Referendum will be published not fewer than 28 days before the date on which the Referendum will be held.
- 3.6 To meet the requirements of the Localism Act 2011 the Referendum will pose the following question:
- “Do you want Mid Devon District Council to use the Neighbourhood Plan for Crediton to help it decide planning applications in the neighbourhood area?”**
- 3.7 Following the Referendum, if more than 50% of those voting, vote 'yes' then the Neighbourhood Plan comes into force and must be 'made' within eight weeks of the Referendum.

4.0 Planning Policy Advisory Group

- 4.1 The Planning Policy Advisory Group (PPAG) was consulted on the decision on the Examiner's report for the Crediton Neighbourhood Plan at its meeting on 17th June 2022 and has noted the recommendation.

Contacts for more Information:

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Circulation of the Report: Cabinet Member seen and approved [yes/no – name of Cabinet Member], Leadership Team seen and approved [yes/no]

List of Background Papers and Links:

Appendix 1 - Examiner's Report

Appendix 2 - Decision Statement for the Crediton Neighbourhood Plan

Appendix 3 - Crediton Neighbourhood Plan