

## **CABINET**

**7<sup>TH</sup> MARCH 2023**

### **NON-STATUTORY INTERIM PLANNING POLICY STATEMENT: CLIMATE EMERGENCY**

**Cabinet Member(s):** Councillor Barnell, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer:** Richard Marsh, Director of Place

**Reason for Report:** To adopt the Non-Statutory Interim Planning Policy Statement

#### **RECOMMENDATION:**

**To Cabinet that:**

- 1) The proposed amendments to the draft Non-Statutory Interim Planning Policy Statement: Climate Emergency detailed in the Statement of Public Participation (Appendix 4) and in section 4.0 of this report be approved and these are included in the finalised version of the Non-Statutory Interim Planning Policy Statement: Climate Emergency (Appendix 1).
- 2) The amendments made to the Net Zero Carbon Toolkit detailed in the Statement of Public Participation (Appendix 4) and the schedule at paragraph 2.13 in this report be approved.
- 3) The Non-Statutory Interim Planning Policy Statement: Climate Emergency (Appendix 1), including the Net Zero Carbon Toolkit (Appendix 2) and the Net Zero Housing Assessment Tool (Appendix 3) be adopted, published on the Council's website, and brought into effect in the development management process.
- 4) The Council's validation checklist "4 – Application for Planning Permission" be amended to include the local validation requirement for the completion of the "Climate Emergency – Planning Applications Checklist".
- 5) Applicants for planning permission be encouraged to use the Net Zero Carbon Toolkit and the Net Zero Housing Assessment tool where these are relevant to the proposed development.
- 6) Delegated authority be given to the Director of Place in consultation with the Cabinet Member for Planning and Economic Regeneration to approve future amendments to the Non-Statutory Interim Planning Policy Statement: Climate Emergency (Appendix 1 including the Climate Emergency – Planning Applications Checklist), the Net Zero Carbon Toolkit (Appendix 2) and the Net

**Zero Housing Assessment Tool (Appendix 3) and where these are factual and are in relation to updated national policy and guidance, regulations and legislation.**

**Financial Implications:** None identified

**Legal Implications:** The Non-Statutory Interim Planning Policy Statement will not have a Supplementary Planning Document status. However, it will be guidance and a resource which can be used by applicants to help inform the preparation of planning applications submitted to the Council for determination within the Mid Devon area. The Non-Statutory Interim Planning Policy Statement can help clarify how the requirements of existing development plan policies can be met in relation to climate change, which can assist the assessment of planning applications, and it underlines that tackling climate change is a material consideration.

**Risk Assessment:** None identified.

**Budget and Policy Framework:** The Non-Statutory Interim Planning Policy Statement will provide guidance that can assist the understanding and implementation of relevant policies in the statutory development plan for the district.

**Equality Impact Assessment:** The Non-Statutory Interim Planning Policy Statement 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, although it could be used to assist the achievement of climate ‘justice’.

**Relationship to Corporate Plan:** The Non-Statutory Interim Planning Policy Statement plan will help meet the Corporate Plan priorities: ‘Homes’, ‘Environment’, ‘Community’ and ‘Economy’.

**Impact on Climate Change:** The Non-Statutory Interim Planning Policy Statement will supplement relevant policies in the adopted Local Plan where these are relevant to adapting to, and mitigating the impacts of, climate change through development in Mid Devon, and it will draw from current good practice and relevant legislation and statutory provisions since the Local Plan was submitted to the Secretary of State in March 2017 and subject to its independent examination.

## **1.0 INTRODUCTION / BACKGROUND**

- 1.1 The decision to prepare a non-statutory interim policy statement on planning for the climate emergency (hereafter referred to as the ‘Planning Policy Statement’) was taken by the Cabinet at its meeting on 4<sup>th</sup> February 2021, together with the preparation of a new Local Plan for Mid Devon (Minute 304).
- 1.2 A draft Planning Policy Statement was approved for public consultation by the Cabinet at its meeting on 4<sup>th</sup> October 2022 (Minute 74). That report provided a detailed context for why the Planning Policy Statement is needed, and in relation to national planning policy and relevant legislation, including the Council’s signing of the Devon Climate Emergency Pledge on 26<sup>th</sup> June 2019

and its aim to become carbon neutral by 2030 (Net Zero greenhouse gas emissions).

- 1.3 The Planning Policy Statement and use of a 'Climate Emergency – Planning Applications Checklist' will help raise the profile and importance, and improve the transparency of climate change and climate emergency considerations in the planning process in Mid Devon. The principal benefits of the Planning Policy Statement will be:

- it allows the Council to set out its expectations to applicants for planning permission for proposed development in Mid Devon, shape planning proposals that are submitted to the Council for determination, and be used to help inform the decisions made on these
- it can help clarify how the requirements of policies in the adopted Mid Devon Local Plan, adopted Devon Minerals and Waste Plans, and Neighbourhood Plans which have passed their referendum and have been 'made' / adopted in the district can be met in relation to climate change (e.g. Local Plan Policy S1 Sustainable Development Priorities, and others where relevant) it underlines that tackling climate change is a material consideration.
- it will enable a greater focus on climate change and climate emergency matters in advance of, and can be used to help inform the preparation of the new Local Plan for Mid Devon ('Plan Mid Devon')

- 1.4 The Planning Policy Statement will be applicable to all applications for the development and use of land and buildings in Mid Devon (outside the Dartmoor National Park) that are submitted to the Council for determination. Exemptions to the use of the Planning Policy Statement will include development that is subject to 'permitted development rights' where there is no need to apply for planning permission.

## 2.0 CONTENT OF THE STATEMENT

- 2.1 The Planning Policy Statement includes guidance in relation to increasing accessibility, reducing the need to travel, and efficient movement of goods; improving energy efficiency; adapting to higher temperatures; mitigating flood risk; and resilience of natural systems and resources. The scope of content and detail of the Planning Policy Statement has been shaped through a review of relevant policy hooks in the adopted Local Plan, adopted Devon Minerals and Waste Plans, and Neighbourhood Plans which have passed their referendum and have been 'made' / adopted in the district, and a Climate Emergency – Planning Applications Checklist including a set of principles and objectives developed by planning officers and the Council's Climate and Sustainability Specialist.

- 2.2 The Planning Policy Statement at **Appendix 1** includes the following content:

- 1.0 Introduction
- 2.0 Purpose, Status and Content
- 3.0 Climate Emergency Context

## Legislative Context

## National and Local Policy Context

## Future National and Local Policy Context

### 4.0 Climate Emergency – Planning Applications Checklist

### 5.0 Net Zero Carbon Toolkit

### 6.0 Net Zero Housing Assessment Tool

## Appendix A Legislative, Regulatory and Policy Context

### *Climate Emergency – Planning Applications Checklist*

- 2.3 The 'Climate Emergency – Planning Applications Checklist' provides guidance for applicants that can be used to help inform the preparation of planning applications submitted to the Council for determination, and also the decisions made on these. This can contribute to improving the quality of development and place making.
- 2.4 Policies of the adopted Local Plan, the adopted Devon Minerals and Waste Plans, and Neighbourhood Plans which have passed their referendum and have been 'made' / adopted in the district have been scoped in terms of climate-related considerations. Policy themes have been derived from these and are included as a set of principles and objectives within the 'Climate Emergency – Planning Applications Checklist'. Relevant measures for consideration are listed alongside the objectives.
- 2.5 Applicants for planning permission will be expected to have regard to the principles and objectives included in the Planning Policy Statement's 'Climate Emergency – Planning Applications Checklist', and show how these have been considered and used in preparing planning applications that are submitted to the Council for their determination.

### *Validation requirements for planning applications*

- 2.6 This will be achieved through an amendment to the Council's local list of information requirements in support, and for the validation, of planning applications that are submitted for determination.
- 2.7 Section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and Infrastructure Act) and article 11(3)(c) of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 place statutory tests on the information which the Council can request with a particular planning application. It must be:
- reasonable having regard, in particular, to the nature and scale of the proposed development; and

- about a matter which it is reasonable to think will be a material consideration in the determination of the application.

2.8 The level of information that will be required through the completion of the Climate Emergency – Planning Applications Checklists will meet the statutory tests (being relevant in relation to national planning policy and legislation, and policies of the adopted Local Plan), and will be proportionate. Not all of the principles / objectives may be relevant in every instance and the level of detail provided in responses to each will need to be considered on a case by case basis depending on the nature and scale of development that is proposed. For example, it could include a short descriptive response to a question, pointing to how each matter has been considered in the development proposal, and / or it might include signposting to other documents that have been submitted in support of the development proposal, where these are relevant. The ‘Climate Emergency – Planning Applications Checklist’ in itself does not present a requirement for additional evidence, but provides a means to clarify and encourage consistency in the evidence provided (a Carbon Reduction Statement is already required to be submitted with major applications).

2.9 The Council’s local list of information requirements in validation requirement form “4 – Application for Planning Permission” will be amended as follows:

Insertion of a new local requirement:

‘Climate Emergency – Planning Applications Checklist’ – all applications. Our preferred approach to demonstrate compliance with relevant policies in the adopted development plan will be through the completion of the planning applications checklist. The information provided will be proportionate in relation to the nature and scale of development that is proposed’

Amendment to an existing local requirement:

Current wording	New wording
<b>Major Applications</b> - Carbon Reduction Statement to set out how landform, layout, building orientation, massing and landscaping to minimise energy consumption have been taken account of in the final design	<b>Major Applications</b> - We require a Carbon Reduction Statement. Our preferred format for expedient processing of your application is to fill out the ‘Climate Emergency – Planning Applications Checklist’ as a way to clarify the key Climate and Sustainability points of your statement

2.10 Completed and submitted Climate Emergency – Planning Applications Checklists will be published on the Council’s website alongside other documents submitted for each planning application being determined by the Council.

2.11 Responses provided in completed ‘Climate Emergency – Planning Applications Checklist’s will be capable of being used by the Council to better understand how the principles and objectives have been addressed in proposed development, and assist the decision making process through

providing clarity in how relevant policies in the development plan and the National Planning Policy Framework have been complied with.

### *Net Zero Carbon Toolkit*

- 2.12 The 'Statement' introduces a 'Net Zero Carbon Toolkit', which has been funded through the Local Government Association Housing Advisers Programme. The Net Zero Carbon Toolkit (**Appendix 2** to this report) explains how net zero carbon developments can be delivered through construction, and takes into account embodied carbon and operational energy requirements. The toolkit includes advice on different methods of design and construction to achieve and maintain a healthy and comfortable indoor climate.
- 2.13 The Net Zero Carbon Toolkit in **Appendix 2** includes amendments made following the public consultation exercise. These are detailed in the Statement of Public Participation (**Appendix 4**) and the following schedule of amendments.

Schedule of amendments made to the Net Zero Carbon Toolkit		
Page / Section	Consultation Document	Revised Document
Cover	<del>September 2022 v1.0</del>	<u>February 2023 v1.1</u>
p.34 Ecology and biodiversity	Building with Nature <del><a href="https://www.buildingwithnature.org.uk/how-it-works">https://www.buildingwithnature.org.uk/how-it-works</a></del>	Building with Nature <u><a href="https://www.buildingwithnature.org.uk/">https://www.buildingwithnature.org.uk/</a></u>
p.35 Reducing flood risk through Sustainable Urban Drainage (SuDS)	Changes to our climate are predicted to result in increased rainfall and greater risk of flooding. Integrating SuDS into a development can greatly improve the site's ability to capture, absorb and effectively retain water as part of a comprehensive green infrastructure design. This <del>will</del> reduce surface water run-off and support local drainage networks to function effectively, <b>reducing</b> the risk of flooding.	Changes to our climate are predicted to result in increased rainfall and greater risk of flooding. Integrating SuDS into a development can greatly improve the site's ability to capture, absorb and effectively retain water as part of a comprehensive <b>and multifunctional</b> green infrastructure design. This <u>can</u> reduce surface water run-off and support local drainage networks to function effectively, to <b>reduce</b> the risk of flooding.
p.35 Creating a healthy environment	Our homes are places that should support our health and wellbeing. Consideration <del>to the</del> materials <del>chosen</del> can have a beneficial effect <del>on people's health</del> . For example volatile organic compound (VOCs) content) can cause short term irritation for some people, and long term health problems. Ventilation and good indoor air quality are also discussed in this toolkit.	Sentence amended for conciseness and to ensure sufficient space for other alterations to this page:  Our homes should support health and wellbeing. Consider <u>how</u> the materials <u>you use</u> can have a beneficial effect. For example, volatile organic compound (VOCs) can cause short term irritation for some, or even long term health problems. Ventilation and good indoor air quality are also discussed in this toolkit.

p.35 Water	<del>Advice on Water Efficient Homes for England</del>  <del><a href="https://waterwise.org.uk/wp-content/uploads/2019/10/Advice-on-water-efficient-homes-for-England061118.pdf">https://waterwise.org.uk/wp-content/uploads/2019/10/Advice-on-water-efficient-homes-for-England061118.pdf</a></del>	Webpage no longer available, reference and hyperlink removed
p.35 Water		New link added:  <b><u>Watersafe Information for Developers</u></b>  <b><u><a href="https://www.watersafe.org.uk/advice/information-for-developers/">https://www.watersafe.org.uk/advice/information-for-developers/</a></u></b>
p.35 Sustainable Urban Drainage		New link and text added:  <b><u>Devon County Council SUDS Guidance</u></b>  <b><u><a href="https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/">https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/</a></u></b>  <b><u>Surface water should be managed in accordance with guidance considered suitable at the time a planning application is being submitted.</u></b>
p.47 Identifying relevant solutions for the context	Upgrading or installing replacement double/triple glazed windows (subject to planning officer support) can reduce heat loss by up to 40%. Recent advances in window technology such as evacuated glazing offer the possibility of recreating traditional window forms but with only a fraction of the heat loss. <del>This technique can in some cases be applied to listed buildings.</del>  Emerging products such as insulating plasters also offer the opportunity to insulate walls in a sensitive manner.	Upgrading or installing replacement double/triple glazed windows (subject to planning officer support) can reduce heat loss by up to 40%. Recent advances in window technology such as evacuated glazing offer the possibility of recreating traditional window forms but with only a fraction of the heat loss. Emerging products such as insulating plasters also offer the opportunity to insulate walls in a sensitive manner. <b><u>For Listed Buildings, check first with your local authority Conservation Officer whether Listed Building Consent is needed for what is proposed (and how to apply).</u></b>
p.69 Find High Performance Door Products	<b>Passive House Institute Component database</b>	Passive House Institute Component database
p.70 Finding High Performance Insulation Products	<b>Passive House Institute Component database</b>	Passive House Institute Component database
p.76 UK Government's Renewable Heat Incentive	<b>A potential source of income</b> <b><i>Installing</i></b> a typical system costs around £14,000 to £19,000. It will most likely reduce fuel bills if replacing a	<b>Costs versus benefits</b> <b><i>To install</i></b> a typical system costs around £14,000 to £19,000. It will most likely reduce fuel bills if replacing a

	conventional electric heating system, but you are unlikely to save much on your heating bills if you are switching from mains gas, unless other energy efficiency improvements are made. If the system is part of a new development, combining the installation with other building work can reduce the cost of installing the system. <del>You may be able to receive payments for the heat you generate using a heat pump through the UK Government's Renewable Heat Incentive.</del>	conventional electric heating system, but you are less likely to save much on your heating bills if you are switching from mains gas, unless other energy efficiency improvements are made. If the system is part of a new development, combining the installation with other building work can reduce the cost of installing the system.
p.85 Table	Text not visible within 'Find out more' section of the 'Building regulations approval' column	'Building regulations approval' and 'Planning permission' 'Find out more' sections combined:
p.85 Table	'Find out more' section of the 'Planning permission' column:  'Mid Devon District Council' hyperlinked to West Oxfordshire Council website	<ul style="list-style-type: none"> <li>• <b><u>Planning Portal</u></b> <a href="http://www.planningportal.co.uk/">http://www.planningportal.co.uk/</a></li> <li>• <b><u>Mid Devon District Council</u></b> <a href="https://www.middevon.gov.uk/residents/planning/">https://www.middevon.gov.uk/residents/planning/</a></li> <li>• <b><u>Local Authority Building Control</u></b> <a href="https://www.labc.co.uk/">https://www.labc.co.uk/</a></li> </ul>
p.85 Table		<p>Title added to table:</p> <p><b><u>The difference between building regulations approval and planning permission</u></b></p>

- 2.14 Through the development management process applicants for the development of new homes will be encouraged to make use of the Net Zero Carbon Toolkit in the preparation of planning proposals. In doing so, this can help show how the principles and objectives of the Climate Emergency – Planning Applications Checklist, where relevant to new build homes, can be met.

#### *Net Zero Housing Assessment Tool*

- 2.15 The Council has developed a 'Net Zero Housing Assessment Tool' in association with the University of Exeter. This is presented in a .pdf format in **Appendix 3** for the purpose of this report, but will be published in the form of a functional spreadsheet (MS Excel) for its use. The Net Zero Housing Assessment Tool can be used alongside the Net Zero Carbon Toolkit to evaluate the costs and benefits of a range of low carbon standards for new residential developments.



- 2.16 The Net Zero Housing Assessment Tool calculates the carbon performance of 4 dwelling typologies: 1- and 2-bed apartments, attached and detached houses for a range of fabric and building services specifications. It then sizes the required photovoltaic array to comply with Part L of the Building Regulations, and permits further improvements. This establishes the cost uplift needed to achieve user-selected performance standards, which can be compared with the lowest cost means needed to meet the minimum requirements of the 2021 Building Regulations amendments. The tool has the capacity to be updated should further amendments occur.
- 2.17 Through the development management process applicants for the development of new homes will be encouraged to make use of the Net Zero Housing Assessment Tool in the preparation of planning proposals. In doing so, this can help show how the principles and objectives of the Climate Emergency – Planning Applications Checklist, where relevant to new build homes, can be met.

### **3.0 CONSULTATION ON A DRAFT STATEMENT**

- 3.1 The Planning Policy Statement, including the planning applications checklist, net zero carbon toolkit and net zero carbon housing assessment tool were published on the Council's website alongside a draft Air Quality Supplementary Planning Document and was subject to an 8 week period of public consultation from 24<sup>th</sup> October to 16<sup>th</sup> December 2022. Information was also made available on the Sustainable Mid Devon website
- 3.2 Consultation responses were encouraged through an on-line questionnaire published on the Council's website.
- 3.3 Public notification of the consultation was provided by means of a press release (20<sup>th</sup> October 2022) and 6 posts made on social media (including Facebook, Twitter and Nextdoor). All consultees on the Plan Mid Devon mailing list were contacted by post or email, and invited to comment on the draft Planning Policy Statement This includes relevant specific and general consultation bodies, parish and town councils in Mid Devon, and residents or other persons carrying on a business in the area who have requested to be kept informed about Plan Mid Devon.
- 3.4 The public consultation included targeted engagement with the stakeholder group of planning agents active in Mid Devon. This was by means of a meeting of the Mid Devon Planning Agents Forum held on 4<sup>th</sup> November 2022. Invitations were sent by email to 304 planning agents. The Forum was held on-line via Zoom.
- 3.5 Representations have been received from 18 separate individuals and organisations. These are set out in a Statement of Public Participation (**Appendix 4**) to this report. All representations received have been carefully considered, and where necessary amendments made to the 'Planning Policy Statement' have been set out in the Statement of Public Participation and are included in the final version of the 'Statement' in **Appendix 1**.

## 4.0 GROUPS CONSULTED AND FURTHER POST-CONSULTATION AMENDMENTS

- 4.1 The Planning Policy Advisory Group (PPAG) met on 9<sup>th</sup> February 2023. The PPAG has considered post-consultation amendments made to the Planning Policy Statement, detailed in the Statement of Public Participation (**Appendix 4**) and also further post-consultation amendments detailed in this report below, and has agreed that it is recommended to Cabinet these amendments are approved. These post consultation amendments are included in Planning Policy Statement in **Appendix 1**.
- 4.2 The further amendments that have been made to the Planning Policy Statement following the consultation exercise include typographical corrections, or the inclusion of factual information for the purpose of adding clarity to the Planning Policy Statement in terms of the scoping of development policies or cross referencing. They do not introduce new Principles or Objectives to the Planning Applications Checklist:

Update the footnote 3 on page 5 of the Planning Policy Statement so that this links to the updated (January 2023) version of the TCPA / RTPi “The Climate Crisis – a guide for local authorities on planning for climate change”.

The inclusion of reference to the Government’s current consultation on proposed revisions to the National Planning Policy Framework as follows:

Paragraph 3.10 - inclusion of additional sentence:

“At the time of finalising this Planning Policy Statement the Government is consulting on proposed revisions to the NPPF; relevant amendments are set out within paragraph 3.24.”

“National Planning Policy Framework 2023

In response to the Levelling-Up and Regeneration Bill, the Government launched a consultation on proposed revisions to the National Planning Policy Framework in December 2022. The consultation period was still open at the time of finalising this ‘Planning Policy Statement’. Proposed revisions that are considered relevant in relation to climate matters have included extending the powers for granting wind energy development, if the proposal has community support and the planning impacts identified by the affected community have been appropriately addressed. Local planning authorities should also:

- Take into account the availability of agricultural land for food production, when deciding what sites are most appropriate for development;
- Afford significant weight to adaptations to existing buildings to improve energy efficiency performance; and
- Approve repowering, maintaining and extending the life of existing renewables sites, where the impacts are or can be made acceptable.

This Planning Policy Statement will be capable of being reviewed once the new NPPF has been brought into force.”

Paragraph 3.25 - add title heading “Plan Mid Devon”

Inclusion of reference to the Devon Waste Plan 2011 – 2033 at paragraph 3.22:

“Devon Waste Plan 2011 – 2033

Adopted in December 2014, the Devon Waste Plan establishes the overarching principle and policy direction for waste planning within the County.”

There is a need to make clear in the Planning Policy Statement that the scoping of development plan policies has included policies in Neighbourhood Plans that have passed their referendum and are ‘made’ / adopted. A new paragraph 3.23 is included in the Planning Policy Statement:

“Neighbourhood Plans in Mid Devon

Neighbourhood plans form part of the statutory development plan for their local areas within Mid Devon, along with the adopted Devon Minerals and Waste Plans. Neighbourhood Plans need to be in general conformity with the strategic policies of the Local Plan and can include policies and proposals that give people more say in what is planning in their local area. So far, three neighbourhood plans have passed their referendum and have been ‘made’ and adopted within Mid Devon:

- Crediton Neighbourhood Plan 2018 – 2033
- Cullompton Neighbourhood Plan 2020 – 2033
- Tiverton Neighbourhood Plan 2020 – 2033”

Paragraph 3.27 – inclusion of reference to full title of the Levelling Up and Regeneration Bill

Paragraph 4.3 – rewording of part of the paragraph with the inclusion of the words:

“, the adopted Devon Minerals and Waste Plans, and Neighbourhood Plans which have passed their referendum and have been ‘made’ / adopted for Crediton, Cullompton and Tiverton. These have been expanded into guidance in the form of measures for consideration.”

Paragraph 4.5 – inclusion of an explanation that the published version of the Planning Applications Checklist

“ and will be accompanied by an explanation of the level of information required for its completion”.

Objective 2.1 – reword “Optimise (achieve a significant uplift) in densities of dwellings...” to “Optimise (achieve a significant uplift in) densities of dwellings...”

Objective CP.3.3 Using cleaner energy – add the words “Energy recovery and / or” before “renewable energy generation and supply, including on-site where feasible”.

Inclusion of additional measure in Objective CP.6.1 Protecting existing Natural Capital and biodiversity to reflect development plan policy in relation to air quality which is related to other Objectives already included in the Planning Policy Statement:

“Improvement of air quality and reduce air quality impacts. This may be achieved through measures taken in relation to other Principles and Objectives e.g. Principle CP.2 Increasing accessibility, reducing the need to travel, and efficient movement of goods.

Planning proposals may also need to have regard to the Council’s Air Quality Supplementary Planning Document to assess impact on air quality.”

Appendix A to the Planning Policy Statement has been updated to clarify where the scoping of development plan policies has included the Devon Waste Plan 2011 – 2031, Neighbourhood Plans that have passed their referendum and have been ‘made’ and adopted within Mid Devon, and other relevant policies in the adopted Local Plan and Objectives in the Planning Policy Statement. It also makes clear that development site allocation policies can include specific requirements that support Objectives in the Planning Policy Statement. Amendments made to the Appendix A to the Planning Policy Statement which are set out below are expressed either by **~~strikethrough~~** for deletions and **underlining** for additions of text.

## Appendix A Legislative, Regulatory and Policy Context

National Requirements	Corresponding Objective
Environment Act 2021	CP.6.1; CP.6.2; CP.6.3
UK Climate Change Risk Assessment 2022	CP.4.1; CP.4.2; CP.4.3; CP.5.1; CP.5.2; CP.5.3; CP.6.1; CP.6.2; CP.6.3; CP.6.4
<b><u>National Planning Policy Framework</u></b> 2021	CP.2.1; CP.2.2; CP.2.3; CP.2.4; CP.3.1; CP.3.2; CP.3.3; CP.4.1; CP.4.2; CP.4.3; CP.5.1; CP.5.2; CP.5.3; CP.6.1; CP.6.2; CP.6.3; CP.6.4
Part L ‘Conservation of fuel and power’ of The Building Regulations	CP.2.1; CP.3.2

etc. (Amendment) (England) Regulations 2021	
Part O 'Overheating in new residential buildings' of The Building Regulations etc. (Amendment) (England) Regulations 2021	CP.4.1; CP.4.3
Part S Infrastructure for charging electric vehicles' of The Building Regulations etc. (Amendment) (England) Regulations 2021	CP.2.5
Written Ministerial Statement (HCWS258) on Improving Water Quality and Tackling Nutrient Pollution July 2022	CP.6.1
Net Zero Strategy: Build Back Greener 2021	CP.2.2; CP.2.3; CP.2.4; CP.2.5; CP.3.2; CP.3.3; CP.6.1; CP.6.2; CP.6.3; <b>CP.6.4</b>
Heat and Buildings Strategy 2021	CP.2.1; CP.3.2; CP.3.3
National Design Guide 2019 / National Model Design Code 2021	CP.2.1; CP.2.2; CP.2.3; CP.2.4; CP.2.5; CP.3.1; CP.3.2; CP.3.3; CP.4.1; CP.4.2; CP.4.3; CP.5.1; CP.5.2; CP.5.3; CP.6.1; CP.6.2; CP.6.3

County Requirements	Corresponding Objective
Devon Minerals Plan 2011 – 2033	CP.3.1
<b><u>Devon Waste Plan 2011 – 2031</u></b>	<b><u>CP.3.1; CP.3.3; CP.6.1</u></b>

<b><u>Development Plans (all)</u></b>	<b><u>Corresponding Objective</u></b>
<b><u>Development site allocation Policies</u></b>	<b><u>Certain site allocation policies include specific requirements (e.g green infrastructure, sustainable urban drainage, measures to reduce flood risk, pedestrian and cycle links and other transport measures which can help improve air quality, habitat and biodiversity protection and enhancement, renewable energy, and carbon reduction and energy efficiency in buildings) which support Objectives in this Planning Policy Statement</u></b>

Mid Devon Local Plan 2013 – 2033 <b>Policy</b>	Corresponding Objective
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Mid Devon Local Plan 2013 – 2033 <b>Policy</b>	Corresponding Objective
Policy S1 Sustainable development priorities	CP.2.1; CP.2.2; CP.2.3; CP.2.4; CP.2.5; CP.4.3; CP.5.3; CP.6.2; CP.6.3
<b><u>Policy S5 Public Open Space</u></b>	<b><u>CP.3.1; CP.4.3; CP.6.3</u></b>
<b><u>Policy S7 Town Centres</u></b>	<b><u>CP.2.3</u></b>
Policy S8 Infrastructure	CP.2.1; CP.2.2; CP.2.3; CP.2.4; CP.2.5
Policy S9 Environment	CP.3.2; CP.4.2; CP.4.3; CP.5.1; CP.5.2; CP.5.3; CP.6.1; CP.6.2; CP.6.3
<b><u>Policy S10 Tiverton</u></b>	<b><u>CP.2.3; CP.5.1; CP.5.3; CP.6.1; CP.6.2</u></b>
<b><u>Policy S11 Cullompton</u></b>	<b><u>CP.2.3; CP.4.3; CP.5.1; CP.5.3</u></b>
<b><u>Policy S12 Crediton</u></b>	<b><u>CP.2.3; CP.4.3</u></b>
Policy S14 Countryside	CP.6.2; <b><u>CP.3.3</u></b>
Policy DM1 High quality design	CP.2.1; CP.2.2; CP.2.3; CP.2.4; CP.2.5; CP.3.1; CP.5.1; CP.5.3; CP.6.3
Policy DM2 Renewable and low carbon energy	CP.6.2; <b><u>CP.3.3</u></b>
<b><u>Policy DM3 Transport and air quality</u></b>	<b><u>CP.6.1</u></b>
Policy DM4 Pollution	CP.6.1
Policy DM5 Parking	<b><u>CP.2.4</u></b> ; CP.2.5
<b><u>Policy DM7 Traveller sites</u></b>	<b><u>CP.5.3; CP.6.1</u></b>
Policy DM9 Conversion of rural buildings	CP.3.1; <b><u>CP.6.2</u></b>
<b><u>Policy DM14 Town centre development</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4</u></b>
<b><u>Policy DM15 Development outside town centres</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4</u></b>
Policy DM20 Agricultural development	CP.5.3; CP.6.1
<b><u>Policy DM24 Protection of Local Green Space and recreational land/buildings</u></b>	<b><u>CP.4.3</u></b>
Policy DM25 Development affecting heritage assets	CP.3.1
<b><u>Policy DM26 Green infrastructure in major development</u></b>	<b><u>CP.4.3; CP.6.1; CP.6.2; CP.5.1; CP.5.2; CP.5.3</u></b>
Policy DM27 Protected landscapes	CP.6.2; CP.6.3

<b>Mid Devon Local Plan 2013 – 2033 Policy</b>	<b>Corresponding Objective</b>
<b><u>Policy DM28 Other protected sites</u></b>	<b><u>CP.6.1</u></b>

<b><u>Crediton Neighbourhood Plan 2018 – 2033</u></b>	<b><u>Corresponding Objective</u></b>
<b><u>Policy CF1 Community hub</u></b>	<b><u>CP.3.1; CP.4.3; CP.5.3; CP.6.2; CP.6.3</u></b>
<b><u>Policy D1 Development principles</u></b>	<b><u>CP.2.1; CP.2.3; CP.3.1; CP.3.2; CP.3.3; CP.4.1; CP.4.2; CP.4.3; CP.5.1; CP.5.2; CP.5.3; CP.6.1; CP.6.2; CP.6.3; CP.6.4</u></b>
<b><u>Policy D2 Sites allocated in the Mid Devon Local Plan as shown on the Adopted Policies Map for Crediton</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4; CP.2.5; CP.3.1; CP.4.3; CP.5.1; CP.5.3; CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy D5 Design</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4; CP.3.1; CP.4.3; CP.5.3; CP.6.2; CP.6.3</u></b>
<b><u>Policy E3 Re-development and expansion of existing town centre employment sites</u></b>	<b><u>CP.2.1; CP.2.2; CP.2.3; CP.2.4; CP.6.2; CP.6.3</u></b>
<b><u>Policy EN1 Open spaces</u></b>	<b><u>CP.6.3</u></b>
<b><u>Policy EN2 Trees</u></b>	<b><u>CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy EN3 Flood plains</u></b>	<b><u>CP.5.3</u></b>
<b><u>Policy EN4 Green infrastructure</u></b>	<b><u>CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy H5 Retrofitting energy measures</u></b>	<b><u>CP.3.1</u></b>
<b><u>Policy S1 Renewable energy excluding wind turbines</u></b>	<b><u>CP.3.3; CP.6.1</u></b>
<b><u>Policy S2 Energy diversification</u></b>	<b><u>CP.3.3</u></b>
<b><u>Policy S3 Community scale renewable energy</u></b>	<b><u>CP.3.3; CP.6.1</u></b>
<b><u>Policy T1 Footpaths and cycle routes</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4</u></b>
<b><u>Policy T3 Development on principal routes</u></b>	<b><u>CP.2.2</u></b>
<b><u>Policy TC1 Town centre development</u></b>	<b><u>CP.6.2; CP.6.3</u></b>
<b><u>Policy TC2 Town centre living</u></b>	<b><u>CP.2.1; CP.3.1</u></b>
<b><u>Policy TC3 Public realm</u></b>	<b><u>CP.2.2; CP.3.1; CP.4.2; CP.4.3; CP.5.1; CP.5.3; CP.6.2; CP.6.3</u></b>

<b><u>Cullompton Neighbourhood Plan 2020 – 2033</u></b>	<b><u>Corresponding Objective</u></b>
<b><u>Policy EJ01 Improving access to Commercial Areas</u></b>	<b><u>CP.2.3; CP.2.4; CP.2.5; CP.2.6</u></b>
<b><u>Policy EJ02 Development of Small Business Units</u></b>	<b><u>CP.2.1</u></b>
<b><u>Policy EN01 Protecting and Enhancing the Natural Environment</u></b>	<b><u>CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy EN02 Improving the Public Rights of Way Network</u></b>	<b><u>CP.6.3</u></b>
<b><u>Policy HS04 Parking on Housing Schemes</u></b>	<b><u>CP.2.5; CP.2.6; CP.5.3</u></b>
<b><u>Policy HT02 Improving our Public Transport Network</u></b>	<b><u>CP.2.3</u></b>
<b><u>Policy HT03 Improving our Cycle Network</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4</u></b>
<b><u>Policy HT04 Improving Footpaths</u></b>	<b><u>CP.2.2</u></b>
<b><u>Policy SD02 Links to the Town Centre</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4</u></b>
<b><u>Policy SD03 Flood Attenuation</u></b>	<b><u>CP.5.1; CP.5.3</u></b>
<b><u>Policy SD04 Solar Design in Housing Schemes</u></b>	<b><u>CP.3.1; CP.3.2; CP.3.3; CP.CP.4.1</u></b>
<b><u>Policy TC02 Character of the Built Environment</u></b>	<b><u>CP.3.1</u></b>
<b><u>Policy TC03 Pedestrian Priority in the Town Centre</u></b>	<b><u>CP.2.2</u></b>
<b><u>Policy TC04 Service Arrangements in the Town Centre</u></b>	<b><u>CP.2.6</u></b>
<b><u>Policy TC06 Cultural and Leisure Facilities in the Town Centre</u></b>	<b><u>CP.3.1</u></b>
<b><u>Policy WL03 Usable Public Open Space</u></b>	<b><u>CP.2.2; CP.6.3</u></b>
<b><u>Policy WL04 Outdoor Sports Facilities</u></b>	<b><u>CP.6.1</u></b>
<b><u>Policy WL07 Community Allotments, Orchards and Composting</u></b>	<b><u>CP.3.1</u></b>
<b><u>Tiverton Neighbourhood Plan 2020 – 2033</u></b>	<b><u>Corresponding Objective</u></b>
<b><u>Policy T1 Location and scale of development</u></b>	<b><u>CP.3.1; CP.3.3</u></b>



<b><u>Policy T4 Character of development</u></b>	<b><u>CP.3.1</u></b>
<b><u>Policy T5 Design of development</u></b>	<b><u>CP.1.1; CP.4.1; CP.4.2; CP.4.3; CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy T6 Energy efficiency and design</u></b>	<b><u>CP.1.1; CP.2.5; CP.3.1; CP.3.2; CP.3.3; CP.4.1; CP.5.2</u></b>
<b><u>Policy T7 Minimising the risk of flooding</u></b>	<b><u>CP.5.1; CP.5.3</u></b>
<b><u>Policy T8 Local buildings and structures of merit and local heritage assets at risk</u></b>	<b><u>CP.3.1; CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy T9 Green and blue infrastructure and delivering biodiversity net gain</u></b>	<b><u>CP.3.1; CP.4.3; CP.5.1; CP.5.3; CP.6.1; CP.6.2; CP.6.3</u></b>
<b><u>Policy T12 Supporting local agriculture and opportunities for diversification</u></b>	<b><u>CP.3.3</u></b>
<b><u>Policy T13 Provision of leisure and recreation facilities</u></b>	<b><u>CP.6.3</u></b>
<b><u>Policy T15 Allotments and community growing spaces</u></b>	<b><u>CP.2.2; CP.2.4; CP.3.1</u></b>
<b><u>Policy T16 Encouraging safe and sustainable movement</u></b>	<b><u>CP.2.2; CP.2.3; CP.2.4</u></b>
<b><u>Policy T17 Flexible workspaces</u></b>	<b><u>CP.3.1</u></b>
<b><u>Policy T18 Supporting a sustainable visitor economy</u></b>	<b><u>CP.2.4</u></b>

## **5.0 NEXT STEPS AND IMPLEMENTATION**

- 5.1 Once adopted, the Planning Policy Statement will be published on the Council's website as a printable and downloadable version for applicants to be able to complete and submit as a document supporting their planning application. The Planning Applications Checklist will be accompanied by an explanation of the level of information required for its completion as described in paragraph 2.8 to this report.
- 5.2 The Planning Policy Statement is capable of being updated to reflect any changes in relevant legislation and to national planning policy, guidance and updated source material and web links (noting that the Government is currently consulting on its proposed approach to updating the National Planning Policy Framework as part of how it might develop new national planning policy to support wider objectives in the Levelling-up and Regeneration Bill). Officers will keep this under review as necessary and in relation to progress made towards the completion of the new Local Plan (Plan Mid Devon). Officers will also keep the Planning Policy Statement under review in light of how it is used by the development industry and feedback provided, so it will be an effective tool to help shape planning applications

submitted to the Council for determination and that the information provided can be used to help inform decisions made on these.

- 5.3 The Council's validation requirement form "4 – Application for Planning Permission" is currently being reviewed. This will include the amendments shown at paragraph 2.9 of this report. Once the review has been completed the validation requirement form "4 – Application for Planning Permission" will be published and subject to a 3 week consultation period before it is approved by the Council, published on the Council's website, and brought into effect.

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#### **Circulation of the Report:**

Councillor Barnell - Cabinet Member for Planning and Economic Regeneration

Leadership Team, Finance, Legal Services and Equalities

#### **List of Background Papers and Links:**

**Appendix 1** - Non-Statutory Interim Planning Policy Statement: Climate Emergency

**Appendix 2** - Net Zero Carbon Toolkit

**Appendix 3** - Net Zero Housing Assessment Tool

**Appendix 4** – Statement of Public Participation