



All members of Cullompton Town Council are hereby summoned to attend  
a meeting of the **Town Council** to be held on  
**Thursday 13 February 2020 commencing 7pm at Cullompton Town Hall**

*Judy Morris*

**SIGNED:** Mrs Judy Morris (Town Clerk)

**DATE:** 6 February 2020

## AGENDA

**PUBLIC QUESTION TIME:** 15 minutes is set aside at the beginning of the meeting to enable members of the public to bring issues relating to Cullompton to the attention of Councillors. Up to 3 minutes is allowed for each question.

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|---|---------------|
| 1. <b>APOLOGIES:</b> To receive apologies for absence.  | 7.00-<br>7.05 |
| 2. <b>DECLARATIONS OF INTERESTS:</b> Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest. |               |
| 3. <b>PUBLIC PARTICIPATION:</b> To allow members of the public present at the meeting to raise matters which are relevant to Cullompton. Up to 3 minutes will be allowed for each person.   | 7.05-<br>7.20 |
| 4. <b>MINUTES:</b> To consider and approve the Minutes of the previous meeting held on 23 January 2020 (Appendix A).  | 7.20-<br>7.25 |
| 5. <b>RESOLUTIONS:</b> To note (Appendix B).  | 7.25-<br>7.30 |
| 6. <b>ANNUAL PARISH MEETING:</b> To approve date.   |               |
| 7. <b>PAYMENTS:</b> To examine and agree the accounts due for payment (a schedule of payments will be issued prior to the meeting).   |               |
| 8. <b>LOCAL PLAN REVIEW: PROPOSED MODIFICATIONS</b> (Deadline for response: 17 February 2020).  |               |

- (i) Neighbourhood Plan: Impact of the Local Plan Review, to receive report highlighting how the proposed modifications may impact on the Neighbourhood Plan. (Appendix C).
- (ii) Proposed Modifications: To review proposed modification and approve response (Appendix D).

**9. CORRESPONDENCE:**

- (i) **Local Government Boundary Commission for England:** Mid Devon Review consultation.
- (ii) Any correspondence received after the date of this agenda.

**10. DATE OF NEXT MEETING:** Thursday 27 February 2020 at 7pm.

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*In accordance with the Public Bodies (Admission to Meetings) Act 1960, members of the public and press are very welcome to attend the meeting.*

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*Members of the public will only be permitted to speak at the beginning of the meeting during Public Question Time.*

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# APPENDIX A



## Minutes of a meeting of Cullompton Town Council held on Thursday 23 January 2020 commencing 7pm at Cullompton Town Hall

**Present:** Town Mayor Cllr Lloyd Knight (in the chair) and Cllrs: Eileen Andrews, James Buczkowski, Matthew Dale, Robert Dietrich, Janet Johns, Will Jones, Justin Lochhead, Ian Morton, Russ Murch, Michelle Rowe and Martin Smith.

**Also in attendance:** One member of the press and approximately six members of the public.

Judy Morris: Town Clerk (minute taker) and Deputy Town Clerk Maria Weston.

It was noted that the meeting is being recorded.

The Town Mayor introduced the new Town Clerk Joy Norris who will be starting with the Council on 26 February to replace the current Town Clerk who is retiring.

**169. APOLOGIES:** Received and accepted from: Deputy Town Mayor Cllr Kate Haslett (personal) and Cllr Kerry Baldwin (personal). Proposed Cllr Michelle Rowe, seconded Cllr Will Jones.  
Apologies also received from Devon/Mid Devon District Councillor John Berry.

**170. DECLARATIONS OF INTERESTS:**

**Cllr Russ Murch** declared a personal interest in respect of the co-options (Item 174) as one of the candidates is known to him personally

**Cllr Janet Johns** declared a personal interest in respect of the co-options (Item 174) as two of the candidates are known to her personally.

**Cllr Will Jones** declared a personal interest in respect of the co-options (Item 174) as one of the candidates is known to him personally.

**Cllr Martin Smith** declared a personal interest in respect of the co-options (Item 174) as one of the candidates is known to him personally.

**Cllr Michelle Rowe** declared a personal interest in respect of the co-options (Item 174) as one of the candidates is known to her personally.

**Cllr James Buczkowski** declared a personal interest in respect of Item 178 (iv) (a) as Cllr Dale is known to him personally.

**171. PUBLIC PARTICIPATION**

**Mr Chris Snow** asked the following questions:

- (i) What is the position with regard to a recent incident and him receiving a written or verbal apology.
- (ii) Is it acceptable for the Income & Expenditure report for the Cemetery & Town Hall Committee to be produced in table form rather than a breakdown of monthly expenses.

- (iii) The Minutes of PFP Committee meeting held on 12 December 2019 included a resolution as follows: "*That the Council meeting scheduled for 9 January is, unless there is any urgent business, a single item agenda for review and approval of the Council's 2020/21 precept and budget. Report to be drafted and sent out with the agenda and draft budget to be presented on the screen and each budget line reviewed*". Why were other items added to the 9 January 2020 agenda?

*The Town Mayor stated that the Town Clerk will get back to Mr Snow with answers to his questions.*

- 172. MINUTES:** The Minutes of the previous meeting held on 9 January 2020 were approved and signed as a correct record after amending the following:

Item 165 (iv) Page 62 Budget and Precept "That Standing Orders are suspended for a maximum of 10 minutes to allow members of the public present at the meeting to make comment on items specific to the values in the budget or precept" and

Item 165 (iv) Page 63 "That the budget is approved, subject to the transfer of £2,500 from the Townscape Heritage budget to a new leat maintenance budget, *subject to match funding being obtained for the leat project*. Proposed Cllr Russ Murch, seconded Cllr Matthew Dale.

- 173. RESOLUTIONS:** Noted

- 174. CO-OPTION:** To receive applications for the office of Town Councillor and to co-opt a candidate to fill the existing vacancy: Three applications received.

**RESOLVED:** That Standing Orders are suspended to enable the candidates to each make a short presentation. Proposed Cllr Will Jones, seconded Cllr Matthew Dale.

The three candidates each made short presentations and answered questions from Councillors.

**RESOLVED:** That Standing Orders are reinstated. Proposed Cllr Lloyd Knight, seconded Cllr Will Jones.

**RESOLVED:** That a paper vote is taken. Proposed Cllr Gordon Guest, seconded Cllr Eileen Andrews.

Paper vote taken, as there was no candidate with a majority of the votes the person with the fewest votes was struck from the list and a second paper vote was taken.

**RESOLVED:** That, with a majority of the votes, Justin Lochhead is co-opted to fill the existing Council vacancy.

Justin Lochhead signed the Acceptance of Office and joined the Council.

- 175. DEVON ASSOCIATION OF LOCAL COUNCILS, COUNTY COMMITTEE:** To approve nomination of Cllr Gordon Guest to fill a vacancy.

**RESOLVED:** That Cllr Gordon Guest is nominated to fill a vacancy on DALC County Committee. Proposed Cllr Eileen Andrews, seconded Cllr Martin Smith.

## **176. REPORTS**

- (i) **Town Mayor's Report:** He reported his attendance at a recent meeting of the Cullompton Community Association at which he had been made to feel very welcome.
- (ii) **County/District Councillor Reports:** Mid Devon District Councillor Nikki Woollatt had submitted a written report that was circulated to all Councillors. Mid Devon Cllr Eileen Andrews stated that she had nothing to further to report as Cllr Nikki Woollatt's report covered all current MDDC matters.
- (iii) **Harlequin Valet site: Cllr Martin Smith:** Cllr Martin Smith gave a short presentation to report on progress with acquiring and developing the site at 19 High Street. The site is currently being sold through Mid Devon District Council and an opportunity has been provided to submit a proposal for the purchase of the site by the end of February 2020.

A public consultation meeting is being held on Saturday 8 February at the Baptist Church to find out what the public want from the site. Concept drawings of how the area could be developed were shown to the Council members.

Conscious of the need for a business plan to provide a return on the initial investment. Need to move quickly or the town could lose this unique opportunity. Discussion about how the governance arrangements will work, need to know that there is a mechanism to complete the project.

It was suggested that the Economic Development Working Group, set up to investigate the feasibility of acquiring the site in order to improve the economic prospects for the benefit of the whole town, approves the business plan and the mechanism to move the project forward.

**RESOLVED:** That the Economic Development Working Group becomes a full Town Council Committee in order to take forward the project to acquire and develop the vacant site at 19 High Street to improve the economic prospects for the benefit of the whole town.  
Proposed Cllr James Buczkowski, seconded Cllr Michelle Rowe.

- (iv) **Any other reports:** Cllr Gordon Guest reported that there is Garden Village stakeholders meeting at Kentisbeare Village Hall on Monday 10 February at 9.15am. All Councillors are very welcome to attend.

## **177. BUSINESS AND FINANCE**

- (i) **Payments: To examine and agree the accounts due for payment**

**RESOLVED:** That payments totalling £4668.93 for January 2020 are approved. Proposed Cllr James Buczkowski.

*Cllr Wil Jones left the meeting.*

## **178. COMMITTEES AND WORKING GROUPS:** To receive the draft Minutes of the following Committees and Working Groups and approve the recommendations contained therein:

- (i) **Community Wellbeing Committee** meeting held on 17 January 2019 and 19 September 2019: Noted
- (ii) **Cemetery & Town Hall Committee** meetings held on 5 December 2019 and 7 January 2020: Noted

- (iii) **Planning & Licensing Committee** meetings held on 12 December 2019 and 9 January 2020:  
Noted
- (iv) **Policy, Finance and Personnel Committee** meetings held on 6 December 2019, 12 December 2019 and 9 January 2020 including approval of the following recommendations:

**RESOLVED:** That the Minutes of the Policy, Finance and Personnel Committee meetings held on December and 12 December 2019 and 9 January 2020 are noted and the following recommendations are approved.

- (a) That Cllr Matthew Dale is confirmed as a signatory on the Council's bank accounts (Minutes 12 December 2019). Proposed Cllr Michelle Rowe, seconded Cllr Lloyd Knight.
- (b) That, on the basis of the recommendation from the Youth Services Working Group, the contract with the YMCA to deliver youth services in Cullompton is extended for a further 12 months from 1 April 2020 to 31 March 2021, subject to budget approval. The Key Performance Indicators to be reviewed to ensure that the targets are realistic. Contract to be reviewed in October 2020 (Minutes 9 January 2020). Proposed Cllr Gordon Guest, seconded Cllr Martin Smith.

**NOTE:** The recommendation that the amendments to the Financial Regulations be approved by the Council (Minutes 12 December 2019) was not accepted and it was

**RESOLVED:** That the revisions to the Financial Regulations are referred back to the Policy, Finance and Personnel Committee for reconsideration. Proposed Cllr James Buczkowski, seconded Cllr Lloyd Knight.

- (v) **Christmas Lights Working Group** meeting held on 16 December: Noted.
- (vi) **Climate Change Working Group** meeting held on 16 December: Noted.
- (vii) **IT Working Group meeting** held on 14 January: Noted.

#### **179. COMMUNITY AND ENVIRONMENT**

- (i) **Rivermead Play Area:** To receive report: Noted.
- (ii) **Traffic Matters:** To receive responses from Devon County Council and agree way forward.

**RESOLVED:** That the Council responds to Devon County Council to confirm that it is happy with the recommendations for parking restrictions in the Lower Bullring Area (Cockpit Hill to Queen Square) but is not happy with the decision not to provide an access route and facility for the fish van to park for street market. Proposed Cllr Lloyd Knight, seconded Cllr Russ Murch.

**NOTE 1:** Cllr Eileen Andrews declared a personal interest in respect of the following item as she lives In Exeter Road.

**NOTE 2:** It was suggested that developers are requested to pay, through s.106 Agreements, for flashing 30mph and 20mph signs to be erected in Exeter Road and Fore Street/High Street and also the removal of the grass verge along Exeter Road to provide additional parking.

- (iii) **United Charities:** To receive report and agree way forward.

**RESOLVED:**

1. That, to avoid any future confusion, the list is removed from the Council's list of representatives on Committees and Working Group and, instead, put in the diary to review every four years.
2. At present the Cullompton United Charity Chairman presents a report at the Annual Parish Meeting. The Town Council could also request a copy of the Charity's Annual Report for circulation to all Councillors.

Proposed Cllr James Buczkowski, seconded Cllr Matthew Dale.

**180. CORRESPONDENCE**

- (i) **Devon Association of Local Councils:** Training dates, noted
- (ii) **Devon County Council:** Meeting to be arranged to review plans for Fore Street footway works: Clerk to notify Councillors of date, all Councillors welcome to attend.

**RESOLVED:** That due to the sensitive/commercial nature of the business to be discussed, the following items are dealt with as Part 2 business and, in accord with the Public Bodies (Admission to Meetings) Act 1960 and the Local Government Act 1972 the press and public are requested to leave at this point and the next section of the meeting is conducted in private, with the exception of new Town Clerk Joy Norris. Proposed Cllr Lloyd Knight, seconded Cllr Matthew Dale

**181. CONTRACT FOR MANAGEMENT OF ST ANDREWS CAR PARK: To approve variation to contract**

Revised contract circulated to all Councillors. The Clerk confirmed that the pay and display machine is owned and insured by the Town Council. The machine has been out of service several times in recent months. Concern about the length of time it can take to get it repaired and the loss of income whilst it is out of service. It was suggested the contract should include some kind of commitment to get the machine repaired within a certain time period.

**RESOLVED:** That clause 4.1 (b) is removed (that the Town Council is responsible for the maintenance of the pay and display machine) as it conflicts with clause 2.3 (The Authority shall be responsible for providing the tickets for the machine and maintaining it). That a commitment is included in the Agreement that the pay and display machine is repaired promptly, say within 48 hours. Revised contract to be brought back to the next meeting.

**182. LEASE FOR RIVERMEAD PLAYAREA: To approve signing of 25 year lease**

**RESOLVED:** That the Council approves signing of the 25 year lease for Rivermead Play Area. Proposed Cllr James Buczkowski, seconded Cllr Michelle Rowe.

**183 DATE OF NEXT MEETING:** Thursday 27 February 2020 at 7pm.

The meeting closed at 8.35pm

**SIGNED:** .....

**DATE:** .....

Date of Meeting	Resolution	Financial implications	To be actioned by	Priority	Remarks
22/08/2019	That the Council will record all full Council and Standing Committee meetings. Sub-committees and working groups will be optional, and that the relevant clause in the protocol is amended to read: <i>"That the Council will record its Full Council and Standing Committee meetings and may itself photograph, film, or broadcast its meetings and can retain, use or dispose of such material in accordance with its standing orders". Note: Standing Orders to be amended to reflect this decision.</i>	Nil	TC	High	Policy Review Working Group Meeting held on 20 Nov, item deferred for review of Code of Conduct as MDDC has recently (15 Nov) issued a revised Code of Conduct which the Working Group intends to review at its next meeting.
26/09/2019	That the Council's Media Communications Policy is referred back to the Policy Review Working Group for further consideration (ensure that the policy accords with the Council's Code of Conduct).	Nil	TC	Medium	Policy Review Working Group Meeting held on 20 Nov, item deferred for review of Code of Conduct as MDDC has recently (15 Nov) issued a revised Code of Conduct which the Working Group intends to review at its next meeting.
23/01/2020	Cllr Gordon Guest nominate to fill a vacancy on DALC County Committee	Nil	TC	High	Application submitted
23/01/2020	That the Economic Development Working Group becomes a full Town Council Committee in order to take forward the project to acquire and develop the vacant site at 19 High Street	Nil	TC	Medium	Membership of Committee to be approved at TC meeting 27/02/2020
23/01/2020	Cllr Matthew Dale confirmed as a signatory on Council bank accounts	Nil	TC	Medium	Online form completed, need 2 other signatories to confirm before form can be submitted

23/01/2020	Respond to DCC, happy to confirm that TC supports the recommendations for parking restrictions in Lower Bullring area (Cockpit Hill to Queen Square) but is not happy with the decision not to provide an access route and facility for the fish van to park for street market	Nil	TC	High	Response sent
23/01/2020	That Clause 4.1(b) is removed from the contract as it conflicts with clause 2.3. That a commitment is included in the Agreement that the pay and display machines is repaired promptly, say within 24 Hours. Revised contract to be brought to the next meeting.	Nil	TC	High	<p>DCC informed - response: I do not think we can make that commitment, as some faults cannot be remedied without supply of new parts.</p> <p>I would suggest that we can commit to "attending" within 48 hours of report, in the majority of cases issues are simple (coin or ticket jams) and could be sorted with that first visit.</p> <p>The alternative is to purchase a second machine to build additional resilience, but I do not think the argument would stack up financially.</p>
23/01/2020	That the Town Council approves signing of 25 year lease for Rivermead play area	Nil	TC	High	Lease signed



## APPENDIX C

### Mid Devon Local Plan Review 2013-33

**MDDC Schedule of Proposed Main Modifications following 2019 Examination Main Hearings and receipt  
of Inspector's Post Hearings Advice Note**

**Date: November 2019**

MDDC – Mid Devon District Council

\*Proposed Main Modifications are identified in **bold** and follow the usual convention of ~~strikethrough~~ for deletions from the text of the submitted plan and underlining for additions to the text.

This Schedule of Proposed Main Modifications (November 2019) should be read in conjunction with Submission Document [SD14 – Schedule of Minor Modifications following 2017 Modifications Consultation \(March 2017\)](#). Following publication of the Inspector's post hearings advice note (ID12), the Council reviewed all modifications proposed within Submission Document SD14. Where it is considered that these modifications meaningfully change a policy, or in the case of supporting text, goes to the heart of the approach, they have been incorporated into this schedule as proposed Main Modifications.

No.	Policy/Paragraph	Local Plan Page	Proposed Changes	Reason
MM01	Overall Provision of housing and employment	26-27	Replace Table 6: Housing forecast 2013 – 2033 with the following update:	To update the housing trajectory following the Inspector's post hearings advice note.  A detailed explanation of the replacement Table 6: Housing Forecast 2013 – 2033 is provided in the Council's "Housing Land Supply Update – Addendum to January 2019 update in response to the Inspector's Post Hearings Advice Note (June 2019)" which is appended to this schedule of Draft Main Modifications.

Location/Site	Policy	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total		
<b>Tiverton</b>																								
Eastern Urban Extension	TIV1-TIV5																	25	100	100	100	100	25	550
Howden Court	TIV9																						10	
Roundhill	TIV10																						20	
Phoenix Lane	TIV12																	4	25	31			60	
Tidcombe Hall (contingency)	TIV13																						0	
Blundells School	TIV16																	12	25	25	50	50	38	
Commitments																	107	149	136	143	135	108	100	
Completions		93	70	98	89	128											100	100	100	100	97		1275	
Tiverton Total		93	70	98	89	128	107	149	152	180	178	183	181	188	125	200	197	100	100	100	100	25	2593	
<b>Cullompton</b>																								
NW Cullompton	CU1-CU6																49	100	100	150	150	176	100	1350
East Cullompton	CUT-CU12																	50	125	175	200	200	200	1750
Ware Park and Footlands	CU14																		25	13				38
Colebrook	CU21																12	25	25	38				100
Commitments																	91	71	53	25	12			252
Completions		87	78	44	98	238																		545
Cullompton Total		87	78	44	98	238	91	71	114	150	137	238	275	376	313	300	300	300	300	300	225		4035	
<b>Crediton</b>																								
Red Hill Cross	CRE2																12	50	50	23				135
Woods Group	CRE4																	8						8
Peddlerspool	CRE5																12	25	25	50	50	38		200
Sports Fields	CRE6																	12	50	50	8			120
Stonewall Lane	CRE7																		25	25				50
Land at Barn Park	CRE8																12	8						20
Alexandra Close	CRE9																12	3						15
Commitments																	103	99	54	29	10			295
Completions		58	31	18	17	12																		136
Crediton Total		58	31	18	17	12	103	99	90	65	59	183	175	69	0	0	0	0	0	0	0	0	979	
<b>Rural sites</b>																								
Newton Square	BA1																5							5
Hollywell	BO1																12	8						20
Hele Road	BR1																7							7
Barton	CH1																12	8						20
Land off Church Lane	CB1																12	8						20
Barnhill Close	CF1																7							7
Linhay Close	CL1																6							6
Land adj Fishers Way	HA1																10							10
Greenaway	MO1																12	8						20
Former Tiverton Parkway Hotel	SP1																10							10
Higher Town	SP2																12	25	23					60
Fannys Lane	SA3																8							8
Old Butterleigh Road	SI1																8							8
The Garage	SI2																5							5
South of Broadlands	TH1																12							12
Land east of MS	WI1																12	25	5					42
Commitments																	273	242	255	26				796
Completions		82	137	128	100	124																		571
Rural Sites Total		82	137	128	100	124	273	255	339	124	65	0	0	0	0	0	0	0	0	0	0	0	1627	
Total (Mid Devon - all areas)		320	316	288	304	502	574	574	695	519	439	604	631	583	438	500	497	400	400	400	250		9234	
Five year totals																	1730		2801					1947
Cumulative five year totals																	4531		2756					9234

MM02	S1: Sustainable development priorities		<p>Amend criterion i) as follows:</p> <p><u>“...recreational trails, and accessible land, and other green infrastructure, and opportunities....”</u></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to reflect representation made by Natural England during the 2017 modifications consultation.
MM03	S2: Amount and distribution of development	32	<p>“The diverse development needs of the community will be met through the provision of <u>a minimum of approximately 7,860 7,200</u> dwellings and 147,000 <del>154,000</del> square metres of commercial floorspace between 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2033.”</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>“...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”</p>
MM04	S3: Meeting housing needs	34	<p>Amend criterion a) as follows:</p> <p>“The diverse needs of Mid Devon will be met through the provision of <u>a minimum of approximately 7,860 7,200</u> dwellings between 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2033.”</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>“...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2.”</p>
MM05	Paragraph 2.31	36	<p>Amend paragraph 2.31 of the supporting text as follows:</p> <p><u>“....The need for gypsy and traveller pitches will be accommodated by pitches within larger housing sites, for example at Tiverton Eastern Urban Extension, North West Cullompton, East Cullompton and Pedlerspool in Crediton. The Council’s preferred approach is for on-site provision as part of larger housing proposals TIV1, CU1, CU7 and CRE5. Provision off-site will only be accepted where it is demonstrated that provision on a different site would achieve a more favourable outcome for Gypsies and Travellers as described in Policy DM7. Where such a more favourable outcome can be demonstrated, off-site provision</u></p>	<p>In response to the Inspector's post hearings advice note and to ensure consistency with MM proposed for Policy DM7.</p>

			<p><u>must meet the requirements of Policy DM7, and a mechanism must be put in place to ensure that the pitches are delivered. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where the off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of this Plan. The Council is working with the travelling showpeople community to approve a large site near Cullompton which would meet the need requirements set out in the GTAA. Policy DM7 (gypsy and traveller accommodation) manages the development of specific sites”</u></p>	
MM06	S8: Infrastructure	46	Modification to include following text at the end of the policy text:  <u>“Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest infrastructure plan”.</u>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM07	S9: Environment	48	<p>Amend criterion e) as follows:</p> <p>"The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within the landscape character areas. Within <del>or</del> <b>adjoining</b> the Blackdown Hills Area of Outstanding Natural Beauty, <b>and within the setting of the Blackdown Hills Area of Outstanding Natural Beauty</b>, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special <b>environmental</b> qualities of that landscape and its setting."</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.
MM08	S9: Environment	48	<p>Amend criterion f) as follows:</p> <p>"The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. <b>If significant harm resulting from development cannot be avoided providing impacts should be adequately mitigated mitigation and</b>. Compensation measures <b>will only be considered</b> where appropriate <b>as a last resort</b>; and"</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation and to reflect the hierarchy in NPPF para 118.
MM09	S11: Cullompton	52	<p>Amend criterion a) as follows:</p> <p>"Make any necessary <b>improvements to the M5 motorway including junction 28 strategic mitigations</b> to maintain highway capacity, <b>and</b> safety, <b>integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans;</b>"</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM10	S12: Crediton	55	<p>Add to the end of clause e) " <b>, including green infrastructure</b>"</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.

MM11	S14: Countryside and paragraph 2.82	59	<p>Amend criterion a) as follows:</p> <p>“a) Affordable and low cost housing to meet local needs, <b><u>gypsy and traveller accommodation</u></b>, <b><u>gypsy and traveller accommodation</u></b>, residential conversion of appropriate existing buildings...”</p> <p>Amend the last two sentences of supporting text in para 2.82 as follows:</p> <p><b>National policy requires that new sites for travellers should be very strictly limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation). ”</b></p>	<p>In response to the Inspector's post hearing advice note:</p> <p>“Make Policy S14 permissive of G&amp;T sites in the countryside while decoupling allocated G&amp;T sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7”</p>
MM12	TIV3: Eastern Urban Extension Environmental Protection and Green Infrastructure	70	<p>Amend criterion e) as follows:</p> <p>“Appropriate provision of sewerage system to serve the development <del>and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance ;</del>”</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following the 2015 Proposed Submission consultation in response to request by the Environment Agency. Reference to Sustainable Urban Drainage is now included in criterion f).</p>
MM13	TIV4: Eastern Urban Extension Community Facilities	72	<p>Add additional policy criterion as follows:</p> <p><b><u>f) Contributions towards a new recycling centre to serve Tiverton”</u></b></p>	<p>Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.</p>

MM14	TIV4: Eastern Urban Extension Community Facilities	72	<p>Replace criterion b) as follows:</p> <p><b><u>“Construction cost for one primary school of 410 places and early years provision. Provision of a 420-place primary school with early years provision and a children’s centre service delivery base funded by appropriate contributions from developers;”</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM15	TIV15: Tiverton Infrastructure	83	<p>Add additional policy criterion as follows:</p> <p><b><u>“I) Provision of a replacement recycling centre facility”.</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM16	TIV16: Blundells School	84	<p>Add additional criterion as follows:</p> <p><b><u>“k) The creation of additional/compensatory floodplain should secure wider environmental and sustainability benefits.”</u></b></p> <p>Amend paragraph 3.60c to insert at the end of the sentence <b><u>“subject to the provision of wider environmental and sustainability benefits”.</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to reflect the representation made by the Environment Agency (6734) which notes that this is a key consideration of the Environment Agency when consulted on development within the floodplain.</p>
MM17	Paragraph 3.70	89	<p>Amendment to proposed modified text within paragraph 3.70 as follows:</p> <p><b><u>“Traffic management measures on Willand Road and Tiverton Road will also be required. Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact on the junction’s capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under policy CU7 of the Cullompton Town Centre Relief Road.”</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM18	CU2: North West Cullompton Transport Provision	90	<p>Amendment to criterion (h) as follows:</p> <p><b><u>Financial contributions towards capacity improvements at Junction 28 of the M5, to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM19	Paragraph 3.75	90	<p>Amendment to proposed modified text within paragraph 3.75 as follows:</p> <p><b><u>The Development will need to mitigate its impact upon capacity at junction 28 of the M5 by financial contributions towards junction improvements.</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM20	CU4: North West Cullompton Community Facilities	93	<p>Replace criterion b) as follows:</p> <p><b><u>Construction costs for 300 places that arise from the development to contribute to a 420 place primary school with provision for early years; Provision of a 420-place school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers.</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM21	CU4: North West Cullompton Community Facilities	93	<p>Add additional policy criterion as follows:</p> <p><b><u>e) Contributions towards a new recycling centre to serve Cullompton</u></b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM22	CU6: North West Cullompton Phasing	95	<p>Replacement policy text for criterion (i) of the policy as follows:</p> <p><b><u>Provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development. Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM23	Paragraph 3.94	96	<p>Amendment to proposed modified text within paragraph 3.94 as follows:</p> <p><b>"Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact upon the junction's capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under Policy CU7. No more than 600 dwellings should be occupied before the Cullompton Town Centre Relief Road is completed and open to traffic. The provision of the Town Centre Relief Road provides increased capacity at J28 M5."</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM24	CU7: East Cullompton	97	<p>Amendment to criterion (f) as follows:</p> <p><b>"f) Transport provision to ensure appropriate accessibility for all modes, including a new or improved access and egress onto the M5 motorway Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28 and pedestrian and cycle links across the motorway to the existing town;"</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM25	CU8: East Cullompton Transport Provision	99	<p>Replacement policy text for criterion (a) of the policy as follows:</p> <p><b><u>Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 as a result of traffic generated from the site Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM26	CU10: East Cullompton Community Facilities	102	<p>Amend criterion a) as follows:</p> <p>a) <u><del>A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;</del></u></p> <p>Amend criterion c) as follows:</p> <p><u><del>Construction costs for a 650 place primary school or two 325 place primary schools, including provision for early years education.</del> Construction costs for a primary school <u>capacity of for</u> at least 630 places plus additional early years provision, <u>including the requisite land to deliver these facilities.</u> The required primary school capacity should be delivered through the provision of either one or two schools;</u></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM27	CU10: East Cullompton Community Facilities	102	<p>Add additional policy criterion as follows:</p> <p><u><b>g) Contributions towards a new recycling centre to serve Cullompton”</b></u></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM28	CU12: East Cullompton Phasing	104	<p>Replacement policy text for criterion (f) as follows:</p> <p><u><b>f) Provision of the first phase of comprehensive M5 access improvements before any dwellings are occupied, followed by strategic highways infrastructure broadly in step with development Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site; and</b></u></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM29	Paragraph 3.116	105	Delete penultimate sentence within paragraph 3.116 of the supporting text as follows:  <b><u>The first phase referred to in criterion (f) above therefore only relates to the subsequent highway works set out in the Devon County Council Report.</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM30	CU12: East Cullompton Phasing	106	Paragraph 3.120, amend as follows: "Subject to viability, affordable housing will be provided at a rate of approximately <b><u>25% 28%</u></b> , in step with the market housing".	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to correct typographical error and to ensure supporting text is consistent with policy.
MM31	CU17: Week Farm	110	Replacement policy text for proposed criterion (g) as follows:  <b><u>(g) "Provision of M5 access improvements before any commercial floorspace is brought into use Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;"</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM32	CU18: Venn Farm	111	Replacement policy text for proposed criterion (g) as follows:  <b><u>(g) "Provision of M5 access improvements before any commercial floorspace is brought into use Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;"</u></b>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM33	Paragraph 3.143a	114	<p>Amend paragraph 3.143a as follows:</p> <p><b><u>“...the final scheme will need to incorporate design solutions which mitigate such impacts. Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including the provision of appropriate ecological and biodiversity enhancements.”</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by the Environment Agency during the 2017 modifications consultation.</p>
MM34	CU20: Cullompton Infrastructure	114	<p>Add additional policy criterion as follows:</p> <p><b><u>“n) Provision of a replacement recycling centre facility”.</u></b></p>	<p>Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.</p>
MM35	CU21: Land at Colebrook	115	<p>Remove contingency status. Modifications proposed as follows:</p> <p>Land at Colebrook <b>CONTINGENCY SITE</b></p> <p>A site of 4.8 hectares at Colebrook <b>is identified as a contingency site allocated</b> for residential development <b>to be released in accordance with Policy S4</b>, subject to the following:</p> <ul style="list-style-type: none"> <li>a) 100 dwellings with 28% affordable housing;</li> <li>b) <b>The development shall not commence until the Town Centre Relief Road has been provided; completion of the North West Cullompton through route linking Tiverton Road to Willand Road and provision of the first phase of comprehensive M5 access improvements;</b></li> <li>c) Provision of two points of access from Siskins Chase;</li> <li>d) Provisions of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision;</li> <li>e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the</li> </ul>	<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>Devon County Council has advised the timing of the development of the site is not dependent on the Cullompton Town Centre Relief Road coming forward as long as financial contributions are made towards the delivery of the relief road. Please refer to the updated housing land supply statement.</p> <p>Criterion b) deleted following Devon County Council's highway consultation response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane). Devon County Council has updated its previous highways advice and there is no longer a requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road to Willand Road link).</p>

			<p>character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;</p> <p>f) Archaeological investigation and appropriate mitigation; and</p> <p>g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.</p> <p>Delete paragraph 3.148 from the supporting text.</p> <p>Delete penultimate sentence from paragraph 3.149 as follows:  <b><del>Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation.</del></b></p> <p><i>Modify the Policies Map as shown on Plan MM35.</i></p>	
MM36	Paragraph 3.149	116	<p>Amend paragraph 3.149 of the supporting text as follows:</p> <p><b><del>3.149 If this site comes forward for development, it must contribute to the provision of offsite highways infrastructure. Development in this location has the potential to place pressure on the capacity of both the strategic and local road network. Devon County Council has therefore stipulated that development should only take place providing there is sufficient network capacity. If released, the site will need to be phased to come forward after further M5 access improvements are implemented. Any application for development must undertake an assessment of the impact of the proposal on both the capacity of the local road network and Junction 28 of the M5 and permission will only be granted where there are no significant adverse impacts which cannot be mitigated. Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation. The site is expected to contribute to the provision of off-site highways</del></b></p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.</p> <p>Further amendment to remove the words "...which cannot be mitigated" to improve clarity.</p> <p>Deletion of the penultimate sentence from paragraph 3.149 to be consistent with MM35.</p>

			<p>infrastructure. <del>Development in this location would increase traffic through the town centre, so would not be permissible until the Town Centre Relief Road has been provided, offering an alternative route.</del> The development would also be expected to provide two points of access from Siskins Chase.</p>	
MM37	CRE5: Pedlerspool, Exhibition Road	121	Amendment to criterion (b) to include reference to " <u>with early years provision and children's centre service delivery base</u> ".	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM38	J27: Land at Junction 27 of the M5 Motorway	128	<p>Replace criterion b) as follows:</p> <p><b><u>Provision of transport improvements to ensure appropriate accessibility for all modes, including new or improved access and egress onto the M5 motorway and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station. Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 27 and pedestrian and cycling link across the motorway to Tiverton Parkway Railway Station</u></b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM39	J27: Land at Junction 27 of the M5 Motorway and paragraph 3.184d	128	<p>Delete criterion e):</p> <p><b><u>Prior to the approval of any planning permission for the site any required mitigation measures for the Culm Grasslands Special Area of Conservation shall be identified and agreed together with a time scale for their provision and a mechanism for their maintenance.</u></b></p> <p>Para3.184d, amend as follows:</p> <p><b><i>The proposals for a major facility of this nature needs to be considered carefully in terms of its impacts and the policy makes provision for detailed transport assessments, environmental protection and green infrastructure, energy conservation,</i></b></p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Deletion of the reference to mitigation measures with regard to the Culm Grasslands Special Area of Conservation to reflect the latest evidence in the J27 proposals: Habitat Regulations Assessment Appropriate Assessment Report (2016) and representation made by Natural England (6242). Reference to floodplain in response to representation made by the Environment Agency (6734) to the 2017 modifications consultation.

			<p>provision of improved public transport, pollution and drainage considerations, phasing and importantly, master planning with full public consultation prior to any planning applications being approved. <u>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including provision of appropriate ecological and biodiversity enhancement.</u> Controls using legal agreements will be required to control the extent and types of use that take place on the site, particularly in respect of retailing which will be tightly controlled. Section 106 planning obligations will also make provision for any necessary infrastructure and public transport improvements <del>and would need to ensure appropriate mechanisms are in place to ensure that the integrity of the Culm Grasslands SAC will not be adversely affected.</del></p>	
MM40	J27: Land at Junction 27 of the M5 Motorway	128	<p>Include additional criterion in policy as follows:</p> <p><b><u>a) Any planning application which includes a 'designer outlet shopping centre' should be accompanied by a full Retail and Leisure Impact Assessment".</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to ensure the potential impact is appropriately and adequately assessed at the planning application stage. Amendment also reflects comments made by The Crown Estate and TH Real Estate c/o Montagu Evans (6234).</p>
MM41	Paragraph 3.184d	129	<p>Include the following text at the end of the paragraph 3.184d:</p> <p><b><u>"Priority habitats exist within the site and in line with criterion c) of Policy J27 should be protected and enhanced."</u></b></p>	<p>Amendment as agreed with Natural England (see Statement of Common Ground SCG-6 MDDC and Natural England)</p>

MM42	SP2: Higher Town Sampford Peverell	146	<p>Amend Policy SP2 as follows:</p> <p><b>"A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, <del>to come forward following the commencement of development of the M5 Junction 27 allocation</del>, subject to the following:"</b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be removed."</p>
MM43	SP2: Higher Town Sampford Peverell and paragraph 3.224c	146	<p>Delete criterion b) and re-label the remaining criteria accordingly.</p> <p><b><del>b)No development until the completion of improved access works to the A361;</del></b></p> <p>Delete paragraph 3.224c of the supporting text.</p> <p><b><del>3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction at Sampford Peverell have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.</del></b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"It was clear from the helpful submissions of the Highway Authority, that the limitation on development until the completion of improved access works to the A361 is unnecessary. Criterion b) needs to be removed."</p>
MM44	SP2: Higher Town Sampford Peverell	146	<p>Include new criterion:</p> <p><b><u>Improved access to the village for pedestrians and cyclists</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to provide greater clarity in response to a number of representations from individuals and through agreement of inclusion of criterion by Devon County Council.</p>

MM45	SP2: Higher Town Sampford Peverell	146	<p>Amend criterion g) as follows:</p> <p><b><u>"2 2.5 hectares of Green Infrastructure laid out and managed with landscaping and open space."</u></b></p> <p><i>Modify the Policies Map as shown on Plan MM45.</i></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p>
MM46	DM1: High Quality Design and new paragraph 4.5b	153-154	<p>Insert additional criteria as follows:</p> <p><b><u>"g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</u></b></p> <p><b><u>"h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and</u></b></p> <p><b><u>"i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings."</u></b></p> <p>Insert additional supporting text as follows:</p> <p><b><u>"4.5b National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is particularly important for the design of the homes that people live in and the spaces that surround those homes. The aim in Mid Devon is to deliver high quality buildings and spaces that meet the needs of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses. Though compliance is delivered through buildings regulations, criterion i) will be implemented through a condition attached to the planning permission."</u></b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"Criteria a) and c) [of DM12] seem to me to be more about design and might find a more comfortable home as part of Policy DM1. I take a similar view in relation to criterion b.)"</p> <p>"the general size and configuration of a dwelling, and the proper handling of recycling, refuse and cycle storage, are design-based considerations and the reference to the Nationally Described Space Standard seems to be unnecessary.' If these criteria are adjusted to make plain that they refer to the design of new housing, and relocated in Policy DM1, then that would be a more efficient way of dealing with the matter."</p> <p>"I am not convinced that the requirement for 30% of houses on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M has been made out. I believe 20, as a carry forward from the existing policy that refers to Lifetime Homes standards is reasonable but again, this requirement could be moved into Policy DM1."</p> <p>Reference to the Nationally Described Space Standard is retained in the policy. This is since MDDC's experience of applying minimum size standards for decision making purposes on</p>

				development proposals requires that the Nationally Described Space Standards are explicit in local plan policy.
MM47	DM2: Renewable and low carbon energy	154	<p>Amend the third sentence in Policy DM2 as follows:</p> <p>“Proposals must demonstrate that impacts are or can be made acceptable <b><u>in relation to: and that the development will preserve:</u></b>”</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“I have some concerns about the wording of Policy DM2 because the first part seeks to avoid any significant adverse impacts, but the second part requires renewable and low carbon energy to preserve (which I take to mean cause no harm to) landscape character, the setting of heritage assets, living conditions, and so on. The former is the correct approach and the second part needs to be adjusted to remove the contradiction. This will require a MM.”</p>
MM48	DM7: Traveller sites and paragraph 4.29	164-165	<p>Amend Policy DM7 as follows:</p> <p>1) <b><u>Planning applications for Pitches and Plots</u></b></p> <p>Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where:</p> <p>a) <del>The need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches;</del></p> <p>b) <del>Local services can be accessed without the use of a car;</del></p> <p>c) <b><u>The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;</u></b></p> <p>d) Occupation will be limited to those who meet the Government’s published definition of gypsies and</p>	<p>In response to the Inspector’s post hearings advice note on the provision for Gypsies and Travellers.</p>

		<p>travellers, including travelling showpeople <u>or their dependents; and</u>  <u>e) Safe and convenient access to local facilities is provided</u></p> <p><del>Where development proposals are considered under S13 “Villages”, local services can be accessed without the use of a car.</del></p> <p><del>Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.</del></p> <p>Sites with associated employment or storage elements <u>may will</u> be permitted where there is specific justification and the location, <u>scale, and nature</u> of the proposed development will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.</p> <p><b><u>2. Provision on allocated sites</u></b></p> <p><u>Gypsy and Traveller pitches on allocated sites (sought by Policies TIV1, CU1, CU7 or CRE5) should be provided on site unless it is demonstrated that off-site provision will achieve a more favourable outcome for Gypsies and Travellers taking into account:</u></p> <ul style="list-style-type: none"> <li>i) <u>Pitch numbers;</u></li> <li>ii) <u>Site facilities;</u></li> <li>iii) <u>Accessibility to services, including health and education;</u></li> <li>iv) <u>Early delivery of serviced pitches or plots which are available for occupation; and</u></li> <li>v) <u>The provision of an effective mechanism for delivery.</u></li> </ul>
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		<p><u>Such sites must also meet the requirements of part 1 of Policy DM7 above,</u></p> <p>Amend supporting text in paragraph 4.29 as follows:</p> <p><u>“4.29 There is a need for 35 new pitches for gypsies and travellers for the period 2014-34, and 11 plots for travelling showpeople for the period 2014-34. The majority of this need is proposed to be met on the largest strategic allocations. The travelling showpeople community is predominately based in one large site at Cullompton, which is at capacity. A need for 11 plots has been identified and the Council is in discussions with a landowner to grant permission for one additional site near to the town which will meet the outstanding requirement. The need for gypsy and traveller accommodation is identified to be in the region of 25 pitches across the plan period. These are to be included within allocated developments at Tiverton Eastern Urban Extension, North West Cullompton, and Pedlerspool in Crediton. Pitches must be provided on-site unless the more favourable outcome described by Policy DM7 is demonstrated. Any proposals for more favourable off-site provision must identify and provide serviced sites in accordance with Policy DM7. A clear mechanism to ensure that pitches or plots are delivered in such a way as to achieve a more favourable outcome for the travelling community must be identified.</u></p> <p><u>This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before</u></p>	
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		<p><b><u>the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5.</u></b> Where gypsy and traveller pitches are provided <u>on-site</u> on housing allocations, these are to be counted against the affordable housing targets for that site. <b><u>There are also existing consented sites in Mid Devon. Proposals for gypsy and traveller accommodation will not be permitted in other locations, unless it is demonstrated that the existing consented or allocated sites will not be available to the prospective occupiers in a reasonable timescale.”</u></b></p>	
MM49	DM12: Housing Standards	<p>170</p> <p>Delete Policy DM12 Housing Standards (incorporating proposed modifications in the 2017 consultation) and move its content, with amendments in accordance with the Inspector's post hearings advice note, to Policy DM1.</p> <p><b>Policy DM12</b></p> <p><b>Housing Standards</b></p> <p><b>New housing development should be designed to deliver:</b></p> <ul style="list-style-type: none"> <li>a) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</li> <li>b) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage;</li> <li>c) Private amenity space that reflects the size, location, floorspace and orientation of the property; and</li> </ul>	In response to the Inspector's post hearings advice note. Please refer to MM46.

			<p><b>d) On sites of 10 houses or more the provision of 30% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'</b></p>	
MM50	DM19: Protection of employment land and paragraph 4.60	179	<p>Delete Policy DM19 criterion c)</p> <p><b>c) A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing:</b></p> <ul style="list-style-type: none"> <li><b>i) Mixed use of the site that incorporates an employment generating use, then</b></li> <li><b>ii) Non-employment use.</b></li> </ul> <p>Amend para 4.60 of the supporting text as follows:</p> <p><b>...“If there is no interest in the site as a result of marketing, the potential of the site for mixed-use development including employment must be considered in preference to the total loss of employment. This will involve determining whether the site still has the potential to be developed viably for mixed-use development or can only be viable if the whole site is developed for non-employment uses. In all cases, the proposed use must not significantly harm any other existing uses in the area, or be harmed by those uses. For example, housing development may not be acceptable in close proximity to general industry, depending on the nature and scale of the industrial use.”</b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>“There was some discussion about criterion c) of Policy DM19 which deals with the protection of employment land. In my view, if criterion b is satisfied, and suitable marketing (which might include for mixed use purposes) has taken place at an appropriate price, for at least 18 months without any interest, then an alternative use (which may take the form of a mixed use) should be allowed to come forward. Criterion c) which requires an additional sequential viability test is far too onerous a requirement and should be removed through a MM.”</p> <p>Supporting text deleted to accord with proposed MM.</p>

MM51	DM25: Development affecting heritage assets	186	<p>Amend Policy DM25 as follows:</p> <p>a) Apply a presumption in favour of <u>preserving or enhancing all designated preservation in situ in respect of the most important</u> heritage assets <u>and their settings</u>;</p> <p>b) Require development proposals likely to <u>affect the significance of</u> heritage assets <u>and their settings</u>, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (<u>including views to or from</u>), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;</p> <p>c) Only approve proposals that would <u>lead to substantial harm to or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm</u> or the requirements <u>of paragraph 133</u> of the National Planning Policy Framework are met;</p> <p>d) Where a development proposal <u>would will</u> lead to less than substantial harm <u>to the significance of a designated heritage asset, this that</u> harm <u>will should</u> be weighed against <u>the public benefits of the proposal any public benefit</u>, including securing <u>its</u> optimum viable use; and</p> <p>e) Require developers to make a proportionate but systematic assessment of <u>the any</u> impact on <u>the setting and thereby the significance of heritage asset(s) down in the guidance from English Heritage: "The Setting of Heritage Assets" Historic England: 'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3.'</u></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"To comply with statute, criterion a) should apply a presumption in favour of preserving or enhancing all designated heritage assets, not just the most important ones. A reference to their setting would assist too".</p> <p>"Criterion b) needs to refer to the significance of heritage assets rather than heritage assets and their settings."</p> <p>"Criterion c) needs to properly reflect the wording of paragraph 133 of the (2012 version of the) Framework by referring to significance. The direct reference to paragraph 133 should be removed because planning applications will be determined using the latest version of the Framework."</p> <p>"Criterion d) should properly reflect paragraph 134 of the (2012) Framework and refer to significance."</p> <p>"Criterion e) could confine itself to 'require developers to make a proportionate and systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)' Pointing to HE guidance in the manner proposed seems to me to run the risk of that guidance changing."</p>
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MM52	Paragraph 4.88	189	<p>Amend paragraph 4.88 as follows:</p> <p>... “Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <b><u>although developments should recognise that floodplain cannot necessarily provide year-round amenity access.</u></b>”</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following representation made by the Environment Agency (673) which provides greater clarity of the ability of floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.</p>
MM53	Paragraph 4.88	189	<p>At the end of paragraph 4.88 include the following sentence:</p> <p><b><u>“Development incorporating green infrastructure will be required to submit management and maintenance details for the proposed green infrastructure.”</u></b></p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed following the representation made by the Environment Agency to ensure green infrastructure is protected and managed beyond the initial construction/development.</p>
MM54	DM27: Protected landscapes, and paragraph 4.94	190	<p>Amend Policy DM27 as follows:</p> <p>“Development proposals <b><u>within or</u></b> affecting the Blackdown Hills, Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:..”</p> <p>Amend paragraph 4.94 as follows: “Where major developments are proposed within <b><u>or adjoining</u></b> protected landscapes <b><u>or within the setting of or adjoining the protected landscapes or the</u></b> National Parks, ”</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“The phrase ‘development proposals within or affecting’ at the beginning of Policy DM27 is a little confusing. A development proposal within a protected landscape will obviously affect it. If the intention is to offer some protection to views into or out of the protected landscape, which seems reasonable, then it may be clearer to make a specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text.”</p>

			<p>The Council has considered the Inspector's post hearings advice note and proposes a modification accordingly.</p> <p>The retention of the word "affecting" in the opening sentence of amended Policy DM27 is consistent with Section 62 of the Environment Act 1995, section 11A (2 in respect of National Parks, and also Section 85 (1) of the Countryside and Rights of Way Act 2000 in respect of Areas of Outstanding Natural Beauty.</p> <p>Section 62 of the Environment Act 1995 places a duty on the Council to have regard to the purposes of National Parks in exercising any functions in relation to or <u>affecting</u> land in a National Park. Similarly, Section 85 of Countryside and Rights of Way Act imposes a duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty within an AONB in exercising any functions in relation to or <u>affecting</u> land in an AONB.</p> <p>Modification proposed following representation made by Natural England (6242) to reflect the fact that the special character of protected landscapes includes the setting rather than only the adjoining land and follows National Planning Policy Guidance.</p>
MM55	DM28: Other protected sites and paragraphs 4.102 and 4.95	<p>Amend Policy DM28 as follows:</p> <p>Delete the final paragraph:</p> <p><b>"Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental</b></p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"I have a concern that Policy DM28, and in particular the way it approaches mitigation and compensation in criterion c), fails to comply with 'People over Wind' and subsequent judgements.</p>

		<p><b><del>integrity of the features of the Natura 2000 site would not be affected</del></b></p> <p>Replace the deleted final paragraph with:</p> <p><b><u>Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.</u></b></p> <p>Amend supporting paragraph 4.102 as follows:</p> <p>Delete the sentence:</p> <p><b><u>... In the case of Natura 2000 sites, compensatory measures may only be considered if the proposal is deemed to be of overriding public interest and would involve engagement with both Central Government and European Commission.</u></b></p> <p>Replace the deleted sentence with:</p> <p><b><u>... In the case of European sites, where the risk of harm to the integrity of a site has not been ruled out in an appropriate assessment planning permission may be granted for the development only if there is no alternative solution and the development must be carried out for imperative reasons of overriding public interest. In such cases, any necessary compensatory measures must be secured.</u></b></p> <p>Amend the paragraph 4.95 through the deletion of the words “Natura 2000 sites” and “Natura 2000 site” and the</p>	<p>I suggest at this stage that the Council checks this point with their expert advisors.”</p> <p>MDDC has taken expert legal advice that has considered the wording of Policy DM28 and its supporting text at paragraph 4.102 require modification.</p> <p>Two modifications will be required to paragraph 4.95 to make this consistent with the modifications to Policy DM28 and paragraph 4.102.</p> <p>Modification to paragraph 4.94 taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note.</p>
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			replacement of these words with the words " <b>European Sites</b> " and " <b>European Site</b> ".	
Plan MM35	CU21: Land at Colebrook	Policies Map	<p>The Policies Map displays the proposed residential allocation CU21 in Cullompton. The map shows a large area of land, including a fishing lake and a slurry pit, highlighted in orange. A key in the bottom left corner identifies this as 'Proposed Residential Allocation Modification to Policy CU21 Land at Colebrook, Cullompton'. The map also shows the proposed settlement limit amendment, the Ordnance Survey copyright notice, and a scale of 1:3000 from October 2019. A north arrow is present.</p>	<p>Contingency status removed in response to the Inspector's post hearing advice note.</p> <p>The notation on the Policies Map has been modified to show site allocation CU21 as a proposed residential allocation within the settlement limit for Cullompton. This modification is necessary to reflect the proposed Main Modification to the wording of site allocation Policy CU21.</p> <p>Please refer to proposed Main Modification MM35.</p>

Plan MM45	SP2: Higher Town, Sampford Peverell	Policies Map	<p>The Policies Map illustrates the spatial distribution of various planning designations across the Higher Town area of Sampford Peverell. Key features include:</p> <ul style="list-style-type: none"> <li><b>Proposed Changes:</b> A yellow area labeled "PROPOSED CHANGES" is shown near the settlement limit.</li> <li><b>Proposed Residential:</b> A green area labeled "Proposed Residential" is located along the southern edge of the town.</li> <li><b>Proposed Green Infrastructure:</b> A red area labeled "Proposed Green Infrastructure" is shown in the southern part of the town.</li> <li><b>Local Nature Reserve:</b> A small orange area labeled "Local Nature Reserve" is located in the northern part of the town.</li> <li><b>Priority Habitats:</b> A light blue area labeled "Priority Habitats" is located in the southern part of the town.</li> <li><b>Floodplain:</b> A light blue area labeled "Floodplain" is located along the riverbank.</li> <li><b>Conservation Area:</b> A dashed red boundary labeled "Conservation Area" is present in the southern part of the town.</li> <li><b>Proposed Residential and GP Surgery Allocation:</b> A green area labeled "Proposed Residential and GP Surgery Allocation" is located in the southern part of the town.</li> <li><b>County Wildlife Site (2007 date):</b> A green area labeled "County Wildlife Site (2007 date)" is located in the southern part of the town.</li> <li><b>Settlement Limit:</b> A black line labeled "Settlement Limit" marks the boundary of the built-up area.</li> <li><b>Proposed Settlement Limit Amendment:</b> A dashed black line labeled "Proposed Settlement Limit Amendment" shows the proposed extension of the settlement limit.</li> </ul> <p><b>Title Block:</b></p> <p>Mid Devon Local Plan 2013 - 2033  <b>Plan MM45</b>  Proposed Main Modification to Policy SP2  Higher Town, Sampford Peverell</p> <p><small>© Crown copyright and database rights 2016. OS 100022292  Note: the Ordnance Survey will not have updated the base to show recent changes.  Consequently, not all development may be shown.</small></p> <p><b>Legend:</b></p> <ul style="list-style-type: none"> <li>Settlement Limit</li> <li>Proposed Settlement Limit Amendment</li> <li>Proposed Residential and GP Surgery Allocation</li> <li>County Wildlife Site (2007 date)</li> <li>Conservation Area</li> <li>Local Nature Reserve</li> <li>Priority Habitats</li> <li>Floodplain</li> <li>Proposed Residential</li> <li>Proposed Green Infrastructure</li> <li>OI</li> </ul> <p><b>Scale:</b> 1:6000</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. The area of Green Infrastructure has been further extended to limit the impact of the setting of the listed building.</p> <p>The notation on the Policies Map has been modified to show the increased area of Green Infrastructure to reflect the proposed Main Modification to criterion g) in the site allocation Policy SP2 Higher Town, Sampford Peverell</p> <p>Please refer to proposed Main Modification MM45.</p>
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## Cullompton Neighbourhood Plan and the Impact of the Local Plan Review Proposed Post Examination Modifications and Amendments

### Purpose of Report

This report has been prepared for Cullompton Town Council. Its purpose is to highlight how the proposed modifications to the Mid Devon Local Plan Review may impact on the Cullompton Neighbourhood Plan.

### Introduction and Background

To accord with the NPPF<sup>1</sup>, a neighbourhood plan must meet certain conditions. An important one of these conditions is that a neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority i.e. the currently adopted Local Plan, which, for Mid Devon, comprises the Core Strategy 2026, adopted in July 2007, along with the Allocations and Infrastructure Development Plan Document (adopted 2010) and Local Plan Part 3: Development Management Policies (adopted 2013). Together these comprise the development plan for the area.

During the preparation of the Cullompton Neighbourhood Plan the Steering Group referred to the adopted Local Plan and had a regular dialogue with the local planning authority, Mid Devon District Council, to ensure the Neighbourhood Plan conformed with the strategic planning policies for the area.

The Cullompton Neighbourhood Plan<sup>2</sup> was submitted to the local planning authority in August 2019. At the time of submission, it was believed that the Plan was in general conformity with the strategic policies in the adopted Local Plan. The Neighbourhood Plan is currently (January 2020) being independently examined as required by the legislation. The Examiner will be considering whether the Plan meets this requirement, and all the other, basic conditions.

The strategic context for the Neighbourhood Plan remains the adopted Core Strategy 2026, and it is against this that it will be checked. However, whilst the Neighbourhood Plan was being developed, the local planning authority commenced the process of reviewing and updating the Local Plan. This involved several consultation stages with the community and Cullompton Town Council, during which the Town Council strived through written submissions to exert influence over the development of the new Local Plan at all stages. Throughout this time, the Neighbourhood Plan Steering Group remained cognisant of the views of the Town Council and the emerging planning strategy for Mid Devon over the period until 2033. It tried to ensure the Neighbourhood Plan reflected both. In recognition that a new Local Plan would eventually be adopted by the District Council, every effort was made to ensure that the Cullompton Neighbourhood Plan would be in conformity with the strategic policies being proposed for the new Local Plan – as it is stated in paragraph 4.5 of the Submission Version of the Cullompton Neighbourhood Plan.

In delaying the submission of the Neighbourhood Plan until August 2019 it was hoped that the new Mid Devon Local Plan would have come into force i.e. adopted, thereby enabling the Steering Group to be certain that the Neighbourhood Plan was in conformity with the new Local Plan.

Submitted alongside the Neighbourhood Plan was a Basic Condition Statement<sup>3</sup>. In it the Steering Group set out how the Neighbourhood Plan and its policies are considered to be in general conformity with the strategic policies contained in the new Local Plan, as well as the adopted development plan for Mid Devon. Appendix A includes the relevant table from the Basic Condition Statement that seeks

<sup>1</sup> NPPF = National Planning Policy Framework

<sup>2</sup> <https://www.middevon.gov.uk/media/348271/cnp-final-submission-version-aug19.pdf>

<sup>3</sup> <https://www.middevon.gov.uk/media/348272/cnp-basic-conditions-statement-master-draft-2019.pdf>

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to demonstrate how the Neighbourhood Plan, through its policies, is in general conformity with the strategic policies of the new Local Plan.

The ‘Local Plan Review’ was first submitted to the Planning Inspectorate on 31 March 2017 for examination. A final Examination in public of the Local Plan took place in February 2019. The District Council received the Inspector’s Post-Hearings advice note (April 2019)<sup>4</sup>. On the basis of this note, a series of modifications to the Local Plan have been prepared to meet the Examiner’s requirements and suggestions. These were published in January 2020<sup>5</sup>. Consultation on them takes place between the 6<sup>th</sup> January and the 17<sup>th</sup> February (5:00pm) 2020.

We are now entering the final stages of preparation of the new Local Plan. The local planning authority, according to its website, expects the new Local Plan to be modified, adopted and thereby come in to force in April 2020.

### Local Plan Modifications

The new version of the Local Plan which extends the strategic policies through until 2033, has been through a series of versions and modifications. The version submitted in 2017 for Examination incorporated a range of modifications resultant from consultation and the need to up-date the planning context<sup>6</sup>.

Following the Examination, the Planning Inspector issued an advice note<sup>7</sup> which constituted a request for further modifications. The Inspector’s advised that a set of ‘Major Modifications’ should be put together by Mid Devon District Council. “*They will need to be consulted upon, of course, and after that, it may be that another Hearing is required to discuss them. Alternatively, it may then be possible for me to proceed to my report. I will of course, keep this under review.*” Mid Devon District Council has published a Schedule of Major Modifications to address the Inspector’s requirements and a further Schedule of Additional Modifications that proposed further changes largely of a minor nature.

### Housing Numbers

The most significant of the major modifications required was a revised housing trajectory for years 1-5 and 5-10 of the plan-period. The Inspector said that “*it is imperative that this piece of work is addressed and completed as soon as practicable*”. The reason for the revised housing trajectory is the lack of capacity of Junction 28 of the M5. As the Inspector said: “*Given the highway constraints involved, the decision to concentrate on Cullompton has significant implications for delivery, and as a result, the housing trajectory and supply situation. Thanks to the now-completed signalisation scheme at J28 of the M5, the site to the north-west of the settlement for 1350 dwellings (Policy CU1), can deliver 600 dwellings before the proposed Town Centre Relief Road (TCRR) is complete. The remaining 750 dwellings must await its completion, as must the first 500 dwellings of the large allocation to the east of Cullompton for 1,750 dwellings in the Plan period (Policy CU7). Beyond that first 500 units, the allocation to the east of Cullompton will require a strategic intervention to facilitate further development, which may take the form of a new J28a on the M5..... experience suggests that it will be some significant time before the TCRR is completed, and certainly more than 2/3 years. The land for the road has yet to be assembled, no planning application has been made for the road, and construction is likely to take many years.*

*With all that in mind, I have a significant concern about the housing trajectory in the early years of the Plan (before the TCRR is complete) in particular. I believe there to be a real danger that in those early years, the Council will find it difficult or impossible to show a five-year supply of deliverable housing sites. That situation may well continue if the TCRR takes longer to complete than envisaged (not an unusual occurrence where major infrastructure works are concerned).*”

<sup>4</sup> <https://www.middevon.gov.uk/media/347312/id12-inspectors-mdlpr-post-hearings-advice-note.pdf>

<sup>5</sup> <https://www.middevon.gov.uk/residents/planning-policy/local-plan-review-examination/local-plan-review-proposed-main-modifications-consultation/>

<sup>6</sup> <https://www.middevon.gov.uk/media/343289/web-version.pdf>

<sup>7</sup> <https://www.middevon.gov.uk/media/347312/id12-inspectors-mdlpr-post-hearings-advice-note.pdf>

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The Inspector has requested an alternative a feasible housing trajectory. The response by the District Council has been to produce a revised Housing Land Supply statement<sup>8</sup> which: re-phases (delays) development of 1,750 dwellings at East Cullompton; brings forward other allocated sites in the district, which were restricted in terms of timing but with no good reason; and allocates sites previously regarded as contingency sites. One of the latter sites is land at Colebrook in Cullompton which is estimated to yield 100 dwellings (2020/24). The trajectory is reflected in several of the proposed major modifications and alterations to the Local Plan, which are currently being consulted upon.

Other major modifications are proposed in response to the Inspector's advice several of which have relevance to Cullompton.

It should be noted that as far as Cullompton is concerned the Inspector concluded that “..... *while I am sure there are different ways it could have been done, the vision, and general approach of the Plan, directing development, and housing in particular, to Cullompton, in the main, is reasonable, in principle*”.

### Provision for Gypsies and Travellers

The Inspector had concerns about the approach in both in the Local Plan, which did not plan to meet fully the identified need. The Inspector requested changes to ensure the need in land use terms could be met by either allocating enough sites or by being more permissive of gypsy and traveller sites in the countryside.

### Development Management Policies

The Examiner requested modifications to certain of the development management policies: Policy DM2 (Renewable and Low Carbon Energy), to ensure there are no significant adverse impacts on the environment.

Policy DM12 (Housing Standards), because the approach to design went too far into technical matters.

Policy DM19 (Protection of Employment Land), to make the restrictions on change of uses less onerous.

Policy DM25 (Development Affecting Heritage Assets), to ensure all heritage assets are provided with an appropriate level of protection.

Policy DM27 (Protected Landscapes), to ensure that the impact of development on sensitive landscapes is appropriate.

Policy DM28 (Other Protected Sites), to ensure impact assessments are part of the approval process.

### Other Matters

The Examiner noted that several agreements between Mid Devon District Council and other bodies and agencies were reached during the Hearings. These should also be reflected in the Main Modifications that are consulted on further.

The tables that follow summarise the modifications proposed in the published Schedule of Main Modifications<sup>9</sup> and the Schedule of Additional Modifications<sup>10</sup> as they apply to the Cullompton area. Most of these are alterations, either major or minor, to the content of policy statements (see Table 1). Some relevant alterations have also been made to the supporting text. Table 1 below sets out the more significant of those. A full set of policy changes proposed by the local planning authority can be found in Appendix B.

In column four of both tables that follow, is a consideration of how the proposed changes accord with the policies of the Cullompton Neighbourhood Plan and the overall approach to future growth and development it embodies.

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<sup>8</sup> <https://www.middevon.gov.uk/media/347813/ed20-mddc-draft-hls-update-june-2019.pdf>

<sup>9</sup> <https://www.middevon.gov.uk/media/348672/mdlpr-proposed-main-modifications-schedule-of-proposed-main-modifications.pdf>

<sup>10</sup> <https://www.middevon.gov.uk/media/348671/mdlpr-proposed-main-modifications-schedule-of-additional-modifications.pdf>

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<b>Table 1 Local Plan Review Proposed Major Modifications – As they affect Cullompton NP</b>			
<b>Policy</b>	<b>Summary of Change</b>	<b>Reason</b>	<b>Cullompton NP Impact</b>
S2 Amount and Distribution of Development	Overall housing and commercial floorspace targets (2013-2033) changed. Cullompton targets for housing increased (up by 330 up to 3,930 dwelling) and commercial floorspace decreased (down by 3,500 to 73,500sq.m.) Both targets are expressed as minima.	Up-dated housing trajectory as a result of Examiner's advice	Accords with the paras. 4.7 and 4.8 of the CNP which supports the LP focus on Cullompton for strategic development and the need for additional land to be identified in the Local Plan for residential and commercial development
S4 Ensuring Housing Delivery	Reflects that there is now only one contingency site in the Local Plan and Land at Colebrook is no longer a contingency site.	Consequence of a major modification to Policy CU21 Land at Colebrook	Consistent with the focus of strategic development on Cullompton but site in question has development issues that have been previously raised by CTC.
S8 Infrastructure	Puts more emphasis on the need to ensure that new development does not impact severely on existing infrastructure.	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy SD07 which requires developers to ensure that an unacceptable strain is not placed on the existing infrastructure.
S11 Cullompton	Emphasises need to maintain the capacity and safety of the M5 and local highway network.	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy HT01 which supports measures to ensure that junction 28 of the M5 functions efficiently and safely as population and business activity in the Cullompton area grows.
S14 Countryside	Includes gypsy and traveller sites as a permitted residential use in the countryside.	As a result of the Examiner's advice	Change may lead to an increased threat of harm to the character and ecology of the countryside areas and potential conflicts with CNP policy SD07 which is aimed at ensuring that sites of ecological and/or geological importance are protected and local biodiversity and wildlife is enhanced wherever possible as a result of development.
CU2 North West Cullompton Transport Provision	Includes reference to capacity improvements at Junction 28 of the M5 being provided and funded by development	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy HT01 which supports measures to ensure that junction 28 of the M5 functions efficiently and safely as population and business activity in the Cullompton area grows.
CU4 North West Cullompton Community Facilities	Includes reference to a 420-place school and new recycling centre being provided and funded by development	Acceptance of Devon County Council's requirement at the Hearing	Change is consistent with CNP aim "to develop sustainable community facilities".
CU6 North West Cullompton Phasing	Restricts development to no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road.	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy SD07 which requires development to be phased logically and in tandem with the timely and co-ordinated provision of infrastructure.
CU7 East Cullompton	Emphasises need for many transport improvements for all modes	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy SD06 which calls for sufficient physical connection between East and West Cullompton including bridges, roads,

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			pedestrian links, cycle paths and public transport.
CU8 East Cullompton Transport Provision	Includes reference to capacity improvements at Junction 28 of the M5 to be determined by capacity studies	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy HT01 which supports measures to ensure that junction 28 of the M5 functions efficiently and safely as population and business activity in the Cullompton area grows.
CU10 East Cullompton Community Facilities	Includes reference to a 630-place school and new recycling centre being provided and funded by development	Acceptance of Devon County Council's requirement at the Hearing	Change is consistent with CNP policy SD06 which calls for facilities in the Garden Village area that can serve the needs of the whole community of the neighbourhood area.
CU12 East Cullompton Phasing	Includes reference to capacity improvements at Junction 28 of the M5 to be determined by capacity studies	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy SD01 which requires road infrastructure requirements to be in place in good time.
CU17 Week Farm	Includes reference to capacity improvements at Junction 28 of the M5 to be determined by capacity studies	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy HT01 which supports measures to ensure that junction 28 of the M5 functions efficiently and safely as population and business activity in the Cullompton area grows.
CU18 Venn Farm	Includes reference to capacity improvements at Junction 28 of the M5 to be determined by capacity studies	Agreement with Devon County Council and Highways England	Change is consistent with CNP policy HT01 which supports measures to ensure that junction 28 of the M5 functions efficiently and safely as population and business activity in the Cullompton area grows.
CU20 Cullompton Infrastructure	Includes reference to a replacement recycling centre facility as one of the infrastructure requirements to be funded by developers	Acceptance of Devon County Council's requirement at the Hearing	Change is consistent with CNP aim "to develop sustainable community facilities".
CU21 Land at Colebrook	No longer a contingency site nor subject to the completion of the NW Cullompton through route	As a result of the up-dated housing trajectory and the advice of Devon County Council	Development of the Colebrook Lane site has been a matter of concern to the Town Council because the land is very wet and access is restricted (CTC response to LP Consultation 2018)., It's change of status from a contingency site to an allocated site could cause potential conflict with CNP policies SD01 regarding traffic impact and access, SD03 regarding flood attenuation, SD07 regarding impact on physical and community infrastructure, and EN01 protecting the natural environment; although these 'issues' are mentioned by criteria in the Local Plan policy. The deletion of the criteria relating to the NW Cullompton through-route Potential may potentially conflict with policy SD01 which seeks to prevent adverse traffic impact of new development on the existing road network, and the town centre in particular.
DM1 High Quality Design	Additional design criteria relating to daylight, privacy, storage and a reduction of the lifetime	As a result of the Examiner's advice and the deletion of Policy DM12 Housing Standards	Change is not inconsistent with views expressed in the CNP paras. 8.5 although overall reduction in required proportion of life-time dwellings to 20% may impact

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	dwelling requirement on major sites to 20%		on Cullompton housing needs. CNP policy HS01 does require developers to be cognisant of current housing needs.
DM5 Parking	Amends wording slightly to make clear that separate standards apply to both parking provision and infrastructure for electric vehicles.	In the interests of clarification	Change ensure that district parking standards remain distinct. (Nb. The standards remain different from those in CNP policy HS04 – although this is not as a result of the proposed modification).
DM7 Traveller Sites	Includes criteria regarding landscape impact and avoiding flood areas, and access to local facilities	As a result of the Examiner's advice	Change is not inconsistent with CNP policy HS05 that requires traveller sites to have an appropriate boundary treatment that is sympathetic to, and in keeping with, the surrounding area.
Policy DM12 Housing Standards	deleted	As a result of the Examiner's advice	Change, in conjunction with additions to LP policy DM1, is not inconsistent with CNP aim of ensuring housing has adequate garden space.
DM19 Protection of Employment Land	Sequential test criteria removed	As a result of the Examiner's advice	Change makes change of use of existing employment space simpler which is potentially in conflict with the CNP aim of encouraging businesses to move to Cullompton.
DM25 Development Affecting Heritage Assets	Criteria amended to emphasise need to preserve heritage assets and limit harm	As a result of the Examiner's advice	Change is consistent with CNP policy TC01 which seeks to ensure heritage assets and their setting are appropriately protected.
DM28 Other Protected Sites	Adds new criteria to protect European sites	As a result of the Examiner's advice	Change is consistent with CNP policy EN01 which requires designated sites to be adequately safeguarded.

**Table 2 Local Plan Review Proposed Additional Modifications – As they affect Cullompton NP**

LP Review Paragraph	Summary of Change	Reason	Cullompton NP Impact
Para. 2.4, 2.7 & 2.9	Amends over-provision of dwellings in the Local Plan target (201-2033) from 10% to 17% to provide flexibility i.e. 1,374 dwellings.	Up-dates and provides more realistic housing trajectory as a result of Examiner's advice	Revised target is not inconsistent to the approach taken by CNP as long as the CNP aims of providing adequate infrastructure and avoiding increased flood risk are adhered to and the requirements of a traffic impact assessment in accordance with CNP policy SD01 is enforced.
Para. 2.6 & 2.7	New table showing revised housing forecast and phasing. East Cullompton is re-phased to take account of likely delays and Colebrook is included.	Up-dates and provides more realistic housing trajectory as a result of Examiner's advice	Revised phasing is consistent with CNP policy SD07 which requires new development to be phased logically and in tandem with the timely and co-ordinated provision of infrastructure.
Para. 2.10	Amends minimum dwellings per year assumption from 104 to 129 per year.	Up-dates by reference to most recent Housing and Economic Land Availability Assessment (HELAA) and Examiner's advice	Revised target is not inconsistent to the approach taken by CNP as long as the infrastructure is in place in accordance with CNP policy SD07.
Para. 2.11	Reduces contingency sites from three to one. The LPR now provides one remaining contingency site is Tidcombe Hall (TIV13).	As a result of the updated housing trajectory undertaken on the advice of the Examiner	Consistent with the focus of strategic development on Cullompton but site in question has development issues that have been previously raised by CTC.
Para. 2.13	Updates employment land completions and commitments (from 2013) Cullompton:	To reflect most recent information (Mar 2018)	Revised target, although reduced, is not inconsistent with the support proffered by the CNP to strategic growth being focussed on Cullompton.

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	Completions 9,273 sq.m Commitments 29,808 sq.m Unconsented allocations 30,702 sq.m		
Para. 2.15	Amends over-provision in the target from 20% down to 19%	To reflect that more provision for commercial floorspace than required.	Revised target, although reduced, is not inconsistent with the support proffered by the CNP to strategic growth being focussed on Cullompton.
Para. 2.27	Revised estimate of affordable housing need from 96 to 124 per year.	To reflect findings of latest Strategic Housing Market Assessment (SHMA)	Revised target is consistent with CNP policy HS02, which supports the provision of social and affordable housing as an important element of new housing provision.
Para. 2.29	Removes reference to policy DM12 and requirement that all dwellings are adaptable to meet changing needs of occupiers	As a result of the Examiner's advice	Changes approach to lifetime dwelling which may potentially conflict with policy CNP HS01.
Para. 2.68	Removes contingency status of Land at Colebrook	As a result of the up-dated housing trajectory undertaken on the advice of the Examiner	Allocates an additional site at Cullompton which is consistent with the CNP support for the focus of strategic development on Cullompton, but site in question has development issues that have been previously raised by CTC.
Para. 2.69	Amends table and allocated numbers of dwellings and commercial space requirements on sites including those at Cullompton (see table in footnote below <sup>11</sup> )	As a result of up-dated assessments and trajectories undertaken on the advice of the Examiner.	Revised target, although reduced, is not inconsistent with the support proffered by the CNP to strategic growth being focussed on Cullompton.
Para 3.64	Confirms that there are now seven (not six) sites are allocated for housing in Cullompton.	As a result of the up-dated housing trajectory undertaken on the advice of the Examiner	Consistent with the focus of strategic development on Cullompton but site in question has development issues that have been previously raised by CTC.
Para 3.65	Up-dates planning status of sites are: Knowle Lane (CU13), Land at Exeter Road (CU15) and Cummings Nursery (CU16).	To reflect changes to the current development status of allocated sites	Recognises recent changes in planning status of sites that deliver new dwellings to Cullompton in accordance with the CNP's support for strategic growth being focussed on Cullompton.
Para 3.67	Up-dates and corrects commercial floorspace table for Cullompton	As a result of up-dated assessments	Amends commercial floorspace figures in accordance with recent changes.
Para. 3.70	Emphasises need to implement Cullompton Town Centre Relief Road.	Agreement with Devon County Council and Highways England	Consistent with the call for a Relief Road made throughout the CNP and CNP policy SD01 which requires the new road infrastructure to be in place in good time to prevent an unacceptable impact on the existing road network, and the town centre in particular.

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Site	Area (ha)	Use
NW Cullompton	103	1,350 <del>1,200</del> dwellings 10,000 <del>21,000</del> sq. m commercial
East Cullompton	160	1,750 <del>2,100</del> dwellings 20,000 sq. m commercial
Knowle Lane	9.8	296 <del>315</del> dwellings
Ware Park & Footlands	2.1	38 dwellings
Land at Exeter Road	1.4	24 <del>45</del> dwellings
Cummings Nursery	5.3	100 <del>120</del> dwellings
Week Farm	10.7	15,000 sq. m commercial
Venn Farm	4.4	12,000 <del>9,000</del> sq. m commercial
Colebrook	4.8	100 dwellings

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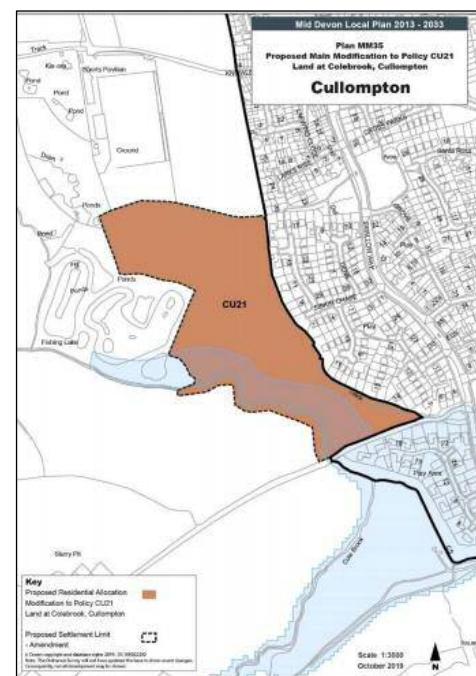
Para. 3.75	Emphasises need to mitigate impact of NW Cullompton development on junction 28 of the M5.	Agreement with Devon County Council and Highways England	Consistent with CNP policy SD01 which requires the new road infrastructure to be in place in good time to prevent an unacceptable impact on the existing road network, and the town centre in particular.
Para. 3.143a	Adds requirement to compensate for any loss of floodplain as a result of the Town Centre Relief Road.	As a result of Environment Agency representations	Consistent with CNP policy WL02 which requires satisfactory arrangements to be put in place for flood control on the CCA Fields and there is no adverse impact on flooding and drainage problems elsewhere.
Para. 3.149	Removes expressed concerns about highway impact of Colebrook development	Agreement with Devon County Council and Highways England	Potential conflict with policy SD01 which seeks to prevent adverse traffic impact of new development on the existing road network, and the town centre in particular.
Para 4.6	Amends wording to recognise that wind farm sites should only be permitted if the land is allocated in a NP or LP.	This requirement is now incorporated into the National Planning Policy Framework.	Sites in Cullompton have not been allocated in the CNP or LP.
Para. 4.88	Recognises that floodplains should can be regarded as part of the green infrastructure provision for major development.	As a result of Environment Agency representations	Potential conflict with CNP policy SD03 which calls for flood attenuation measures to be seen as an opportunity to enhance the areas green infrastructure.

### Conclusions

To aid analysis a traffic light system has been used in the table above. It indicates that most of the proposed modifications and alterations to the Local Plan are judged as being in accordance the Town Council's submitted Neighbourhood Plan. Several of the changes proposed are likely to strengthen the purpose and interpretation of some of the Neighbourhood Plan's policies (as indicated by the green shading). The policies in the Cullompton Neighbourhood Plan that are furthered most by the proposed modifications and alterations are those that relate to infrastructure requirements i.e. policies SD01 and SD07 and policy HT01, which focusses on the inadequacies of the junction 28, particularly as the population and business activity in the area increases.

Changes highlighted by red shading in the tables will not necessarily cause conflict between Local Plan and Neighbourhood Plan. However, there is potential for them to do so. The Local Plan policies that are subject to such modifications are:

**Policy CU21 Land at Colebrook** - a site of 4.8 hectares at Colebrook is now allocated for housing, rather than being earmarked as one of four possible contingency development sites in the district. Most of the criteria in the policy remain the same as that for the 'contingency site' policy. The amended policy CU21 limits the number of dwellings to 100, with 28% of the housing required to be affordable. The two points of access to the site should be from Siskin Chase; and there should be 1.1 hectares of green infrastructure, which includes land in the floodplain. The major modification proposed to the policy is the removal of the requirement that the development should not commence until completion of the North West Cullompton through route linking Tiverton Road to Willand Road. It is proposed to delete this requirement following Devon County Council's highway consultation response to the planning application reference 19/00118/MOUT (outline app. for up to 105 dwellings on land at Colebrook Lane) in March 2019. Devon County Council has updated its previous highways advice. It considers there is no longer a requirement for the prior completion of the North West Cullompton distributor road.



**Policy DM1 High Quality Design** – includes a clause relating to lifetime housing that replaces a similar one in the now deleted policy DM12. The new clause sets the required provision of dwellings built to Level 2 of Building Regulations Part M ‘access to and use of dwellings’ on sites of 10 houses or more to a proportion of 20% rather than the 30% requirement in the pre-examination version of the Local Plan Review (former policy DM12). This change has been made because the Examiner was not convinced there was evidence to increase the prevailing policy requirement from 20% to 30%.

**Policy DM19 Protection of Employment Land** – is another policy where it is proposed to delete a specific clause, also at the behest of the Examiner. The effect of the proposed modification is that the change of use of employment land or buildings, after 18 months of unsuccessful marketing, is no longer to be subject to a sequential viability test which would have to consider whether a mixed use of the site that incorporates an employment generating use is a viable option, before it is redeveloped for non-employment use.

The full text of the policies with changes can be found in Appendix B.

The Town Council needs to consider whether it wishes to make representations on the any of the proposed modifications or alterations.

As regards the three key policies above, the Town Council needs to consider:

**Policy CU21 Land at Colebrook** – whether the development site of 4.8 hectares of land at Colebrook to provide 100 dwellings should take place in advance of completion of the North West Cullompton through-route or other major road infrastructure projects; and whether the other criteria of Local Plan policy CU21 provide sufficient positive constraints on development proposals to achieve a development that meets the policies and standards of the Cullompton Neighbourhood Plan.

**Policy DM1 High Quality Design** – whether the proposed district level standard of 20% provision of lifetime housing on major housing sites will adequately satisfy local housing needs in Cullompton for such dwellings or whether a more flexible approach would be more consistent with the policies of the Cullompton Neighbourhood Plan.

**Policy DM19 Protection of Employment Land** – whether the modified policy adequately protects existing employment land and buildings or whether further safeguards should be included in the policy to be more consistent with the Cullompton Neighbourhood Plan’s intent to protect current business premises and the town centre’s retail function.

## Neighbourhood Plan Examination

This paper has considered how the proposed modifications to the new Local Plan are likely to impact on the Neighbourhood Plan, for better or worse.

It is pertinent to also recognise that the Cullompton Neighbourhood Plan is presently (January 2020) going through its own examination process. It is therefore subject to amendment as a result of the recommendations of the independent Examiner. It is expected that the Examiner will not only be checking the Neighbourhood Plan’s conformity with the currently Local Plan but will be mindful of the, soon to be adopted, new Local Plan.

The Examiner must take account of the comments received during the Regulation 16 consultation<sup>12</sup>.

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<sup>12</sup> Regulation 16 of the Neighbourhood Planning Regulations 2012 Publicising a Plan Proposal (Extract)

As soon as possible after receiving a plan proposal..... a local planning authority must:

(a) publicise the following.....

(i) details of the plan proposal; (ii) details of where and when the plan proposal may be inspected; (iii) details of how to make representations; and

(v) the date by which those representations must be received, being not less than 6 weeks from the date on which the plan proposal is first publicised; and.....

(b) notify any consultation body which is referred to in the consultation statement submitted in accordance with regulation 15, that the plan proposal has been received.

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One of the organisations that commented under Regulation 16 was the local planning authority, Mid Devon District Council. Its comments were formulated and submitted in November 2019, during the period in which it was preparing its proposed modifications to the Local Plan Review. It is reasonable to expect that any issues of conflict or non-conformity that the local planning authority considers exist between the Neighbourhood Plan and the emerging Local Plan have been flagged up in its Regulation 16 response.

In summary, the local planning authority commented on nine of the 39 policies in the Neighbourhood Plan. Four of the comments can be interpreted as statements of support for the policy. There are only five policies in the Cullompton Neighbourhood Plan that Mid Devon District Council has objected to in their submitted form. Four of the policies, it is suggested by the local planning authority, do not conform with the Local Plan Review, which is a matter that the Examiner should take into account.

The table below summarises the representations made by the local planning authority. The full text of Mid Devon District Council's comments on the submitted Cullompton Neighbourhood Plan can be found in Appendix C to this report.

<b>Policy No.</b>	<b>Policy Title</b>	<b>Summary of MDDC's Representation</b>
SD06	Culm Garden Village	Proposes minor amendments to criteria to allow a more flexible interpretation of the required links between the existing town and the garden village
HS03	Creating Smaller Housing Units	Policy not in conformity with the Local Plan Review. Considers the requirement of requiring conversions of large dwelling and other buildings to provide smaller dwelling as being unreasonable.
HS04	Parking on Housing Schemes	Policy not in conformity with the Local Plan Review. Claims parking standards are weaker than policy DM5 of the Local Plan Review and policy does not provide sufficient flexibility to take account of local circumstances.
EN03	Local Green Space	Policy not in conformity with the Local Plan Review. Claims insufficient evidence is provided to justify all named sites to be designated as Local Green Space because they are special to the community.
WL02	CCA Fields	Policy not in conformity with the Local Plan Review. Considers that the policy as written may inhibit the preferred highway improvement scheme. Suggests three of the criteria are deleted and several others are revised.

CNP/PW/Jan20

## Appendix A

### Extract from Cullompton Neighbourhood Plan Basic Condition Statement

How the Policies in the NP Conform with Strategic Policies of the LPR		
Neighbourhood Plan Policies	Local Plan Review Strategic Policies	How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies?
Policy SD01 Traffic Impact of Major Development	CU20 Cullompton Infrastructure	Policy SD01 supports <i>mitigation to reduce traffic impacts on the Trunk and Local Road network</i>
Policy SD02 Links to the Town Centre	CU2 North West Cullompton CU8 East Cullompton	Policy SD02 supports the <i>provision of pedestrian and cycle routes</i>
Policy SD03 Flood Attenuation	S9 Environment S11 Cullompton	Policy SD03 is about <i>the provision of measures to reduce the risk of flooding within Cullompton</i>
Policy SD04 Solar Design in Housing Schemes	CU5 North West Cullompton	Policy SD04 requires <i>renewable and low carbon energy to provide a proportion of the site's energy use</i>
Policy SD05 Connectivity	S1 Sustainable Development Priorities	Policy SD05 support the provision of <i>high-quality communications infrastructure</i>
Policy SD06 Culm Garden Village	CU7 East Cullompton	Policy SD06 supports a <i>mixed used development at East Cullompton</i>
Policy SD07 Timing of Infrastructure	S8 Infrastructure CU20 Cullompton Infrastructure	Policy SD07 supports the provision of <i>necessary infrastructure in a predictable, timely and effective fashion</i> including those listed in CU20
Policy HT01 Motorway Connection	CU7 East Cullompton	Policy HT01 supports the provision of <i>a new or improved access and egress onto the M5 motorway</i>
Policy HT02 Improving our Public Transport Network	S7 Town Centre CU20 Cullompton Infrastructure	Policy HT02 is supportive of measures <i>improving sustainable travel opportunities and interchange facilities</i> including the <i>provision of railway and bus interchange in Cullompton</i>
Policy HT03 Improving our Cycle Network	CU2 North West Cullompton CU8 East Cullompton	Policy HT03 seeks to facilitate <i>an attractive, permeable network for non-car modes travelling within, into and out of the area</i>
Policy HT04 Improving Footpaths		Policy HT04 promotes <i>sustainable travel such as walking and cycling, and providing safe environments</i>
Policy HS01 Housing Mix	S1 Sustainable Development Priorities	Policy HS01 supports <i>a diverse housing mix and by meeting the housing needs of all sectors</i>
Policy HS02 Social and Affordable Housing	S1 Sustainable Development Priorities	Policy HS02 facilitates the <i>delivering a wide choice of high-quality homes through a diverse housing mix</i>
Policy HS03 Creating Smaller Housing Units	S1 Sustainable Development Priorities	Policy HS03 helps to deliver <i>a wide choice of high-quality homes through a diverse housing mix and by meeting the housing needs of all sectors</i>
Policy HS04 Parking on Housing Schemes	S1 Sustainable Development Priorities	Policy HS04 helps <i>create safe and accessible environments</i>
Policy HS05 Gypsy and Traveller Sites	S3 Meeting Housing Needs	Policy HS05 supports the provision of <i>gypsy and traveller pitches on deliverable sites</i>
Policy EN01 Protecting and Enhancing the Natural Environment	S1 Sustainable Development Priorities	Policy EN01 is about <i>conserving and enhancing the natural environment and minimising impacts on biodiversity</i>
Policy EN02 Improving the Public Rights of Way Network	CU3 North West Cullompton	Policy EN02 supports <i>the protection and enhancement where possible of all existing public rights of way</i>
Policy EN03 Local Green Space	S1 Sustainable Development Priorities	Policy EN03 identifies and designates <i>local green space</i>
Policy TC01 Heritage Assets	S1 Sustainable Development Priorities	Policy TC01 requires development to <i>respect local character, heritage, surroundings</i>

Policy TC02 Character of the Built Environment	S9 Environment	Policy TC02 requires <i>high quality sustainable design which reinforces the character and distinctiveness of Mid Devon's historic built environment</i>
Policy TC03 Pedestrian Priority in the Town Centre	S7 Town Centres S11 Cullompton	Policy TC03 supports <i>traffic management measures to improve their environment and accessibility</i>
Policy TC04 Service Arrangements in the Town Centre	S7 Town Centres	Policy TC04 supports <i>positive measures of enhancement and regeneration</i>
Policy TC05 Art in the Public Realm	S7 Town Centres	Policy TC05 positive measures of enhancement and regeneration
Policy TC06 Cultural and Leisure Facilities in the Town Centre	S7 Town Centres	Policy TC06 promotes <i>key town centre uses which are well designed and contribute to vitality and viability</i>
Policy TC07 Former Cullompton Cinema	S7 Town Centres	Policy TC07 supports positive measures of enhancement and regeneration
Policy TC08 Extending the Attraction of the Town Centre	S7 Town Centres	Policy TC08 promotes key town centre uses
Policy TC09 Improving the Town Centre Offer	S7 Town Centres	Policy TC09 promotes <i>key town centre uses</i>
Policy EJ01 Improving Access to Commercial Areas	CU8 East Cullompton	Policy EJ01 supports the <i>provision of appropriate highway improvements on roads around the development</i>
Policy EJ02 Development of Small Business Units	S6 Employment	Policy EJ02 promotes <i>other forms of sustainable employment generating uses</i>
Policy WL01 Existing Recreation Spaces	S1 Sustainable Development Priorities	Policy WL01 promotes <i>opportunities for sport and recreation</i>
Policy WL02 CCA Fields	CU19 Town Centre Relief Road	Policy WL02 establishes safeguards required by the community consistent with the strategic policy
Policy WL03 Usable Public Open Space	S5 Public Open Space CU3 North West Cullompton CU9 East Cullompton	Policy WL03 identifies the need for adequate usable open space
Policy WL04 Outdoor Sports Facilities	CU3 North West Cullompton CU9 East Cullompton	Policy WL04 supports the provision of additional <i>outdoor sports and recreation grounds</i>
Policy WL05 Indoor Sports Facilities	S1 Sustainable Development Priorities	Policy WL05 supports the provision of further <i>opportunities for sport and recreation</i>
Policy WL06 Cullompton Swimming Pool Complex	S1 Sustainable Development Priorities	Policy WL06 supports the provision of further <i>opportunities for sport and recreation</i>
Policy WL07 Community Allotments, Orchards and Composting	S5 Public Open Space CU3 North West Cullompton CU9 East Cullompton	Policy WL07 supports the provision of <i>allotments and community gardens</i>
Policy WL08 Dementia Friendly Town	S1 Sustainable development priorities	Policy WL08 promotes <i>healthy communities</i>
Policy WL09 Providing for Young People	S1 Sustainable development priorities	Policy WL09 promotes <i>healthy communities</i>

### **Policy S1 Sustainable Development Priorities**

The following strategic priorities outline what will need to be achieved to deliver the Vision and address the key issues that have been identified in Mid Devon. All development will be expected to support the creation of sustainable communities by:

- a) A development focus at Tiverton, Cullompton and Crediton as Mid Devon's most sustainable settlements, with long-term growth to the east of Cullompton and a limited level of development in identified villages;
- b) Building a strong, competitive economy through access to education, training and jobs, infrastructure, the creation of new enterprise, economic regeneration and flexibility of uses to respond to changing circumstances;
- c) Ensuring the vitality of town centres and communities through a hierarchy of centres, defined town centre shopping areas, a diverse retail offer at Tiverton, Crediton and Cullompton, through controls on Junction 27 retail and support for the vitality and viability of defined villages;
- d) Supporting a prosperous rural economy through the conversion of suitable existing buildings and well-designed new buildings in suitable locations, diversification of agricultural and other land-based businesses, support for equestrian activities, retention and development of local services and community facilities in villages, and the promotion of sustainable rural tourism and leisure development;
- e) Promoting sustainable transport by delivering appropriate infrastructure, reducing the need to travel by car, integrating public transport and other forms of sustainable travel such as walking and cycling, and providing safe environments while recognising Mid Devon's rural locality;
- f) Supporting high quality communications infrastructure by supporting the expansion of telecommunications and high-speed broadband throughout Mid Devon;
- g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of accessible housing for the elderly and disabled, those wishing to build their own home, affordable housing and gypsy and traveller pitches;
- h) Requiring good sustainable design that respects local character, heritage, surroundings and materials, creates safe and accessible environments, designs out crime and establishes a strong sense of place;
- i) Promoting healthy communities through the delivery of social, educational, recreational and cultural facilities and services, access to high quality open space, public rights of way, recreational trails **and** accessible land, and opportunities for sport and recreation and the designation of Local Green Space;
- j) Meeting the challenge of climate change by supporting a low carbon future, energy efficiency, increasing the use and supply of renewable and low carbon energy, managing flood risk and conserving natural resources. Encourage the effective use of land, taking into account the economic and other benefits of the best and most versatile agricultural land;
- k) Conserving and enhancing the natural environment by protecting and enhancing valued landscapes including the Blackdown Hills Area of Outstanding Natural Beauty, Exmoor and Dartmoor National Parks, providing accessible green infrastructure, and preventing significant harm to soil, air, water, noise and visual quality, in particular air quality as a local issue at Crediton and Cullompton;
- l) Minimising impacts on biodiversity and geodiversity by recognising the wider benefits of ecosystems, delivering natural environment objectives, providing a net gain in biodiversity and by the protection of International, European, National and local designated wildlife sites; and
- m) Conserving and enhancing the historic environment through the identification and protection of designated and non-designated heritage assets and assessing the impact of new development on the historic character of Mid Devon's landscapes and townscapes.

## **Policy S2 Amount and Distribution of Development**

The diverse development needs of the community will be met through the provision of approximately 7,860 dwellings and 147,000 square metres of commercial floorspace between 1st April 2013 and 31st March 2033.

Development will be concentrated at Tiverton, Cullompton and Crediton, to a scale and mix appropriate to their individual infrastructures, economies, characters and constraints. Other settlements will have more limited development which meets local needs and promotes vibrant rural communities.

In addition, development as proposed at Junction 27 of the M5 meets a tourism / leisure need in a location which is suitable for its regional role with a controlled retail element supporting the tourism and leisure aspects of the proposal.

Development targets are approximately as follows:

Location	Total Residential (commitments and allocations; dwellings)	Total Commercial (commitments and allocations; square metres)
Tiverton	2,358 <del>2,160</del>	29,400 <del>30,800</del>
Cullompton	3,930 <del>3,600</del>	73,500 <del>77,000</del>
Crediton	786 <del>720</del>	14,700 <del>15,400</del>
Rural areas	786 <del>720</del>	29,400 <del>30,800</del>
<b>Total</b>	<b>7,860<del>7,200</del></b>	<b>147,000<del>154,000</del></b>

## **Housing Policy S3 Meeting Housing Needs**

- a) The diverse housing needs of Mid Devon will be met through the provision of approximately 7,860 dwellings between 1st April 2013 and 31st March 2033. In line with the predicted continuing need for new housing the expected annual rate of new housing development will be 393 dwellings per annum;
- b) Unless otherwise stated in a site allocation policy, on open market housing sites (i.e. excluding exception sites provided under Rural Exception Sites under policy DM6) of 11 dwellings or more in Tiverton, Cullompton and Crediton a target of 28% affordable dwellings, and on sites elsewhere of 6 dwellings or more a target of 30% affordable dwellings will be applied to the total number of dwellings, depending on viability and providing a mix of dwelling sizes and types appropriate to the evolving needs of Mid Devon's population. Sites of between 6 – 10 dwellings outside Tiverton, Cullompton and Crediton will be permitted to make a financial contribution sufficient to provide the affordable dwellings in another location;
- c) To support self-build and custom dwellings meeting the needs of local communities, such dwellings will be permitted as affordable housing in locations outside settlement limits in accordance with Policy DM6;
- d) To support self-build and custom housing on sites of 20 dwellings or more developers will supply at least 5% of serviced dwelling plots for sale to self-builders for a period of 12 months per plot and any plots subsequently developed for self-build must be completed within 3 years of purchase by a self-builder; and
- e) A five year supply of gypsy and traveller pitches will be allocated on deliverable sites within Mid Devon to ensure that the predicted need for traveller sites will be met. A further supply of developable sites or broad locations for growth will be identified equivalent to a further ten years of predicted growth. The Housing Authority will seek to provide a public site for gypsy and traveller pitches within Mid Devon, subject to the availability of funding.

## **Policy S4 Ensuring Housing Delivery**

The local planning authority will monitor the delivery of housing against the annual target set out in Policy S3 and against the total completions which should have taken place since the start of the Local Plan period. Cumulative dwelling completions since 1st April 2013 will be compared with the following defined action levels:

If cumulative completions since 2013 fall below the expected completions total by over two years' worth of the annual target (as expressed in the defined action level for that year), or a five year supply

of deliverable sites cannot be demonstrated, the Council will work proactively to bring forward allocations or outstanding planning consents. If this is insufficient to deliver the necessary level of housing, an identified contingency site will be permitted to boost housing supply.

### **Policy S8 Infrastructure**

The location, scale and form of development will be guided by the need for community facilities and any existing infrastructure deficiencies. The Council will work with providers and developers to ensure that new development is served by necessary infrastructure in a predictable, timely and effective fashion. Development and transport planning will be coordinated to improve accessibility for the whole community and promote the use of sustainable modes of transport. The Council will set out key infrastructure and facility requirements for new development in an Infrastructure Plan, taking account of existing provision and cumulative impact of new development. Developers will be expected to contribute fairly towards, or bear the full cost of, new or improved infrastructure and facilities where it is appropriate for them to do so, subject to viability assessment where appropriate.

**Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest infrastructure plan.**

### **Policy S9 Environment**

Development will sustain the distinctive quality, character and diversity of Mid Devon's environmental assets and minimise the impact of development on climate change through:

- a) High quality sustainable design which reinforces the character and distinctiveness of Mid Devon's historic built environment, mitigates and adapts to climate change and creates attractive places;
- b) The efficient use and conservation of natural resources of land, water and energy, minimising pollution and preserving the quality and productivity of the best and most versatile agricultural land wherever possible;
- c) The provision of measures to reduce the risk of flooding to life and property, requiring sustainable drainage systems including provisions for future maintenance, guiding development to locations of lowest flood risk by applying a sequential test where appropriate, and avoiding an increase in flood risk elsewhere;
- d) Renewable energy development in locations where there is an acceptable local impact, including visual, on nearby residents, landscape character and wildlife, balanced with the wider sustainability benefits of renewable energy;
- e) The preservation and enhancement of the distinctive qualities of Mid Devon's natural landscape, supporting opportunities identified within landscape character areas. Within or adjoining the Blackdown Hills Area of Outstanding Natural Beauty, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special qualities of that landscape and its setting;
- f) The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. If significant harm resulting from development cannot be avoided providing impacts should be **adequately mitigated**. Compensation measures will only be considered where appropriate as a last resort; and
- g) The preservation and enhancement of Mid Devon's cultural and historic environment, and the protection of sites, buildings, areas and features of recognised national and local importance such as listed buildings, conservation areas, scheduled monuments and local heritage assets.

### **Policy S11 Cullompton**

Cullompton will develop as a fast growing market town with a strategic role in the hierarchy of settlements in Mid Devon. The town will become the strategic focus of new development reflecting its accessibility, economic potential and environmental capacity. This strategy will improve access to housing through urban extensions and expanded employment opportunities. There will be significant improvements to the town's infrastructure and connectivity, including the reopening of the railway

station, and improved services for its population and nearby rural areas. Proposals will provide for approximately 3,930 dwellings, of which 1,100 will be affordable, and 73,500 gross square metres of commercial floor space over the plan period.

The Council will guide high quality development and other investment to:

- a) Make any necessary [strategic mitigations to maintain highway capacity, and safety, integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans](#);
- b) Promote further public transport improvements within Cullompton and to other urban centres (particularly Tiverton and Exeter) and improved access to the rail network by the reopening of Cullompton Railway Station;
- c) Continue measures to support the implementation of the Cullompton Air Quality Action Plan including the construction of new highway links to relieve the town centre and enhanced walking and cycling opportunities around the town;
- d) Manage the town centre so that economic regeneration and heritage reinforce each other by promoting new homes, shops, leisure, offices and other key town centre uses which are well designed and contribute to vitality and viability;
- e) Provide community infrastructure such as education and enhanced open space to support new development proposals;
- f) Enhance the tourism and visitor role of the town and surrounding area; and
- g) Support measures to reduce flood risk within Cullompton and make provision for green infrastructure.

#### **Policy S14 Countryside**

Development outside the settlements defined by Policies S10-S13 will preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. Detailed development management policies will permit agricultural and other appropriate rural uses, subject to the following criteria:

- a) Affordable and low cost housing to meet local needs, [gypsy and traveller accommodation](#), residential conversion of appropriate existing buildings, replacement dwellings, housing essential to accommodate a rural worker and accommodation ancillary to a dwelling;
- b) Appropriately scaled retail, employment, farm diversification, tourism and leisure related development (including appropriate conversion of existing buildings);
- c) Appropriately scaled and designed extensions and other physical alterations to existing buildings;
- d) Agricultural and equestrian development;
- e) Community facilities, such as educational facilities, buildings associated with public open space, transportation and infrastructure proposals (including green infrastructure); and
- f) Renewable energy and telecommunications.

#### **Policy CU2 North West Cullompton Transport Provision**

As part of the development of North West Cullompton, the following transport infrastructure will be provided and funded by all new development within the site:

- a) Provision of a network of streets linking to the existing highway network, including a through route linking Tiverton Road to Willand Road suitable for buses and all agricultural vehicles;
- b) Provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes travelling within, into and out of the area;
- c) Cycle and pedestrian links to and from the town centre and within the mixed-use urban extension;
- d) Implementation of travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts;
- e) Financial contributions to bus service enhancements within, into and out of, the mixed-use urban extension;
- f) Financial contributions to bus service enhancements between Cullompton, Exeter, Tiverton Parkway and Tiverton;

- g) Financial contributions towards the Town Centre Relief Road and traffic management measures on Willand Road and Tiverton Road; and
- h) Capacity improvements at Junction 28 of the M5, to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.

#### **Policy CU3 North West Cullompton Environmental Protection and Green Infrastructure**

As part of the development of North West Cullompton, the following environmental protection and enhancement measures will be provided and funded by all new development within the site:

- a) A strategic landscaping and tree planting scheme to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- b) An area of 28 hectares for strategic green infrastructure, laid out and managed with an appropriate mix of public parkland, open space, landscaping and potential local nature reserve
- c) Areas of equipped and laid out public open space, totalling 0.7 hectares of equipped play, 2.6 hectares amenity open space, 4 hectares for parks, sports and recreation grounds, 0.7 hectares of allotments and 0.1 hectares for a community garden adjoining the health centre;
- d) Protection and enhancement where possible of all existing Public Rights of Way;
- e) Appropriate provision for sewerage systems serving the development, and provision of a strategically designed, and phased, Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- f) Detailed archaeological investigation and measures to record, and where necessary, protect the archaeological interest of the site through appropriate design, layout and mitigation; and
- g) Design solutions which respect the settings of listed buildings within and adjoining the site.

#### **Policy CU4 North West Cullompton Community Facilities**

As part of the development of North West Cullompton, the following community infrastructure will be provided and funded by all new development within the site:

- a) A serviced site of 2.1 hectares for a new primary school at no cost to the Local Education Authority;
- b) Provision of a 420-place school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers;
- c) A site of 1.0 hectare for community uses including provision of a multipurpose community building;
- d) Contribution towards sporting and leisure facilities; and
- e) Contributions towards a new recycling centre to serve Cullompton.

#### **Policy CU5 North West Cullompton Carbon Reduction and Air Quality**

The development of North West Cullompton will be required to implement a Carbon Reduction and Low Emissions Strategy funded by all new development in the site. This will propose measures to minimise the overall carbon footprint of the development, making provision for sources of decentralised onsite renewable or low-carbon energy and ensure that impact of the site on air quality is acceptable, such as:

- a) Renewable and low carbon energy to provide a proportion of the site's energy use;
- b) Measures to ensure that residents, employees and businesses are encouraged to travel in the most sustainable fashion, including travel plans, information, car clubs, lift-sharing and infrastructure for low emission vehicles;
- c) Measures to encourage the sustainable treatment of waste;
- d) Measures to manage the impacts of construction;
- e) Offsite tree planting where sufficient cannot be accommodated onsite;
- f) Energy improvements to existing buildings;
- g) Other measures to capture or mitigate carbon emissions and air quality impacts from development.

### **Policy CU6 North West Cullompton Phasing**

A phasing strategy will be required for the development of North West Cullompton to ensure that the development and infrastructure come forward in step, minimising the impact of development while ensuring that the development remains viable. The strategy should take account of the following requirements, variation of which will have to be carefully justified. Development shall be subject to the following:

- a) Provision of affordable housing will be in broad step with the market housing;
- b) Provision of all serviced self-build plots after the ‘through route’ linking Tiverton Road to Willand Road is operational;
- c) Provision of commercial development after the delivery of the first 500 houses and prior to the delivery of the first 800 houses, at a rate of at least 0.9 hectare per 150 occupied dwellings thereafter;
- d) Provision of 8.8 hectares of strategic green infrastructure including equipped public open space and one playing pitch prior to the occupation of no more than 500 dwellings;
- e) Implementation of local bus service improvements prior to the occupation of no more than 500 dwellings and strategic bus service enhancements phased with development;
- f) Occupation of no more than 500 dwellings before the opening of a ‘through route’ linking Willand Road to Tiverton Road and the delivery of traffic management measures on Willand Road;
- g) Transfer of land for a primary school together with right of access to the Local Education Authority prior to the commencement of the housing development on the site, and transfer of funding for education facilities in instalments;
- h) The necessary sustainable urban drainage features, and linking pipe work is integrated and phased appropriately in step with development and, where required, temporary measures should be taken during construction to protect downstream areas from additional water run-off; and
- i) [Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road.](#)

### **Policy CU7 East Cullompton**

A site of 160 hectares to the East of Cullompton is allocated for mixed use development subject to the following:

- a) 1,750 dwellings within the plan period and further development of at least 850 dwellings post-2033;
- b) 28% affordable housing to include extra care housing and at least ten pitches for gypsies and travellers, subject to viability;
- c) 5% of housing to be provided as serviced plots for sale to self-builders;
- d) 20,000 square metres commercial floorspace within the plan period and a further 12,000 post-2033, to include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development;
- e) Provision of at least 40 hectares strategic green infrastructure;
- f) [Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28 and pedestrian and cycle links across the motorway to the existing town;](#)
- g) Environmental protection and enhancement and noise mitigation where necessary;
- h) Assessment of land contamination and remediation if necessary;
- i) Land and facilities for community use including a new primary school to meet local needs arising;
- j) Contributions towards expansion of local secondary education facilities to meet needs arising;
- k) Carbon reduction and air quality improvements;
- l) Archaeological investigation and appropriate mitigation;
- m) An agreed phasing strategy to bring forward development and infrastructure in step and retain the overall viability of development; and
- n) Comprehensive Masterplanning of the development including at least two stages of public consultation and adoption of the Masterplan as a Supplementary Planning Document, before any planning application is determined.

### **Policy CU8 East Cullompton Transport Provision**

As part of the development of East Cullompton, contributions towards or delivery of the following transport infrastructure will be provided by all new development within the site:

- a) Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;
- b) Provision of appropriate highway improvements on roads around the development to ensure any unacceptable traffic impacts are mitigated;
- c) Reopening of Cullompton Railway Station;
- d) Provision of a network of streets linking to the existing highway network, and appropriate mitigation to reduce impacts on the existing road network such as Honiton Road;
- e) Provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes travelling within, into and out of the area;
- f) Safe and attractive cycle and pedestrian links to and from the town centre and within the mixed-use urban extension;
- g) Creation of safe and attractive pedestrian and cycle links between the development and the Kingsmill Industrial Estate;
- h) Implementation of travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts;
- i) Bus service enhancements within, into and out of, the mixed-use urban extension, linking to Cullompton town centre;
- j) Bus service enhancements between Cullompton, Exeter, Tiverton Parkway and Tiverton.

### **Policy CU9 East Cullompton Environmental Protection and Green Infrastructure**

As part of the development of East Cullompton, the following environmental protection and enhancement measures will be implemented at the expense of all new development within the site:

- a) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- b) An area of 40 hectares for strategic green infrastructure, laid out and managed with an appropriate mix of public parkland, open space, landscaping and local nature reserve;
- c) Areas of equipped and laid out public open space, totalling 0.4 hectares of equipped children's play, 0.12 hectares for teenage facilities, 6 hectares amenity green space, 9 hectares of parks, sports and recreation grounds, and 1.5 hectares of allotments;
- d) Protection and enhancement where possible of existing Public Rights of Way;
- e) Appropriate screening and landscaping for properties adjacent to the M5;
- f) Appropriate provision of a sewerage system to serve the development and a strategically designed, and phased, Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance; and
- g) A strategic landscaping and tree planting scheme to mitigate landscape impact, protect the setting of the Blackdown Hills Area of Outstanding Natural Beauty, and enhance biodiversity and the character of development;
- h) Design solutions which respect the settings of listed buildings adjoining the site.

### **Policy CU10 East Cullompton Community Facilities**

As part of the development of East Cullompton, the following community infrastructure will be provided at the expense of all new development within the site:

- a) A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;
- b) A site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses;

- c) Construction costs for a primary school capacity of for at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;
- d) Contributions towards the expansion of secondary education facilities in the local area;
- e) Contributions towards the expansion or improvement of local library services;
- f) Contribution towards sporting and leisure facilities; and
- g) Contributions towards a new recycling centre to serve Cullompton.

#### **Policy CU11 East Cullompton Carbon Reduction and Air Quality**

The development of East Cullompton will be required to implement a Carbon Reduction and Low Emissions Strategy at the expense of all new development in the site. This will propose measures to minimise the overall carbon footprint of the development, making provision for sources of decentralised onsite renewable or low-carbon energy and ensure that impact of the site on air quality is acceptable, such as:

- a) Renewable and low carbon energy to provide a proportion of the site's energy use;
- b) Measures to ensure that residents, employees and businesses are encouraged to travel in the most sustainable fashion, including travel plans, information, car clubs, lift-sharing and infrastructure for low emission vehicles;
- c) Measures to encourage the sustainable treatment of waste;
- d) Measures to manage the impacts of construction;
- e) Offsite tree planting where sufficient cannot be accommodated onsite;
- f) Energy improvements to existing buildings; and
- g) Other measures to capture or mitigate carbon emissions and air quality impacts from development.

#### **Policy CU12 East Cullompton Phasing**

A phasing strategy will be required for the development of East Cullompton to ensure that the development and infrastructure come forward in step, minimising the impact of development while ensuring that the development remains viable. The strategy should take account of the following requirements, variation of which will have to be carefully justified. Development shall be subject to the following:

- a) Provision of affordable housing will be broadly in step with the market housing;
- b) Provision of all serviced self-build plots after strategic highways infrastructure has been completed;
- c) Provision of commercial development in step with housing, at a rate of at least 1 hectare per 500 occupied dwellings;
- d) Provision of strategic green infrastructure broadly in step with development, with public open space provided at a rate of at least 1 hectare per 150 dwellings or phased to deliver a larger area of multi-functional public open space at a suitable stage in the development;
- e) Implementation of bus service improvements in step with housing development, provided in appropriate instalments;
- f) Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site; and
- g) Transfer of serviced land together with right of access for primary school(s) at no cost to the Local Education Authority prior to the first occupation of residential development, with necessary funding to construct the facilities being paid to the Local Education Authority in appropriate instalments.

#### **Policy CU17 Week Farm**

A site of 10.7 hectares is allocated for employment development, subject to the following:

- a) 15,000 square metres of employment floorspace within use classes B2-B8;
- b) Provision of a vehicular link from the Kingsmill employment area to Honiton Road;
- c) Archaeological investigation and appropriate mitigation;
- d) Protection and enhancement of the existing Public Right of Way;

- e) Transport assessment and implementation of a travel plan and other non-traditional measures to minimise carbon footprint and air quality impacts;
- f) Provision of 2 hectares of green infrastructure to include the retention of land in the floodplain, providing a landscape buffer to the west of the site as an area of informal open space; and
- g) Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.

#### **Policy CU18 Venn Farm**

A site of 4.4 hectares is allocated for employment development, subject to the following:

- a) 12,000 sqm of employment floorspace within use classes B1-B8;
- b) Suitable vehicular access which directs traffic to and from the site via Saunders Way;
- c) Archaeological investigation and appropriate mitigation;
- d) Transport assessment and implementation of a travel plan and other non-traditional measures to minimise carbon footprint and air quality impacts;
- e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- f) Retention of areas within the floodplain as green infrastructure; and
- g) Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site.

#### **Policy CU19 Town Centre Relief Road**

A relief road, providing traffic relief to the town centre, will be provided subject to the following:

- a) Public consultation exercise before the route of the road is determined;
- b) Provision of replacement open space and sporting facilities elsewhere in Cullompton if these are affected;
- c) Provision of a shared use foot and cycleway;
- d) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network on the affected alignment and linking to the surrounding countryside. Appropriate noise measures to mitigate the effects from the relief road including the provision of landscaping; and
- e) Archaeological investigation and appropriate mitigation.

#### **Policy CU20 Cullompton Infrastructure**

The Council will promote the reopening of the Cullompton Railway Station. A site for a new railway station north of Station Road is allocated for this purpose. The Council will use developer funding via planning obligations and the Community Infrastructure Levy where appropriate, seek external sources of funding and work with partners to deliver the following infrastructure for Cullompton:

- a) Provision of a Town Centre Relief Road and implementation of other measures in the Cullompton Air Quality Action Plan;
- b) Mitigation to reduce traffic impacts on the Trunk and Local Road network in association with the East Cullompton Urban Extension and other Cullompton allocations;
- c) Town centre regeneration and enhancement;
- d) Extra care housing provision;
- e) Expansion of library facilities;
- f) Primary and secondary education facilities;
- g) Public open space and green infrastructure;
- h) Bus service enhancements;
- i) Provision of railway and bus interchange;
- j) Expansion of emergency fire and rescue services;
- k) Provision of healthcare facilities;

- l) Community facilities including sports and leisure facilities;
- m) Provision of works to reduce flood risk; **and**
- n) Provision of a replacement recycling centre facility.**

#### **Policy CU21 Land at Colebrook**

A site of 4.8 hectares at Colebrook is identified as a contingency site for residential development subject to the following:

- a) 100 dwellings with 28% affordable housing;
- b) The development shall not commence until completion of the North West Cullompton through route linking Tiverton Road to Willand Road;**
- c) Provision of two points of access from Siskin Chase;
- d) Provision of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision;
- e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- f) Archaeological investigation and appropriate mitigation; and
- g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.

#### **Policy DM1 High Quality Design**

Designs of new development must be of high quality, based upon and demonstrating the following principles:

- a) Clear understanding of the characteristics of the site, its wider context and the surrounding area;
- b) Efficient and effective use of the site, having regard to criterion (a);
- c) Positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets;
- d) Creation of safe and accessible places that also encourage and enable sustainable modes of travel such as walking and cycling;
- e) Visually attractive places that are well integrated with surrounding buildings, streets and landscapes, and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses, taking account of: i) Architecture ii) Siting, layout, scale and massing iii) Orientation and fenestration iv) Materials, landscaping and green infrastructure
- f) Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available.
- g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;**
- h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and**
- i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings.**

#### **Policy DM2 Renewable and Low Carbon Energy**

The benefits of renewable and low carbon energy development will be weighed against its impact. Proposals will be permitted where they do not have significant adverse impacts on the character, amenity and visual quality of the area, including cumulative impacts of such developments within the parish or adjoining parishes. Proposals must demonstrate that impacts are or can be made acceptable **in relation to:**

- a) Landscape character and the character and setting of heritage assets;
- b) Environmental amenity of nearby properties and the wider locality;
- c) Quality and productivity of the best and most versatile agricultural land (grades 1, 2 and 3a); and d) Biodiversity (avoiding habitat fragmentation).

### **Policy DM7 Traveller Sites**

Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where:

- a) Suitable onsite facilities will be provided including space for children's play;
- b) The proposal will have suitable environmental quality for residents including non-isolating boundary treatments; and
- c) **The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;**
- d) Occupation will be limited to those who meet the Government's published definition of gypsies and travellers, including travelling showpeople **or their dependents**;
- e) **Safe and convenient access to local facilities is provided.**

Where development proposals are considered under S13 local services can be accessed without the use of a car.

Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.

Sites with associated employment or storage elements may be permitted where there is specific justification and the location of the proposed development will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.

### **Policy DM12 Housing Standards**

**New housing development should be designed to deliver:**

- a) **Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;**
- b) **Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage;**
- c) **Private amenity space that reflects the size, location, floorspace and orientation of the property, and**
- d) **On sites of 10 houses or more the provision of 30% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'.**

### **Policy DM19 Protection of Employment Land**

Non-employment use or development of employment land or buildings, including sites that are established, allocated or have planning permission, will be permitted where it can be demonstrated that there is no reasonable prospect of the site being used for employment purposes. Alternative uses will be permitted where it is demonstrated that:

- a) Firstly, there is a sufficient range of suitable and available employment sites in the local area; then
- b) There is no commercial interest in the re-use of the site for employment, demonstrated by suitable marketing at an appropriate price for at least 18 months; **and**
- c) **A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: i) Mixed use of the site that incorporates an employment generating use, then ii) Non-employment use.**

### **Policy DM25 Development Affecting Heritage Assets**

Heritage assets and their settings are an irreplaceable resource. Accordingly, the Council will:

- a) Apply a presumption **in favour of preserving or enhancing all designated preservation in situ in respect of the most important heritage assets and their settings;**
- b) Require development proposals likely to affect heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;
- c) Only approve proposals that would **lead** to substantial harm to **or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is**

- necessary to achieve substantial public benefits that outweigh that harm or loss or the requirements of paragraph 133 of the National Planning Policy Framework are met;
- d) Where a development proposal will lead to less than substantial harm, that harm will be weighed against any public benefit, including securing optimum viable use; and
- e) Require developers to make a proportionate but systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)

### **Policy DM27 Protected Landscapes**

Development proposals ~~within or~~ affecting the Blackdown Hills Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:

- a) Cultural heritage and the character, appearance, setting and other special qualities of the landscape will be conserved or, where possible, enhanced; and
- b) Biodiversity will be conserved and enhanced where possible through improved linking of habitats, appropriate landscaping and habitat creation.

Major developments within or adjoining the Area of Outstanding Natural Beauty and Dartmoor or Exmoor National Parks will only be permitted in exceptional cases.

### **Policy DM28 Other Protected Sites**

Where development proposals would lead to an individual or cumulative adverse impact on Sites of Special Scientific Interest, ancient woodland, ancient trees, Regionally Important Geological Sites, County Wildlife Sites, Local Nature Reserves or priority habitats defined under the UK and Devon Biodiversity Action Plans, the Council will balance the overall benefits of the proposal against the impact. Sufficient information must be provided for the Council to assess the significance of the impact against the importance of the protected site and the species which depend upon it. Planning permission will be granted where:

- a) The benefits of and need for the development clearly outweigh the direct and indirect impact to the protected site and the ecosystem services it provides;
- b) The development could not be located in an alternative, less harmful location; and
- c) Appropriate mitigation measures have been put in place. Where mitigation measures are not possible compensatory measures in some cases may be considered appropriate.

~~Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental integrity of the features of the Natura 2000 site would not be affected.~~

Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.

**Policy SD06 (Culm Garden Village)**

Mid Devon District Council welcomes the supportive tone of this policy and acknowledges Cullompton Neighbourhood Plan's aspirations to facilitate the delivery of a high quality, locally-led garden village. In recognition of this, it is suggested that the following amendments are made to the policy:

- Amend first sentence to 'Proposals to develop a locally led garden village towards the east of Cullompton are supported'.
- Amendment to criterion (ii) to state 'complement and foster integration between the existing and new settlement areas.'
- Amendment to criterion (iii) to state 'secure sufficient physical connection between the proposed garden village and the existing town of Cullompton.'

**Policy HT01 (Motorway Connection)**

Mid Devon District Council welcomes the supportive tone of Policy HT01. However, the policy doesn't necessarily add value to the Council's approach given the overall objective of the policy is fulfilled under the Local Plan Review Policy CU19 which is evidenced.

**Policy HT03 (Improving our Cycle Network)**

We note that this policy has been reworded since the pre-submission version of the plan and we note there is now no policy provision for bridleways. It is not clear why this is.

**Policy HS03 (Creating Smaller Housing Units)**

Policy not in conformity with the Local Plan Review. It is considered that criterion (i) is an unreasonable requirement to be placed on all conversions/modifications to existing larger dwellings or other redundant buildings and does not conform to the National Planning Policy Framework and the Local Plan Review.

**Policy HS04 (Parking on Housing Schemes)**

Policy not in conformity with the Local Plan Review. Policy weaker than the standards required by Policy DM5 of the Local plan Review and does not incorporate sufficient flexibility to take into account accessibility of the site, availability of public transport and the type, mix and use of the development.

**Policy EN03 (Local Green Space)**

Policy is not in conformity with the National Planning Policy Framework or the Local Plan Review. The NPPF states that 'The Local Green Space designation will not be appropriate for most green areas or open space'. A significant number of proposed Local Green Space designations have been identified within the plan. It is acknowledged there are a number of additional Local Green Space designations proposed and a 'Local Green Space Assessment' has been submitted alongside the plan although it is still considered that that additional evidence is required to ensure each proposed designation meets the criteria set out in Paragraph 100 of the NPPF. Of the sites listed, a clearer explanation of why they are demonstrably special to the local community is needed. In accordance with Paragraph 100 of the NPPF, it is unlikely that the Local Green Space designation will be appropriate for a number of the areas identified.

**Policy TC02 (Character of the Built Environment)**

We note the policy now includes reference to 'development proposals in or within the setting of the Conservation Area should demonstrate how they have taken the Cullompton Conservation Area Appraisal and Management Plan into account'. We recommend that this section of the policy is carefully worded to ensure conformity with the NPPF and relevant statute.

**Policy WL02 (CCA Fields)**

It is acknowledged that a number of the amendments have been made to the policy to reflect Mid Devon District Council's Pre-Submission consultation response. However, the Council maintains that the policy does not conform to the strategic policies in the Local Plan Review and therefore does not

meet the basic conditions that the independent examiner is required to consider under paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). It is considered that Policy WL02 in the Cullompton Neighbourhood Plan may inhibit the preferred highway improvement scheme.

As currently worded the following criteria are considered to inhibit the delivery the Town Centre Relief Road. The following amendments are therefore suggested:

Criterion (i) – it is unclear what is meant by ‘current location’. There is a need to provide clarification in terms of whether the policy intent relates to the CCA fields as a whole or its broad location within the town.

Criterion (ii) – Delete policy criterion as not in conformity with the Local Plan Review. This may have a negative impact on addressing flood risk issues by restricting flood flows.

Criterion (v) – Amend policy criterion to state ‘maintain as far as possible all current access routes to the fields to facilitate pedestrian access to the CCA fields and minimise the need to traverse any significant traffic routes’. Delete bullet point requiring continued use of the car park as this is not in conformity with the Local Plan Review. It is recommended that this is amended to require ‘replacement car parking provision’.

Criterion vi) – This may have a negative impact on addressing flood risk issues by restricting flood flows as a result of boundary treatment such as fencing.

Criterion (vii) and (viii) – There is a contradiction between these two criteria insofar as one requires the Relief Road development to include management plan in relation to arrangements for the continued use of sports facilities and recreation during construction and the other requires the replacement of any recreation space lost with equivalent or better elsewhere, to be vested in the community.

Criterion (ix) – Further clarification to policy criterion is required. It is unclear whether this relates to CCA fields as it currently exists or post construction of the Relief Road.

Criterion (x) Delete policy criterion. Such a contribution could not be justified in connection with a relief road scheme. It would be contrary to the S122 of the CIL Regulations.

Criterion (xi) – Delete criterion as it gives rise to concerns over whether a betterment can be justified as a policy requirement. The CCA fields is already within the floodplain. The Relief Road will provide wider sustainability benefits to the community that outweigh the flood risk and will need to ensure that the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, reduce flood risk overall.

### **Policy WL06 (Cullompton Swimming Pool Complex)**

We support the revised wording of the policy.

The supporting text at paragraph 12.33 refers to a feasibility study by Mid Devon District Council dated from 2005. This document is likely to be out of date.

## Appendix D

### Local Plan Review Main Modifications and Amendments for Consultation Jan-Feb 2020

No.	Policy/Para.	LP Page	Proposed Changes Reason	Proposed Changes Reason																																																																																																																																																															
MM01	Overall Provision of housing and employment	26-27	<p>Replace Table 6: Housing forecast 2013 – 2033 with the following update:</p> <table border="1"> <thead> <tr> <th>Cullompton</th> <th>CU1-CU6</th> <th></th> <th></th> <th></th> <th></th> <th>49</th> <th>100</th> <th>100</th> <th>150</th> <th>150</th> <th>176</th> <th>100</th> <th>100</th> <th>100</th> <th>100</th> <th>100</th> <th>25</th> <th>1350</th> </tr> </thead> <tbody> <tr> <td>NW Cullompton</td> <td>CU1-CU6</td> <td></td> <td></td> <td></td> <td></td> <td>50</td> <td>125</td> <td>175</td> <td>200</td> <td>200</td> <td>200</td> <td>200</td> <td>200</td> <td>200</td> <td>200</td> <td>200</td> <td>200</td> <td>1750</td> </tr> <tr> <td>East Cullompton</td> <td>CU7-CU12</td> <td></td> </tr> <tr> <td>Ware Park and Footlands</td> <td>CU14</td> <td></td> <td>38</td> </tr> <tr> <td>Colebrook</td> <td>CU21</td> <td></td> <td></td> <td></td> <td></td> <td>12</td> <td>25</td> <td>25</td> <td>38</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>100</td> </tr> <tr> <td>Commitments</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>91</td> <td>71</td> <td>53</td> <td>25</td> <td>12</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>252</td> </tr> <tr> <td>Completions</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>87</td> <td>78</td> <td>44</td> <td>98</td> <td>238</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>545</td> </tr> <tr> <td>Cullompton Total</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>87</td> <td>78</td> <td>44</td> <td>98</td> <td>238</td> <td>91</td> <td>71</td> <td>114</td> <td>150</td> <td>137</td> <td>238</td> <td>275</td> <td>376</td> <td>313</td> <td>300</td> <td>300</td> <td>300</td> <td>300</td> <td>225</td> <td>4035</td> </tr> </tbody> </table>	Cullompton	CU1-CU6					49	100	100	150	150	176	100	100	100	100	100	25	1350	NW Cullompton	CU1-CU6					50	125	175	200	200	200	200	200	200	200	200	200	1750	East Cullompton	CU7-CU12																		Ware Park and Footlands	CU14																	38	Colebrook	CU21					12	25	25	38									100	Commitments						91	71	53	25	12								252	Completions						87	78	44	98	238								545	Cullompton Total						87	78	44	98	238	91	71	114	150	137	238	275	376	313	300	300	300	300	225	4035	<p>To update the housing trajectory following the Inspector's post hearings advice note. A detailed explanation of the replacement Table 6: Housing Forecast 2013 – 2033 is provided in the Council's "Housing Land Supply Update – Addendum to January 2019 update in response to the Inspector's Post Hearings Advice Note (June 2019)" which is appended to this schedule of Draft Main Modifications.</p>
Cullompton	CU1-CU6					49	100	100	150	150	176	100	100	100	100	100	25	1350																																																																																																																																																	
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MM02	S1: Sustainable development priorities		<p>Amend criterion i) as follows:          "...recreational trails, <b>and</b> accessible land, and <b>other green infrastructure</b>, and opportunities...."</p>	<p>Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to reflect representation made by Natural England during the 2017 modifications consultation.</p>																																																																																																																																																															
MM03	S2: Amount and distribution of development	32	<p>"The diverse development needs of the community will be met through the provision of a minimum of <b>approximately</b> 7,860 <b>7,200</b> dwellings and 147,000 <b>154,000</b> square metres of commercial floorspace between 1st April 2013 and 31st March 2033."</p>	<p>In response to the Inspector's post hearings advice note: "...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2."</p>																																																																																																																																																															
MM04	S3: Meeting housing needs	34	<p>Amend criterion a) as follows:          "The diverse needs of Mid Devon will be met through the provision of a minimum of approximately 7,860 <b>7,200</b>-dwellings between 1st April 2013 and 31st March 2033."</p>	<p>In response to the Inspector's post hearings advice note: "...content that the OAN figure of 78 (393pa) is soundly derived, as is the extent of commercial development envisaged. That said, while I appreciated the headroom allowed for, to comply with the (2012 version of) the Framework, these figures must be expressed as a minima in Policy S2."</p>																																																																																																																																																															
MM05	Paragraph 2.31	36	<p>Amend paragraph 2.31 of the supporting text as follows:          "...The need for gypsy and traveller pitches will be accommodated by pitches within larger housing sites, for example at Tiverton Eastern Urban Extension, North West Cullompton, East Cullompton and Pedlerspool in Crediton. <b>The Council's preferred approach is for on-site provision as part of larger housing proposals TIV1, CU1, CU7 and CRE5. Provision off-site will only be accepted where it is demonstrated that provision on a different site would achieve a more favourable outcome for Gypsies</b></p>	<p>In response to the Inspector's post hearings advice note and to ensure consistency with MM proposed for Policy DM7.</p>																																																																																																																																																															

			<p>and Travellers as described in Policy DM7. Where such a more favourable outcome can be demonstrated, off-site provision must meet the requirements of Policy DM7, and a mechanism must be put in place to ensure that the pitches are delivered. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of onsite open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where the off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of this Plan. <del>The Council is working with the travelling showpeople community to approve a large site near Cullompton which would meet the need requirements set out in the GTAA. Policy DM7 (gypsy and traveller accommodation) manages the development of specific sites</del></p>	
MM06	S8: Infrastructure	46	<p>Modification to include following text at the end of the policy text:</p> <p><b>“Planning permission will be granted only where the impact of development is not considered to be severe. Where severe impacts that are attributable to the development are considered likely, including as a consequence of cumulative impacts, they must be subject to satisfactory mitigation having regard to the latest infrastructure plan”.</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM07	S9: Environment	48	<p>Amend criterion e) as follows:</p> <p>“The preservation and enhancement of the distinctive qualities of Mid Devon’s natural landscape, supporting opportunities identified within the landscape character areas. Within or adjoining the Blackdown Hills Area of Outstanding Natural Beauty, <b>and within the setting of the Blackdown Hills Area of Outstanding Natural Beauty</b>, and Exmoor and Dartmoor National Parks, the primary objective will be to protect the special <b>environmental</b> qualities of that landscape and its setting.”</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation.
MM08	S9: Environment	48	<p>Amend criterion f) as follows:</p> <p>“The protection and enhancement of designated sites of international, national and local biodiversity and geodiversity importance. On both designated and undesignated sites, development will support opportunities for protecting and enhancing species populations and linking habitats. If significant harm resulting from development cannot be avoided providing impacts should be adequately mitigated <b>mitigation and</b>. Compensation measures will only be considered where appropriate as a last resort; and ”</p>	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note. Modification proposed in response to the representation made by Natural England during the 2017 modifications consultation and to reflect the hierarchy in NPPF para 118.
MM09	S11: Cullompton	52	<p>Amend criterion a) as follows:</p> <p><b>“Make any necessary improvements to the M5 motorway including junction 28 strategic mitigations to maintain highway capacity, and safety, integrity, and</b></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

			sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans;"	
MM11	S14: Countryside and paragraph 2.82	59	<p>Amend criterion a) as follows:</p> <p>"a) Affordable and low cost housing to meet local needs, <b>gypsy and traveller accommodation</b>, <del>gypsy and traveller accommodation</del>, residential conversion of appropriate existing buildings..."</p> <p>Amend the last two sentences of supporting text in para 2.82 as follows: "National policy requires that new sites for travellers should be <b>very strictly</b> limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation)."</p>	In response to the Inspector's post hearing advice note: "Make Policy S14 permissive of G&T sites in the countryside while decoupling allocated G&T sites from general housing allocations and deleting the stipulation in relation to need in Policy DM7"
MM17	Paragraph 3.70	89	<p>Amendment to proposed modified text within paragraph 3.70 as follows: "Traffic management measures on Willand Road and Tiverton Road will also be required. Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. The development will need to mitigate its impact on the junction's capacity through implementation of <del>an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under policy CU7 of the Cullompton Town Centre Relief Road.</del>"</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM18	CU2: North West Cullompton Transport Provision	90	<p>Amendment to criterion (h) as follows:</p> <p><del>"Financial contributions towards capacity improvements at Junction 28 of the M5, to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site."</del></p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM19	Paragraph 3.75	90	<p>Amendment to proposed modified text within paragraph 3.75 as follows:</p> <p>"The Development will need to mitigate its impact upon capacity at junction 28 of the M5 <del>by financial contributions towards junction improvements.</del>"</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM20	CU4: North West Cullompton Community Facilities	93	<p>Replace criterion b) as follows:</p> <p><del>"Construction costs for 300 places that arise from the development to contribute to a 420 place primary school with provision for early years;</del> Provision of a 420-place school with early years provision and a children's centre service delivery base funded by appropriate contributions from developers."</p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM21	CU4: North West Cullompton Community Facilities	93	<p>Add additional policy criterion as follows:</p> <p><b>e) Contributions towards a new recycling centre to serve Cullompton"</b></p>	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings.
MM22	CU6: North West Cullompton Phasing	95	<p>Replacement policy text for criterion (i) of the policy as follows:</p> <p><del>Provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development.</del> Occupation of no more than 600 dwellings prior to the completion of the Cullompton Town Centre Relief Road.</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM23	Paragraph 3.94	96	<p>Amendment to proposed modified text within paragraph 3.94 as follows:</p> <p>“Devon County Council queue length monitoring at junction 28 of the M5 motorway indicates congestion at the AM peak. <del>The development will need to mitigate its impact upon the junction’s capacity through implementation of an improvement scheme, either to the existing junction or in the form of more extensive junction improvement works involving a second overbridge required in connection with development east of Cullompton under Policy CU7.</del> No more than 600 dwellings should be occupied before the Cullompton Town Centre Relief Road is completed and open to traffic. The provision of the Town Centre Relief Road provides increased capacity at J28 M5.”</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM24	CU7: East Cullompton	97	<p>Amendment to criterion (f) as follows:</p> <p>“f) <del>Transport provision to ensure appropriate accessibility for all modes, including a new or improved access and egress onto the M5 motorway</del> Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28 and pedestrian and cycle links across the motorway to the existing town;”</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England
MM25	CU8: East Cullompton Transport Provision	99	<p>Replacement policy text for criterion (a) of the policy as follows:</p> <p><del>Provision of mitigation measures to ensure only acceptable impacts occur to J28 of the M5 as a result of traffic generated from the site</del> Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England
MM26	CU10: East Cullompton Community Facilities	102	<p>Amend criterion a) as follows:</p> <p>a) <del>A site of 2.5 hectares for a new primary school at no cost to the Local Education Authority</del> A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;</p> <p>Amend criterion c) as follows: “<del>Construction costs for a 650 place primary school or two 325 place primary schools, including provision for early years education.</del> Construction costs for a primary school capacity of <del>for</del> at least 630 places plus additional early years provision, <del>including the requisite land to deliver these facilities.</del> The required primary school capacity should be delivered through the provision of either one or two schools;”</p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM27	CU10: East Cullompton Community Facilities	102	<p>Add additional policy criterion as follows:</p> <p>“g) Contributions towards a new recycling centre to serve Cullompton”</p>	Modification proposed following Devon County Council’s hearing statement, and MDDC’s acceptance of Devon County Council’s position at the hearings.
MM28	CU12: East Cullompton Phasing	104	<p>Replacement policy text for criterion (f) as follows:</p> <p>f) <del>Provision of the first phase of comprehensive M5 access improvements before any dwellings are occupied, followed by strategic highways infrastructure broadly in step with development</del> Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site; and</p>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.

MM29	Paragraph 3.116	105	Delete penultimate sentence within paragraph 3.116 of the supporting text as follows:  <del>"The first phase referred to in criterion (f) above therefore only relates to the subsequent highway works set out in the Devon County Council Report."</del>	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England
MM30	CU12: East Cullompton Phasing	106	Paragraph 3.120, amend as follows: "Subject to viability, affordable housing will be provided at a rate of approximately <del>25%</del> <ins>28%</ins> , in step with the market housing".	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed to correct typographical error and to ensure supporting text is consistent with policy.
MM31	CU17: Week Farm	110	Replacement policy text for proposed criterion (g) as follows: (g) <del>"Provision of M5 access improvements before any commercial floorspace is brought into use</del> Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;"	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM32	CU18: Venn Farm	111	Replacement policy text for proposed criterion (g) as follows: (g) <del>"Provision of M5 access improvements before any commercial floorspace is brought into use</del> Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;"	Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England.
MM33	Paragraph 3.143a	114	Amend paragraph 3.143a as follows: "...the final scheme will need to incorporate design solutions which mitigate such impacts. <ins>Any loss of floodplain at this location should be mitigated by the creation of additional/compensatory floodplain which should secure wider environmental and sustainability benefits including the provision of appropriate ecological and biodiversity enhancements.</ins> "	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed in response to the representation made by the Environment Agency during the 2017 modifications consultation
MM34	CU20: Cullompton Infrastructure	114	Add additional policy criterion as follows: "n) <ins>Provision of a replacement recycling centre facility</ins> ".	Modification proposed following Devon County Council's hearing statement, and MDDC's acceptance of Devon County Council's position at the hearings
MM35	CU21: Land at Colebrook	115	Remove contingency status. Modifications proposed as follows: Land at Colebrook <del>CONTINGENCY SITE</del> A site of 4.8 hectares at Colebrook is identified as a contingency site allocated for residential development <del>to be released in accordance with Policy S4</del> , subject to the following: a) 100 dwellings with 28% affordable housing; b) <del>The development shall not commence until the Town Centre Relief Road has been provided; completion of the North West Cullompton through route linking Tiverton Road to Willand Road and provision of the first phase of comprehensive M5 access improvements;</del> c) Provision of two points of access from Siskins Chase; d) Provisions of 1.1 hectares of green infrastructure, to include the retention of land in the floodplain as informal amenity open space and for Sustainable Urban Drainage provision; e) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network	Contingency status removed in response to the Inspector's post hearing advice note. Devon County Council has advised the timing of the development of the site is not dependent on the Cullompton Town Centre Relief Road coming forward as long as financial contributions are made towards the delivery of the relief road. Please refer to the updated housing land supply statement. Criterion b) deleted following Devon County Council's highway consultation response to MDDC in March 2019, to the current planning application reference 19/00118/MOUT (outline application for up to 105 dwellings on land at Colebrook Lane). Devon County Council has updated its previous highways advice and there is no longer a

			<p>within the site and linking to the surrounding countryside;</p> <p>f) Archaeological investigation and appropriate mitigation; and</p> <p>g) Transport assessment and implementation of travel plans and other measures to minimise carbon footprint and air quality impacts.</p> <p>Delete paragraph 3.148 from the supporting text.</p> <p>Delete penultimate sentence from paragraph 3.149 as follows:</p> <p><b><del>“Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation.”</del></b></p> <p>Modify the Policies Map as shown on Plan MM35.</p>	requirement for the prior completion of the North West Cullompton distributor road (Tiverton Road to Willand Road link).
MM36	Paragraph 3.149	116	<p>Amend paragraph 3.149 of the supporting text as follows:</p> <p><b><del>3.149 If this site comes forward for development, it must contribute to the provision of offsite highways infrastructure.</del></b></p> <p>Development in this location has the potential to place pressure on the capacity of both the strategic and local road network.</p> <p><b><del>Devon County Council has therefore stipulated that development should only take place providing there is sufficient network capacity. If released, the site will need to be phased to come forward after further M5 access improvements are implemented.</del></b> Any application for development must undertake an assessment of the impact of the proposal on both the capacity of the local road network and Junction 28 of the M5 and permission will only be granted where there are no significant adverse impacts <b><del>which cannot be mitigated. Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation.</del></b> The site is expected to contribute to the provision of off-site highways infrastructure. <b><del>Development in this location would increase traffic through the town centre, so would not be permissible until the Town Centre Relief Road has been provided, offering an alternative route.</del></b> The development would also be expected to provide two points of access from Siskin Chase.</p>	<p>Amendment agreed within Statement of Common Ground (SCG-10) between MDDC, Devon County Council and Highways England. Further amendment to remove the words “...which cannot be mitigated” to improve clarity. Deletion of the penultimate sentence from paragraph 3.149 to be consistent with MM35</p>
MM46	DM1: High Quality Design and new paragraph 4.5b	153-154	<p>Insert additional criteria as follows:</p> <p><b>“g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;</b></p> <p><b>h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together</b> as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and</p> <p><b>i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M ‘access to and use of dwellings.’</b></p> <p>Insert additional supporting text as follows: “4.5b National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This is</p>	<p>In response to the Inspector’s post hearings advice note: “Criteria a) and c) [of DM12] seem to me to be more about design and might find a more comfortable home as part of Policy DM1. I take a similar view in relation to criterion b).” “the general size and configuration of a dwelling, and the proper handling of recycling, refuse and cycle storage, are design-based considerations and the reference to the Nationally Described Space Standard seems to be unnecessary.’ If these criteria are adjusted to make plain that they refer</p>

			<p>particularly important for the design of the homes that people live in and the spaces that surround those homes. The aim in Mid Devon is to deliver high quality buildings and spaces that meet the needs of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses. Though compliance is delivered through buildings regulations, criterion i) will be implemented through a condition attached to the planning permission.”</p>	<p>to the design of new housing, and relocated in Policy DM1, then that would be a more efficient way of dealing with the matter.” “I am not convinced that the requirement for 30% of houses on sites of 10 houses or more to be built to Level 2 of Building Regulations Part M has been made out. I believe 20, as a carry forward from the existing policy that refers to Lifetime Homes standards is reasonable but again, this requirement could be moved into Policy DM1.” Reference to the Nationally Described Space Standard is retained in the policy. This is since MDDC’s experience of applying minimum size standards for decision making purposes on development proposals requires that the Nationally Described Space Standards are explicit in local plan policy.</p>
MM47	DM2: Renewable and low carbon energy	154	<p>Amend the third sentence in Policy DM2 as follows:</p> <p>“Proposals must demonstrate that impacts are or can be made acceptable <i>in relation to: and that the development will preserve:</i>”</p>	<p>In response to the Inspector’s post hearings advice note:</p> <p>“I have some concerns about the wording of Policy DM2 because the first part seeks to avoid any significant adverse impacts, but the second part requires renewable and low carbon energy to preserve (which I take to mean cause no harm to) landscape character, the setting of heritage assets, living conditions, and so on. The former is the correct approach and the second part needs to be adjusted to remove the contradiction. This will require a MM.”</p>
MM48	DM7: Traveller sites and paragraph 4.29	164-165	<p>Amend Policy DM7 as follows:</p> <p>1) Planning applications for Pitches and Plots Planning applications for gypsy and traveller pitches, or plots for travelling showpeople, will be permitted where:</p> <p><i>a)The need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches; b)Local services can be accessed without the use of a car;</i></p> <p>a) Suitable onsite facilities will be provided including space for children’s play;</p> <p>b) The proposal will have suitable environmental quality for residents including non-isolating boundary treatments;</p> <p>c) <i>The site will not cause unacceptable landscape or ecological impact and is not located in an area at high risk of flooding;</i></p> <p>d) Occupation will be limited to those who meet the Government’s published definition of gypsies and travellers, including travelling showpeople <i>or their dependents</i>; and</p> <p>e) Safe and convenient access to local facilities is provided <i>Where development proposals are considered under S13 “Villages”, local services can be accessed</i></p>	<p>In response to the Inspector’s post hearings advice note on the provision for Gypsies and Travellers.</p>

		<p><del>without the use of a car. Where development proposals are considered under S14, the need cannot be met on another suitable site in Mid Devon which has consent or is allocated for gypsy and traveller pitches.</del> Sites with associated employment or storage elements <del>may</del> will be permitted where there is specific justification and the location, scale, and nature of the proposed development will not have harmful impacts on local amenity or the local environment. Gypsy and traveller accommodation may be included as part of the affordable housing requirement.</p> <p><b>2. Provision on allocated sites</b></p> <p>Gypsy and Traveller pitches on allocated sites (sought by Policies TIV1, CU1, CU7 or CRE5) should be provided on site unless it is demonstrated that off-site provision will achieve a more favourable outcome for Gypsies and Travellers taking into account: i) Pitch numbers; ii) Site facilities; iii) Accessibility to services, including health and education; iv) Early delivery of serviced pitches or plots which are available for occupation; and v) The provision of an effective mechanism for delivery. Such sites must also meet the requirements of part 1 of Policy DM7 above,</p> <p>Amend supporting text in paragraph 4.29 as follows:</p> <p>“4.29 There is a need for 35 new pitches for gypsies and travellers for the period 2014-34, and 11 plots for travelling showpeople for the period 2014-34. The majority of this <del>This</del> need is proposed to be met on the largest <del>strategic allocations. The travelling showpeople community is predominately based in one large site at Cullompton, which is at capacity. A need for 11 plots has been identified and the Council is in discussions with a landowner to grant permission for one additional site near to the town which will meet the outstanding requirement. The need for gypsy and traveller accommodation is identified to be in the region of 25 pitches across the plan period. These are to be included within</del> allocated developments at Tiverton Eastern Urban Extension, North West Cullompton, and Pedlerspool in Crediton. Pitches must be provided on-site unless the more favourable outcome described by Policy DM7 is demonstrated. Any proposals for more favourable off-site provision must identify and provide serviced sites in accordance with Policy DM7. A clear mechanism to ensure that pitches or plots are delivered in such a way as to achieve a more favourable outcome for the travelling community must be identified. This will usually be through a s106 agreement requiring the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches. The pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider, for the sole purpose of occupation and ancillary business by Gypsies and Travellers. The off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal at TIV1, CU1, CU7 or CRE5. Where gypsy and traveller pitches are provided on-site on housing allocations, these are to be counted against the affordable housing targets for that site. <del>There are also existing consented sites in Mid Devon. Proposals for gypsy and traveller accommodation will not be permitted in other locations, unless it is demonstrated</del></p>
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			<p style="color: red;">that the existing consented or allocated sites will not be available to the prospective occupiers in a reasonable timescale.”</p>	
MM49	DM12: Housing Standards	170	<p>Delete Policy DM12 Housing Standards (incorporating proposed modifications in the 2017 consultation) and move its content, with amendments in accordance with the Inspector's post hearings advice note, to Policy DM1.</p> <p style="color: red;"><del>Policy DM12 Housing Standards New housing development should be designed to deliver: a) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows; b) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external space for recycling, refuse and cycle storage; c) Private amenity space that reflects the size, location, floorspace and orientation of the property; and d) On sites of 10 houses or more the provision of 30% of dwellings built to Level 2 of Building Regulations Part M ‘access to and use of dwellings’</del></p>	In response to the Inspector's post hearings advice note. Please refer to MM46.
MM50	DM19: Protection of employment land and paragraph 4.60	179	<p>Delete Policy DM19 criterion c)</p> <p style="color: red;"><del>e) A sequential viability test has been applied following the unsuccessful marketing of the site, based on the following sequence of testing: i) Mixed use of the site that incorporates an employment generating use, then ii) Non-employment use.</del></p> <p>Amend para 4.60 of the supporting text as follows:</p> <p style="color: red;"><del>... “If there is no interest in the site as a result of marketing, the potential of the site for mixed use development including employment must be considered in preference to the total loss of employment. This will involve determining whether the site still has the potential to be developed viably for mixed use development or can only be viable if the whole site is developed for non-employment uses. In all cases, the proposed use must not significantly harm any other existing uses in the area, or be harmed by those uses. For example, housing development may not be acceptable in close proximity to general industry, depending on the nature and scale of the industrial use.”</del></p>	<p>In response to the Inspector's post hearings advice note: “There was some discussion about criterion c) of Policy DM19 which deals with the protection of employment land. In my view, if criterion b is satisfied, and suitable marketing (which might include for mixed use purposes) has taken place at an appropriate price, for at least 18 months without any interest, then an alternative use (which may take the form of a mixed use) should be allowed to come forward. Criterion c) which requires an additional sequential viability test is far too onerous a requirement and should be removed through a MM.” Supporting text deleted to accord with proposed MM.</p>
MM51	DM25: Development affecting heritage assets	186	<p>Amend Policy DM25 as follows:</p> <p>a) Apply a presumption in favour of preserving or enhancing all designated preservation <i>in situ</i> in respect of the most important heritage assets and their settings;</p> <p>b) Require development proposals likely to affect the significance of heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting (including views to or from), appearance, design, layout and local distinctiveness, and the opportunities to enhance them;</p> <p>c) Only approve proposals that would lead to substantial harm to or total loss of significance of a designated heritage assets where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss <del>be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm or the requirements of paragraph 133 of the National Planning Policy Framework are met;</del></p>	<p>In response to the Inspector's post hearings advice note: “To comply with statute, criterion a) should apply a presumption in favour of preserving or enhancing all designated heritage assets, not just the most important ones. A reference to their setting would assist too”. “Criterion b) needs to refer to the significance of heritage assets rather than heritage assets and their settings.” “Criterion c) needs to properly reflect the wording of paragraph 133 of the (2012 version of the) Framework by referring to significance. The direct reference to paragraph 133 should be removed because planning applications will be determined using the latest version of the Framework.” “Criterion d) should properly reflect paragraph 134 of the (2012) Framework and refer to significance.”</p>

			<p>d) Where a development proposal <del>would</del><ins>will</ins> lead to less than substantial harm to the significance of a designated heritage asset, <del>this</del> that harm <ins>will</ins> should be weighed against the public benefits of the proposal <del>any</del> public benefit, including securing its optimum viable use; and</p> <p>e) Require developers to make a proportionate but systematic assessment of <del>the</del> any impact on the setting and thereby the significance of heritage asset(s) <del>down in the guidance from English Heritage: "The Setting of Heritage Assets" Historic England: 'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning: 3.'</del></p>	<p>"Criterion e) could confine itself to 'require developers to make a proportionate and systematic assessment of any impact on the setting and thereby the significance of heritage asset(s)' Pointing to HE guidance in the manner proposed seems to me to run the risk of that guidance changing."</p>
MM52	Paragraph 4.88	189	Amend paragraph 4.88 as follows: ... "Green Infrastructure functions can coexist in one place, so the land coverage does not have to be extensive in every case, <ins>although developments should recognise that floodplain cannot necessarily provide year-round amenity access.</ins> "	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following representation made by the Environment Agency (673) which provides greater clarity of the ability of floodplain to be considered as Green Infrastructure but with limitations of year-round amenity access.
MM53	Paragraph 4.88	189	At the end of paragraph 4.88 include the following sentence: "Development incorporating green infrastructure will be required to submit management and maintenance details for the proposed green infrastructure."	Taken from Submission Document SD14. Included as a main modification in accordance with the Inspector's post hearing advice note. Modification proposed following the representation made by the Environment Agency to ensure green infrastructure is protected and managed beyond the initial construction/development.
MM54	DM27: Protected landscapes, and paragraph 4.94	190	<p>Amend Policy DM27 as follows:</p> <p>"Development proposals <del>within or</del> affecting the Blackdown Hills, Area of Outstanding Natural Beauty, Dartmoor National Park, Exmoor National Park and the North Devon Biosphere Reserve must demonstrate that:..."</p> <p>Amend paragraph 4.94 as follows: "Where major developments are proposed <del>within or adjoining</del> protected landscapes or within the setting of <del>or adjoining</del> the protected landscapes or <del>the</del> National Parks,"</p>	<p>In response to the Inspector's post hearings advice note: "The phrase 'development proposals within or affecting' at the beginning of Policy DM27 is a little confusing. A development proposal within a protected landscape will obviously affect it. If the intention is to offer some protection to views into or out of the protected landscape, which seems reasonable, then it may be clearer to make a specific reference to such views. This would mean a MM. Alternatively, reference could be made to the setting of a protected landscape but that is more difficult and require some form of definition in the explanatory text."</p> <p>The Council has considered the Inspector's post hearings advice note and proposes a modification accordingly. The retention of the word "affecting" in the opening sentence of amended Policy DM27 is consistent with Section 62 of the Environment Act 1995, section 11A (2 in respect of National Parks, and also Section 85 (1) of the Countryside</p>

				and Rights of Way Act 2000 in respect of Areas of Outstanding Natural Beauty. Section 62 of the Environment Act 1995 places a duty on the Council to have regard to the purposes of National Parks in exercising any functions in relation to or affecting land in a National Park. Similarly, Section 85 of Countryside and Rights of Way Act imposes a duty on the Council to have regard to the purpose of conserving and enhancing the natural beauty within an AONB in exercising any functions in relation to or affecting land in an AONB. Modification proposed following representation made by Natural England (6242) to reflect the fact that the special character of protected landscapes includes the setting rather than only the adjoining land and follows National Planning Policy Guidance.
MM55	DM28: Other protected sites and paragraphs 4.102 and 4.95		<p>Amend Policy DM28 as follows:</p> <p>Delete the final paragraph: “<del>Where development proposals would lead to an individual or cumulative adverse impact on Natura 2000 sites, planning permission will be refused unless the proposal complies with criteria b) and c) above, and the fundamental integrity of the features of the Natura 2000 site would not be affected</del></p> <p>Replace the deleted final paragraph with: “<i>Where development proposals are likely (leaving aside mitigation measures) to have a significant effect on a European site (as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017), an appropriate assessment will be required. In such cases, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.”</i></p> <p>Amend supporting paragraph 4.102 as follows:</p> <p>Delete the sentence: “<del>... In the case of Natura 2000 sites, compensatory measures may only be considered if the proposal is deemed to be of overriding public interest and would involve engagement with both Central Government and European Commission.</del>”</p> <p>Replace the deleted sentence with: “<i>... In the case of European sites, where the risk of harm to the integrity of a site has not been ruled out in an appropriate assessment planning permission may be granted for the development only if there is no alternative solution and the development must be carried out for imperative reasons of overriding public interest. In such cases, any necessary compensatory measures must be secured.</i>”</p> <p>Amend the paragraph 4.95 through the deletion of the words “<del>Natura 2000 sites</del>” and “<del>Natura 2000 site</del>” and the replacement of these words with the words “European Sites” and “European Site”.</p>	<p>In response to the Inspector’s post hearings advice note: “I have a concern that Policy DM28, and in particular the way it approaches mitigation and compensation in criterion c), fails to comply with ‘People over Wind’ and subsequent judgements. I suggest at this stage that the Council checks this point with their expert advisors.” MDDC has taken expert legal advice that has considered the wording of Policy DM28 and its supporting text at paragraph 4.102 require modification. Two modifications will be required to paragraph 4.95 to make this consistent with the modifications to Policy DM28 and paragraph 4.102. Modification to paragraph 4.94 taken from Submission Document SD14. Included as a main modification in accordance with the Inspector’s post hearing advice note.</p>

Plan MM35	CU21: Land at Colebrook	Policies Map		Contingency status removed in response to the Inspector's post hearing advice note. The notation on the Policies Map has been modified to show site allocation CU21 as a proposed residential allocation within the settlement limit for Cullompton. This modification is necessary to reflect the proposed Main Modification to the wording of site allocation Policy CU21. Please refer to proposed Main Modification MM35.
7.	Neighbourhood Planning	13	<p>Paragraph 1.19, amend as follows:</p> <p>"The Council will support local communities wishing to pursue neighbourhood planning. Cullompton, Crediton, <b>and Silverton and Tiverton/Halberton</b> were the first to initiate neighbourhood planning in Mid Devon."</p>	To provide clarity. Halberton is no longer part of the Tiverton Neighbourhood Plan area.
16.	Overall provision of housing and employment	24	<p>Paragraph 2.4, amend as follows:</p> <p>"The Local Plan <b>allocates 10%</b> makes provision for 17% more housing than is required, to provide flexibility and account for unforeseen circumstances that might prevent some sites from coming forward as expected such as not all commitments translating into completions. The availability of land for housing, taking account of existing commitments and allocations is set out in the following trajectory. <b>The development of existing commitments is forecast to take three years, spread evenly across that period.</b></p>	To reflect most recently available housing land monitoring data (March 2018) and more accurately state that % housing delivered over requirement is total Local Plan provision rather than only what is allocated. Reference to existing commitments forecast to deliver over three years no longer accurate. An updated housing trajectory is set out in the Council's Local Plan Review Housing Land Supply Update (June 2019).

17.	Overall provision of housing and employment	24	<p>Chart 1, update as follows:</p> <table border="1"> <thead> <tr> <th>Year</th><th>Tiverton</th><th>Cullompton</th><th>Crediton</th><th>Rural</th><th>Total</th></tr> </thead> <tbody> <tr><td>2013/14</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2014/15</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2015/16</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2016/17</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2017/18</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2018/19</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2019/20</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2020/21</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2021/22</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2022/23</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2023/24</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2024/25</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2025/26</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2026/27</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2027/28</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2028/29</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2029/30</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2030/31</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2031/32</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> <tr><td>2032/33</td><td>~50</td><td>~50</td><td>~50</td><td>~50</td><td>~200</td></tr> </tbody> </table>	Year	Tiverton	Cullompton	Crediton	Rural	Total	2013/14	~50	~50	~50	~50	~200	2014/15	~50	~50	~50	~50	~200	2015/16	~50	~50	~50	~50	~200	2016/17	~50	~50	~50	~50	~200	2017/18	~50	~50	~50	~50	~200	2018/19	~50	~50	~50	~50	~200	2019/20	~50	~50	~50	~50	~200	2020/21	~50	~50	~50	~50	~200	2021/22	~50	~50	~50	~50	~200	2022/23	~50	~50	~50	~50	~200	2023/24	~50	~50	~50	~50	~200	2024/25	~50	~50	~50	~50	~200	2025/26	~50	~50	~50	~50	~200	2026/27	~50	~50	~50	~50	~200	2027/28	~50	~50	~50	~50	~200	2028/29	~50	~50	~50	~50	~200	2029/30	~50	~50	~50	~50	~200	2030/31	~50	~50	~50	~50	~200	2031/32	~50	~50	~50	~50	~200	2032/33	~50	~50	~50	~50	~200	To reflect most recently available housing land monitoring data (March 2018) and the updated housing trajectory set out in the Council's Local Plan Review Housing Land Supply Update (June 2019).
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21.	Overall provision of housing and employment	27	<p>Paragraph 2.7, amend as follows:</p> <p>"Over the entire plan period (2013-2033) there is provision for <del>17%</del> <del>10%</del> more housing than required, as explained in paragraph 2.4. Within certain year brackets, such as <del>2021/22-2025/26</del> <del>2023/24-2027/28</del> and <del>2026/27-2030/31</del> <del>2028/29-2032/33</del>, this is substantially higher, as shown in the table below. The table indicates that even applying <del>the</del>a 20% buffer in the short term, there is flexibility in the plan to ensure sufficient housing will come forward for the Council to demonstrate a five year supply in accordance with national policy."</p>	To reflect most recently available housing land monitoring data (March 2018) and the updated five year housing land supply calculation (based on 'Sedgefield' method) set out in the Council's Local Plan Review Housing Land Supply Update (June 2019)																																																																																																																														
23.	Overall provision of housing and employment	27	<p>Paragraph 2.9, amend as follows: "The Local Plan makes provision for <del>1,374</del> <del>774</del> <del>628</del> dwellings over and above the identified requirement."</p>	To reflect most recently available housing land monitoring data (March 2018) and updated housing trajectory set out in the Council's Local Plan Review Housing Land Supply Update (June 2019)																																																																																																																														
24.	Overall provision of housing and employment	28	<p>Paragraph 2.10, amend as follows:</p> <p>"When including windfalls, the Council will assume a minimum of <del>104</del>-129 dwellings per year, which is calculated in line with the most recently published version of the Exeter housing market area Housing and Economic Land Availability Assessment (HELAA) methodology (April 2017) <del>was accepted by the Strategic Housing Land Availability Assessment Panel (SHLAA Panel) in the Mid Devon SHLAA Report (2013)</del>."</p>	The site assessment process previously known as the Strategic Housing Land Availability Assessment (SHLAA) has been renamed as the Housing and Economic Land Availability Assessment (HELAA). This minor amendment reflects the change in terminology and also ensures that the assumed windfall figure reflects the most recent version 10 of the HELAA methodology (2017).																																																																																																																														
25.	Overall provision of housing and employment	28	<p>Paragraph 2.11, amend as follows:</p> <p>"The Local Plan allocates <del>three two one</del> 'contingency sites' for housing. <del>These</del>-This development will only be permitted if housing delivery across the district falls below defined 'action levels' or the Council is unable to demonstrate a five year housing supply in accordance with national policy. The release of <del>the</del> contingency site will be the Council's preference if the supply of housing is insufficient, but proposals on other sites will also be considered on their merits according to the presumption in favour of sustainable development set out in national policy."</p>	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook. The LPR now provides one remaining contingency site (Tidcombe Hall TIV13).																																																																																																																														

26.	Overall provision of housing and employment	28	<p>Table 9, update as follows:</p> <table border="1"> <thead> <tr> <th><b>Location</b></th><th><b>Completions (sqm)</b></th><th><b>Commitments (sqm)</b></th><th><b>Local Plan allocations (of which remains unconsented) provision (sqm)</b></th></tr> </thead> <tbody> <tr> <td><b>Tiverton</b></td><td><b>4,2181,550</b></td><td><b>43,216805</b></td><td><b>37,000 (8,981)38,000</b></td></tr> <tr> <td><b>Cullompton</b></td><td><b>9,2733,598</b></td><td><b>29,80819,669</b></td><td><b>57,000 (30,702)65,000</b></td></tr> </tbody> </table>	<b>Location</b>	<b>Completions (sqm)</b>	<b>Commitments (sqm)</b>	<b>Local Plan allocations (of which remains unconsented) provision (sqm)</b>	<b>Tiverton</b>	<b>4,2181,550</b>	<b>43,216805</b>	<b>37,000 (8,981)38,000</b>	<b>Cullompton</b>	<b>9,2733,598</b>	<b>29,80819,669</b>	<b>57,000 (30,702)65,000</b>	<p>To reflect most recently available commercial land monitoring data (March 2018). As a significant amount of allocated commercial land now has planning permission or is being/has been developed (so included in the completions and commitments figures), a separate figure is included in the final column to show the remaining total for allocations that do not yet have planning consent. The previous table did not make clear whether the figure given was the total allocation or only the remaining unconsented allocation. This minor modification therefore provides clarity by making this distinction clear. Also provides clarification that totals are in square metres (sqm).</p>
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27.	Overall provision of housing and employment	29	<p>Paragraph 2.15, amend as follows: "To provide flexibility of provision and allow for growth, the Local Plan makes provision for <b>about 19%</b> more commercial floorspace than is required across the district's settlements."</p>	<p>It is unclear where the previously quoted figure comes from. It is clearer to simply state that there is more provision for commercial floorspace than required; the text is amended therefore to reflect this fact.</p>												
30.	S3 Meeting Housing Needs	35	<p>Paragraph 2.27 (first, fourth and final sentence), amend as follows: "The Council's Corporate Plan aims to "facilitate the housing growth that Mid Devon needs, including affordable housing" and "ensure good design and quality of new housing and associated environment". <b>has 'Better Homes' as one of its five main objectives and the long term vision is "To ensure that the housing needs of our residents are met through the provision of affordable homes and good quality housing in both the public and private sector"</b> ..." The SHMA concluded that 124 96 units of affordable housing are needed per year to meet <b>existing "backlog" need</b> and future needs arising in the district."..." Additional affordable housing will also continue to come forward as windfalls resulting <b>from Homes England Homes and Communities Agency</b> investment, exception sites and delivery of housing on Council-owned land."</p>	<p>First sentence amended to reflect updated Corporate Plan (2016). Fourth sentence amended to accurately reflect the findings of the SHMA, following the PAS Technical Advice Note (Objectively Assessed Need and Housing Targets June 2014): only newly formed households should be taken into account in the calculation, as the backlog and existing households already live in housing units which would be freed up when housed and do not create any new need in terms of future total requirements. Reference to backlog in sentence was made in error. Final sentence amended to reflect Homes England replacing HCA.</p>												
31.	S3 Meeting Housing Needs	36	<p>Paragraph 2.29, amend as follows:  <b>"Policy DM12 (Design of Housing) requires all new housing development to be designed in a way that allows adaptation according to the changing needs of occupiers."</b></p>	<p>The removal of this requirement (criterion d) from Policy DM12 was originally in response to Home Builders Federation comment that the policy did not reflect the ministerial statement. This change was included in the 2017 Proposed Submission version of the Local Plan Review. In response to the Inspector's Post hearing advice note, Policy DM12 is proposed to be deleted with amended policy</p>												

				criteria incorporated into Policy DM1 (See Main Modification MM49).
32.	S4 Ensuring Housing Delivery	38	Policy S4, amend as follows: "If this is insufficient to deliver the necessary level of housing, an identified contingency sites will be permitted to boost housing supply."	In line with proposed main modification MM35 (removal of contingency status of Policy CU21 Land at Colebrook), the LPR now includes a single contingency site. Policy text is amended to reflect this.
33.	S4 Ensuring Housing Delivery	38	Paragraph 2.32, amend as follows: "...If housing delivery falls below the action level this will be addressed through proactive development management to bring forward allocated and permitted sites, and then through the release of a deliverable contingency sites. However, there will be variation of delivery across the years so it is important that the action level when the designated contingency sites will come forward will not trigger <del>their</del> <ins>its</ins> release in response to normal variations in completions..."	In line with proposed main modification MM35 (removal of contingency status of Policy CU21 Land at Colebrook), the LPR now includes a single contingency site. Supporting text is amended to reflect this.
34.	S4 Ensuring Housing Delivery		39 Paragraph 2.33, amend as follows: "The National Planning Policy Framework requires local planning authorities ensure that there is a supply of specific deliverable housing sites with a capacity equivalent to 105% or of five years' worth of the annual housing target"... "If that is insufficient or will not deal with the issue quickly enough, the Council will permit the development of <del>one or more of the</del> a contingency sites in order to boost short term housing supply."	To reflect the NPPF (2012) requirement for a 5% buffer and to correct a typographical error. To reflect proposed main modification MM35 (removal of contingency status of Policy CU21 Land at Colebrook); the LPR now includes a single contingency site.
39.	S11 Cullompton	54	Paragraph 2.68, amend as follows: <del>One contingency site is allocated in the town, providing a level of flexibility to address any potential shortfall in completions as set out in Policy S4.</del>	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook.
40	S11 Cullompton	54	Table under paragraph 2.69, update as follows:	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook.

Site	Policy	Site area (ha)	Use	Local Plan page(s)
North West Cullompton	CU1-6	103	1350 <del>1200</del> dwellings and 10,000 <del>21,000</del> sqm. commercial floorspace	88-96
East Cullompton	CU7-12	160	1750 <del>2,100</del> dwellings (within the plan period) and 20,000 sqm.	97-106

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55.	Cullompton	86	<p>Paragraph 3.64, amend as follows:</p> <p><del>"Seven Six</del> sites are allocated for housing in Cullompton, <del>excluding one contingency site at Colebrook that will be permitted to come forward if the Council's housing supply proves insufficient, as set out in Policy S4</del>. All housing sites are considered achievable in principle, corresponding to a Cullompton map that accompanies this document. Four sites are wholly or partially without planning permission and these are shown below:</p> <p>North West Cullompton</p>	To reflect proposed main modification MM35 - removal of contingency status of Policy CU21 Land at Colebrook. Revised total of allocated sites in Cullompton includes the CU21 allocation																																								

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56	Cullompton	86	<p>Table 16, update as follows:</p> <table border="1"> <thead> <tr> <th>Site</th> <th>Policy</th> <th>Gross Site Area (ha)</th> <th>Net site area (ha)</th> <th>Allocated dwellings</th> </tr> </thead> <tbody> <tr> <td>North West Cullompton</td> <td>CU1-6</td> <td>95100</td> <td>6065</td> <td>12001,350</td> </tr> <tr> <td>East Cullompton</td> <td>CU7-12</td> <td>160</td> <td>96</td> <td>21001,700 1,750</td> </tr> <tr> <td><b>Knowle Lane</b></td> <td><b>CU13</b></td> <td><b>9.8</b></td> <td><b>5.9</b></td> <td><b>30</b></td> </tr> <tr> <td>Ware Park &amp; Footlands</td> <td>CU14</td> <td>2.1</td> <td>1.3</td> <td>38</td> </tr> <tr> <td><b>Land at Colebrook</b></td> <td><b>CU21</b></td> <td><b>4.8</b></td> <td><b>2.9</b></td> <td><b>100</b></td> </tr> <tr> <td><b>Exeter Road</b></td> <td><b>CU15</b></td> <td><b>1.4</b></td> <td><b>1.4</b></td> <td><b>45</b></td> </tr> <tr> <td><b>Cummings Nursery</b></td> <td><b>CU16</b></td> <td><b>5.3</b></td> <td><b>3.2</b></td> <td><b>120</b></td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td></td> <td>35333,118 3,238</td> </tr> </tbody> </table>	Site	Policy	Gross Site Area (ha)	Net site area (ha)	Allocated dwellings	North West Cullompton	CU1-6	95100	6065	12001,350	East Cullompton	CU7-12	160	96	21001,700 1,750	<b>Knowle Lane</b>	<b>CU13</b>	<b>9.8</b>	<b>5.9</b>	<b>30</b>	Ware Park & Footlands	CU14	2.1	1.3	38	<b>Land at Colebrook</b>	<b>CU21</b>	<b>4.8</b>	<b>2.9</b>	<b>100</b>	<b>Exeter Road</b>	<b>CU15</b>	<b>1.4</b>	<b>1.4</b>	<b>45</b>	<b>Cummings Nursery</b>	<b>CU16</b>	<b>5.3</b>	<b>3.2</b>	<b>120</b>	Total				35333,118 3,238	Updated to reflect March 2018 monitoring data and removal of contingency status of Policy CU21 Land at Colebrook by proposed main modification MM35. Also corrects error in previous total for East Cullompton
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57.	Cullompton	87	<p>Paragraph 3.65, amend as follows:</p> <p><b>“Knowle Lane (Policy CU13) has planning permission for 285266 dwellings. Part of the site remains undeveloped and this is represented in Table 16. Similarly Exeter Road (Policy CU15) has permission for 24 dwellings with the remainder shown above; there is uncertainty about the remainder of the site (it was originally allocated for 45 dwellings) and the balance is no longer shown above. Cummings Nursery (Policy CU16) now has commenced construction with permission for 100 dwellings. The remaining housing sites have been granted planning approval and are now wholly or partially implemented. These sites are: Knowle Lane (CU13), Land at Exeter Road (CU15) and Cummings Nursery (CU16).”</b></p>	To reflect changes to the current development status of allocated sites in line with the most recently available housing land monitoring data (March 2018).																																													
58.	Cullompton	87	<p>Paragraph 3.66, amend as follows:</p> <p>“Land for commercial development is allocated within the north-west and east Cullompton urban extensions. Allocated sites <del>and also</del> at Week Farm and Venn Farm in the Kingsmill area <b>now have planning permission.</b>”</p>	To reflect changes to the current development status of allocated sites in line with the most recently available commercial land monitoring data (March 2018).																																													
59.	CU3 North West Cullompton Environmental Protection and Green Infrastructure	92	<p>Paragraph 3.80, amend as follows: “The requirement to extend the town cemetery, which adjoins this site, <del>will need to be</del> has been recognised in the proposals and <b>has been extended.</b>”</p>	To reflect the latest position regarding the already extended town cemetery																																													

60	CU3 North West Cullompton Environmental Protection and Green Infrastructure	92	Paragraph 3.81, amend as follows: "The role of landscaping and tree-planting in flood prevention <del>and carbon reduction</del> should also be recognised in the development."	In order to provide greater clarity over the extent of carbon reduction that can be delivered through this means.
61.	CU5 North West Cullompton Carbon Reduction and Air Quality	94	Paragraph 3.89, amend as follows: " <del>The Government has made a commitment to achieving zero carbon housing by 2016, with all emissions from regulated sources such as heating, hot water and lighting to be reduced to zero by this time. While changes to construction are to be introduced through the Building Regulations,</del> Policy CU5 ensures that other methods of carbon reduction are also considered and incorporated into the development where appropriate, such as carbon offsetting, travel plans and design which encourages sustainable ways of living	To reflect updated national policy position and targets.
62.	CU9 East Cullompton Environmental Protection and Green Infrastructure	101	Paragraph 3.108, amend as follows: <del>"Tree planting will also act to collect carbon dioxide, helping to reduce the overall carbon footprint of the scheme."</del>	In order to provide greater clarity over the extent of carbon reduction that can be delivered through this means
63.	CU11 East Cullompton Carbon Reduction and Air Quality	103	Paragraph 3.113, amend as follows: <del>"The Government has made a commitment to achieving zero carbon housing by 2016, with all emissions from regulated sources such as heating, hot water and lighting to be reduced to zero by this time. While changes to construction are to be introduced through the Building Regulations,</del> Policy CU11 ensures that other methods of carbon reduction are also considered and incorporated into the development where appropriate, such as carbon offsetting, travel plans and design which encourages sustainable ways of living."	To reflect updated national policy position and targets.
64.	CU19 Town Centre Relief Road	113	Paragraph 3.143, amend as follows: "Additional housing development has now taken place at Knowle Lane and Tiverton Road, contributing to <del>the delivered</del> Junction 28 improvements and funding for the Town Centre Relief Road, but work on the road has not yet commenced."	In line with Statement of Common Ground (SCG10) agreed between Mid Devon District Council, Devon County Council and Highways England. Clarifies that this sentence refers to the implemented Junction 28 improvements.
77.	DM2 Renewable and Low Carbon Energy	155	Paragraph 4.6, amend as follows: "Any wind turbine proposals will be considered in the context of <del>the 18 June 2015 Written Ministerial Statement</del> national policy which requires planning applications for such development <del>should</del> to only be granted if the development site is in an area identified <del>as</del> suitable for wind energy development <del>are identified</del> in Local or Neighbourhood Plans."	To better reflect the wording of the Written Ministerial Statement (18 June 2015) and to recognise that this requirement is now incorporated into the National Planning Policy Framework.
78.	DM5 Parking	159	Policy DM5, amend as follows: "The Council will seek parking provision and <del>infrastructure for</del> electric vehicles <del>infrastructure</del> according to the following standards, the variation of which must be justified on a case-by-case basis."	To make clear that separate standards apply to both parking provision and infrastructure for electric vehicles.

