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25 March 2022

Dear Sir/Madam

RE: Plan Mid Devon Issues Consultation (Regulation 18)

Thank you for the opportunity to comment on the Plan Mid Devon Issues Consultation.

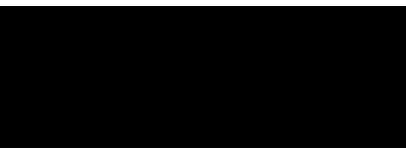
The County Council welcomes this as an inciteful consultation and a positive step towards updating the planning policy direction for Mid Devon.

Appendix A attached provides the County Council's detailed comments.

The County Council would be pleased to discuss the comments raised and actions arising in more detail.

We look forward to continuing our work with you as the Local Plan progresses.

Yours faithfully,



Mike Deaton
Chief Planner

Plan Mid Devon Issues Consultation (Regulation 18)

Appendix A:

| Item | Issue and reference point | Comments |
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| 2 Sustainable Development and Six Top Priorities | | |
| 2.10 | Priority 1 – Responding to the climate emergency and moving to a net-zero carbon future | <p>Suggested amendments to wording in red, commentary in blue.</p> <ul style="list-style-type: none"> • High quality, attractively designed homes that better meet the needs of the whole community • Reduced transport related emissions (wording would then include reducing need to travel by car, but also includes factors such as utilising digital transformation to reduce need to travel, facilitating transition to electric vehicles, public transport links etc) • Raised living standards across all demographic groups • Reduced indices of multiple deprivation (this is very much dependent on Mid Devon's performance against the rest of the country, as it is a ranking rather than absolute position – is this what is meant? Suggest this needs re-phrasing) |
| Priority 4 | Protecting and enhancing the natural and build environment, and respecting environmental limits | There are strong linkages between DCC's flood risk work and the overarching objectives, particularly Priority 4. We agree that the district's character is strongly associated with open watercourses both natural and artificial, but also in many cases its heritage, i.e., Tiverton Town Leat. |
| 2.30 | Priority 5 – Improving our health and well-being | Agree, pandemic impacts have altered (yet unsure how permanently) peoples' work, travel and consumption patterns. Some return to pre-2020 patterns are expected and have occurred, but other patterns are expected to become more engrained, such as more flexible and hybrid work patterns, greater focus on leisure and quality of life, and a combination of retail consumption that is conducted both more locally and more online. This has and is expected to further increase the need for liveable, high quality attractive places, access to green open space, good high-speed broadband access; attractive local retail and service centres that provide essential services and distinctive and varied retail offers, flexible work-space and work-hubs. Part-time longer distance commutes may too become a pattern. |
| 4 Responding to the climate emergency and moving to net-zero carbon | | |
| Q5 | Reduce need to travel by car | As identified above in the priority section, the new Local Plan should seek to achieve outcomes to reduce transport related emissions in the widest sense. This includes factors such as utilising digital transformation to reduce the need to travel, facilitating the transition to electric vehicles, public transport links etc. To achieve a reduction in travel demand and carbon emissions, types of development and transport implications need to be considered hand in hand. |

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| | | In addition, it is important to recognise the key role the Local Plan can play in the design of future development, including density and car parking, which are fundamental drivers of viable transport services, reducing transport demand and supporting local facilities. |
| Q6 & 7 | Renewable and low carbon energy | <p>Q6 - Identify preferred locations and scales for different types of renewable energy development where possible, and set out clear criteria against which specific development proposals would be assessed. For example, for solar pv require all new buildings over a certain roof size (including permitted development of farm buildings) and new car parks to have solar panels on roofs or canopies in preference to increased use of agricultural land- seek to avoid use of BMV land of which there is a lot in Mid Devon compared to the rest of the county. It should be a priority to restore soil health in the 'Mid Devon Farming Belt'.</p> <p>Q7 - All of the above provided that they are of a scale, design and location that respects the valued natural, historic and other environmental attributes of the landscape affected. Development should seek to avoid or minimise harm- including cumulative harm- to the intrinsic rural character, beauty and locally distinctive character of the countryside. Great weight should be applied to conserving and enhancing the natural beauty of AONBs and NPs.</p> |
| Q8 | Renewable and low carbon energy | <p>The Interim Devon Carbon Plan identifies that there is the need for both thriving urban and rural communities, with access to the things they need within local reach to reduce their emissions. As Devon is a predominantly rural county, approaches to emissions reduction must speak to rural communities. The re-localisation of employment, services and amenities, including cultural spaces, is key to reducing travel demand. This means delivering high quality new mixed-use developments and, crucially, supporting the revitalisation of communities that have become almost entirely residential.</p> <p>Soil health, trees, hedges, woodland, lowland moorland and Culm Grassland in Mid Devon are vital for storing carbon. Therefore it is important to ensure that land allocations and development safeguarded and where possible restore and increase these.</p> |
| 5 Access to new technologies and digital communications | | |
| Q9 | New technologies and/or digital communications | We consider the most important technology for the Local Plan to be supporting fibre broadband connection to new premises. Where fibre broadband connections are not economically viable then some adoption of wireless internet and / or satellite based solutions could be a viable alternative and need to be explored. Connecting Devon and Somerset (CDS) is currently awaiting the publication of the UK Government consultation on very hard to reach areas. Future proofing will be informed by this consultation. CDS has coverage plans for Mid Devon stretching to 2024 in its contracts with gigabit capable supplier Airband. Beyond this date Mid Devon will need to adopt a flexible approach to new and emerging technologies to future proof the economy in terms of connectivity and will need to apply this as part of its regular plan review process. As at Nov 2020 (unlikely to have altered significantly since) in Mid Devon 78.4% of premises have greater than 30mbps connectivity. Contracts in the build phase which runs until end 2022 will take this to 83.2%. The contract aims to deliver this up to 95.6% of premises by the end of 2024. |

| 6 Meeting Housing Needs | | |
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| Q11 | First Homes | As MDDC would be aware, Team Devon are undertaking a project looking at housing, led by Stephen Walford. We consider that the evidence being developed to support this workstream is relevant to the Local Plan review and could aid policy development. |
| Q13 | Housing for older persons and people with disabilities | There is an unmet need for a 50+ ECH scheme in Tiverton, Cullompton & Crediton. Devon County Council have worked with MDDC in the past regarding the delivery of Extra Care Housing schemes in the district. DCC regards extra care housing as an effective way to provide care services and its provision makes an important contribution towards delivering appropriate housing for all sectors of the community. No schemes have been delivered to date, but a scheme did progress to planning permission stage in Tiverton. We look forward to continuing working with the district, considering how to meet existing needs within the market towns and the implication of planned growth. |
| 6.44 – 6.46 | Improving the housing market, reusing developed land and optimising housing densities | Agree with discussion of this matter. Thought should be given to the use of redundant employment and retail sites, where appropriate, that have become available through shifting employment and retail patterns. This would enable the efficient use of brownfield and previously developed land that will boost footfall and critical mass in town and village centres. |
| 7 Supporting our Businesses and Jobs | | |
| Q23 | Green economic recovery | <p>DCC's Economy Team would suggest:</p> <ul style="list-style-type: none"> • Innovative and high growth sectors (e.g. pharmaceuticals, aerospace, creatives, financial / professional and business services and emerging industries such as Artificial Intelligence) • Renewable / clean energy • Refurbishing and retrofitting properties to meet energy standards <p>We have selected these 3 because from our viewpoint they are the most important for the future-proofing of Mid Devon's economy and for clean growth, however, it is difficult to prioritise this, as all of the points listed are worthy aims, will help improve a green economic recovery and are interlinked. The planning framework for Mid Devon should seek to address all the listed objectives in some form. The authority in prioritising will need to determine where it can make a significant difference, as opposed to be being supportive of others who will likely be delivering i.e. employers, colleges and training providers in the provision of training opportunities, or farmers where they are likely to be diversifying and sequestering carbon linked to UK Government policy and driven by market demand. Some of these aims should be a given in new developments such as green transport options, energy efficient buildings and the generation of clean energy and should be cross cutting.</p> |
| Q24 | Helping our businesses grow | <p>Response/comments provided to points in blue:</p> <ul style="list-style-type: none"> • Continue to allocate larger employment estates at a few locations. Yes, where these are sustainable in environmental and economic terms and there is proven demand. |

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| | | <ul style="list-style-type: none"> • Place greater emphasis on smaller employment sites that are relatively free from major infrastructure constraints and are capable of being delivered more quickly. Yes, where these are sustainable in environmental and economic terms and there is proven demand. • Require a proportion of all employment sites to be developed in small land parcels that can be attractive to micro, small and medium sized enterprise. Yes • Identify opportunities for co-working space. Yes • Include a policy for Live-work units. In theory yes but may have little impact. • Space for low cost, flexible and temporary accommodation. Yes, affordability of space is a key criterion but also a good quality of space. • Other (please state what this should be): Ensure serviced employment sites are delivered as part of housing development delivery in attractive employment locations. Above all the authority should seek to bolster employment provision in existing urban centres, particularly where this adds to the critical mass of activity that supports other employment and delivery of essential services. This could include the repurposing of redundant commercial/retail space in town centres for other employment and service provision uses. |
| 8 Infrastructure and How We Travel | | |
| 8.2 – 8.13 | Funding, phasing and viability | <p>Agree with commentary. As the plan progresses we look forward to working together on considering the implication of development options and preparing an Infrastructure Delivery Plan (covering the full range of services which DCC has responsibility for) which will aid the consistent identification of infrastructure needed to support the plan. We expect this work to also involve developing secure arrangements for their funding and implementation.</p> <p>We note there is no mention of reducing carbon when implementing new infrastructure. The text makes it sound like business as usual, with providing new roads to facilitate new homes, when we need to make sure the new plan will move away from that assumption. Suggest this could be made clearer.</p> <p>We have flagged in the past, but would like to raise again, DCC are seeking to build a new HWRC and Waste Transfer Station to serve the areas of Tiverton, Cullompton and Willand (replacing the Ashley facility). Allocated land (approximately 1.5 hectares and good road access) for this purpose and reference to the need for development to contribute financially towards its delivery would be welcomed in the new Plan.</p> |
| 8.14 – 8.21 | Travel to work / parking provision in new development / transitioning to electric vehicles | <p>As stated previously, to achieve a reduction in travel demand and carbon emissions, types of development and transport implications need to be considered hand in hand. In addition, it is important to recognise the key role the Local Plan can play in the design of future development, including density and car parking, which are fundamental drivers of viable transport services, reducing transport demand and supporting local facilities.</p> |

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| | | <p>In regard to parking, the change of Planning Class E should be addressed in the Local Plan to ensure all uses will secure adequate parking for each use. We look forward to working with you in the development of appropriate policy wording – there are currently a number of parking problems within the estates throughout Mid Devon which should inform this approach.</p> <p>To note, building regulation changes in June will require any new plot or parking court with parking to provide an electric charging point.</p> |
| 9 Our Natural and Historic Build Environment | | |
| Title | | Title specifies 'historic built environment'. Suggest this should be expanded to 'historic environment' which includes built elements as well as historic landscapes, findspots of prehistoric tools, earthworks indicating the presence of heritage assets with archaeological interest, archaeological sites identified through aerial photography/cropmarks and non-visible archaeological sites. Heritage assets are defined in Annex 2 of the NPPF (2021). |
| Contents | | We would expect to see a specific section addressing managing flood risk under the natural environment heading. Flood risk is and will continue for the lifespan of the new Local Plan to be a key issue in Mid Devon and its surrounding areas. |
| 9.1 | Landscape | To note, the landscape we see today is a product of human activity, created by historic agricultural and settlement activity from the prehistoric period onwards, very little of our landscape is entirely natural. Prehistoric funerary monuments are still visible in the landscape as well as Iron Age fortifications and medieval field systems, in addition the layout of medieval towns in the district are still evident in the layout of streets and properties in towns and villages in the district. |
| 9.4 | Local Green Space | <p>Welcome the consideration of historic significance of sites to be considered as Local Green Open Space.</p> <p>The local plan should “set out a positive strategy for the conservation and enjoyment of the historic environment” as required by para 190 of the NPPF and any new local plan would benefit through a consideration of the district’s wider heritage rather than just focussing on Knightshayes and the Grand Western Canal.</p> <p>Proposals for Local Green Space and Green Infrastructure should consider heritage assets such as historic parkland and gardens, the alignment of historic, disused, railway lines assets etc...</p> <p>Information on the district’s heritage, as well as other environmental information, can be found on the Devon County Council Environment viewer https://maptest.devon.gov.uk/portaldvl/apps/webappviewer/index.html?id=82d17ce243be4ab28091ae1f15970924</p> |
| 9.11 | Biodiversity | There are references to the Biodiversity Net Gain target within the plan, we are keen to promote sustainable drainage systems and natural flood management as another way of achieving this, both on and off site. |

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| 9.21 | Planning and tree planting | We support 9.21 of the role of new trees. Any supplementary planning guidance on tree planting should consider and look to refer to the existing CIRIA guidance on trees in The SUDS Manual (C753) 2015. |
| 9.22 – 9.24 | Phosphates and the environment | MDDC may wish to look to discuss and learn from East Devon District Council, if not done already, who are proceeding with a Nutrient Management Plan for the River Axe. |
| 9.27 | Green and Blue Infrastructure | We would support point 9.27 for a new Green and Blue Infrastructure Strategy and would be keen to engage with this. |
| 9.28 – 9.34 | Heritage assets | This seems somewhat light in detail on the district's heritage, really only mentioning Knightshayes and the Grand Western Canal, while the heritage of the district is alluded to in para 2.22 in that the historic environment "gives the area a sense of place"; <ul style="list-style-type: none"> • The range of heritage assets are defined in Annex 2 of the NPPF (2021): • Mid Devon has just under 11,200 heritage assets, this includes listed buildings, scheduled monuments, locally listed heritage assets and registered parks. The bulk of the known heritage assets in Mid Devon are undesignated and not subject to any statutory protection but can still be of national, regional or local significance as part of Mid Devon's heritage. • These non-designated heritage assets range from 20th century paper mills on the Culm through to finds of stone age artefacts. |
| Q30 | Planting and tree planting | It would be very difficult to enforce this policy for trees planted on land under private ownership. We suggest it is better to focus on ensuring the right place for the right tree and that trees planted in the public realm are adequately maintained to ensure they grow to mature canopy size. Any prescribed measurement should be on area of canopy cover once trees are mature rather than the number of trees- to maximise benefits -especially regarding reducing surface water runoff. |
| Q31 | Grand Western Canal | Its rural tranquil setting should be given more protection against urban development, considering noise, visual and lighting impacts - to ensure the tranquillity people experience when walking the GWC is protected for future generations. The NPPF allows this (paragraph 185 b). |
| 10 Improving our Health and Well-Being | | |
| | | Please refer to separate Public Health Devon response document. |
| 11 How our Places Look and are Used | | |
| General comments | Regarding flood risk | We are happy to engage on design codes and master planning as early engagement is often crucial to ensure above ground sustainable drainage solutions (SuDS), which can bring biodiversity and water quality benefits, can be incorporated into sites appropriately. Consideration should be made when mentioning SuDS to reference them back to being multi-beneficial wherever appropriate. This helps to avoid less sustainable drainage solutions such as underground attenuation tanks or oversized pipes. This was recognised as good local plan policy making in the DEFRA report, January 2022 titled "Assessment of how strategic surface water management informs Sustainable Drainage Systems Deliver in Developed Areas Through Spatial Planning and Development Management". |

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| | | <p>SuDS are important overarching design features, and this is highlighted and supported by The National Design Guide by the Ministry of Housing, Communities and Government (2021) which recognises that “well-designed places have sustainable drainage systems to manage surface water, flood risk and significant changes in rainfall. Urban environments make use of ‘green’ sustainable drainage systems and natural flood resilience wherever possible. Homes and buildings also incorporate flood resistance and resilience measures where necessary...” (page 44).</p> <p>Where appropriate, multi-beneficial SuDS can be designed to replicate historical land uses or industries. For example, swales and rills could be designed within areas known to contain leats. These swales and rills could have artwork incorporated along them, and this artwork could highlight the industrial uses which the leats would have been used for.</p> |
| Q33 | Definition of beauty | |
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| Q49, 50 & 51 | Rural economy / Protecting high grade agricultural land / Farm diversification | <ul style="list-style-type: none"> • Development that generates a substantial increase in level and or type of traffic that would create a requirement for highway improvements and conflicts with users of local narrow rural lanes for walking, cycling and horse-riding, and would erode rural character. • Development that includes buildings and structures of a scale and nature that cannot be successfully accommodated in the landscape without harming or eroding its distinctive character, valued attributes and intrinsic natural beauty. <p>Q51 - It is important to respect the importance of preserving BMV land.</p> |

| 14 Culm Garden Village | | |
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| Transport comments | | <p>Providing improvements to access the M5 is proving challenging for the currently allocated development on this site. Expansion of the Culm Garden Village will further increase congestion on the Local Road Network and appropriate mitigation will need to be provided, with evidence this can be delivered without a significant environmental impact and considering the financial viability of this in the context of other infrastructure requirements for the development. Having declared a climate emergency, major road building schemes will require significant environmental mitigation to offset the carbon impacts. It is therefore important that development seeks to firstly minimise the need to travel and think creatively at ways to encourage modal shift, especially as the transport road network and connectivity within Cullompton are significantly constrained by the motorway, floodplain and railway, which acts as a barrier to linking the two parts of the town. In order to minimise the need to travel, sufficient employment (jobs), education and local services and facilities need to be provided to increase internalisation and encourage short-distance trips to be made on foot or by cycle. Consideration to how public transport (bus and rail) offers an attractive alternative to the private car to help mitigate the impact on M5 Junction 28 will also be needed.</p> |
| Flood Risk comments | | <p>We understand the District Council are undertaking a new SFRA which will feed into the Culm Garden Village and the Local Plan which we are supportive of.</p> |
| Landscape comments | | <p>Agree master planning should be landscape-led, components this should include:</p> <ul style="list-style-type: none"> • A well planned, designed and maintained green infrastructure network, including provision of public realm that encourages social interaction, private and communal gardens, a movement network that encourages active travel, and access to nature. • Distinctive and attractive low carbon built development that relates well to its landscape context. |
| Waste comments | | <p>Devon County Council has previously provided comments in relation to the need for Culm Garden Village to be planned in a way which enables sustainable waste management. It is important that the layout and design of the site provides adequate space for waste storage and promotes opportunities for waste to be managed as far up the waste hierarchy as possible. These comments are relevant to all large scale developments proposed.</p> <p>Devon County Council is the Waste Planning Authority for the site and as such, relevant waste policy and guidance produced by the County Council is relevant, this includes the adopted Devon Waste Plan, available at: https://new.devon.gov.uk/planning/planningpolicies/minerals-and-waste-policy/devon-waste-plan and also the Waste Management and Infrastructure SPD available at: https://new.devon.gov.uk/planning/planningpolicies/minerals-and-waste-policy/supplementary-planning-document.</p> <p>The SPD provides guidance to local planning authorities and developers to assist in implementation of three of the Waste Plan's policies dealing with waste prevention, waste management infrastructure and the protection of waste management capacity.</p> |

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| 15 Proposals at Junction 27 M5 Motorway | | |
| Transport comments | | It is not clear how a large development site at M5 Junction 27 could be delivered sustainably with limited infrastructure in the local area. A review of the need of this site in the context of response to the climate emergency, this should be carried out before it is included in any future development plans. |
| 16 A sustainable distribution of development across Mid Devon | | |
| Transport comments | | At this juncture, early in the process of reviewing the Local Plan, we would like to emphasise the challenge associated with proposals for large levels of development at Cullompton, pursuing 'sustainable development'. Cullompton is one of the least sustainable communities in Devon in relation to transport. It has one of the highest out-commuting levels in the County and this will unlikely change unless there is a balance of land uses that will encourage more self-containment with strong sustainable walking, cycling and public transport links. The significant costs and environmental impacts involved in delivering a new motorway junction needs to be weighed up against the opportunities to deliver sustainable development with attractive alternative modes to the private car. The motorway, railway and river are significant barriers to connectivity both within the town and in terms of accessing the strategic road network and rest of the country. With the existing transport network at capacity and with limited route options either into the town or serving the motorway, there may be significant challenges in accommodating significantly more growth at Culm Garden Village and achieve a sustainable location for future development that contributes positively to net zero aims. |