



The Planning Inspectorate

Report to Teignbridge District Council

by Geoff Salter BA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO TEIGNBRIDGE DISTRICT

LOCAL PLAN

Document submitted for examination on 20 June 2013

Examination hearings held between 5 and 24 September 2013

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Abbreviations Used in this Report

AA	Appropriate Assessment
AGLV	Area of Great Landscape Value
AHVA	Affordable Housing Viability Assessment
AONB	Areas of Outstanding Natural Beauty
CIL	Community Infrastructure Levy
CS	Core Strategy
DCC	Devon County Council
dpa	dwellings per annum
dph	dwellings per hectare
EH	English Heritage
ha	hectares
HoT	Heart Of Teignbridge
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
LEP	Local Enterprise Partnership
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NE	Natural England
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
RS	Regional Strategy
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANGS	Suitable Alternative Natural Green Space
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SSSI	Site of Special Scientific Interest

Non-Technical Summary

This report concludes that the Teignbridge District Council Local Plan 2013-2033 provides an appropriate basis for the planning of the District over the next 20 years and is sound, providing a number of modifications are made to the Plan. The Teignbridge District Council has specifically requested me to recommend any modifications necessary to enable the Plan to be adopted.

Some of the modifications needed to make the Plan sound were proposed by the Council, others by me. I have recommended the inclusion of all main modifications after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- The allocation of land for employment at Forches Cross as an extension to site NA1;
- A requirement to review retail needs within three years;
- Deletion of Policy DA1 to reflect the Shutterton Park, Dawlish appeal decision and an extension to site DA2 to replace employment land;
- A minor extension to site DA5;
- A new policy to reflect the appeal decision at Bradley Bends, Bovey Tracey
- Deletion of a very small site at Bovey Tracey Coal Yard;
- Deletion of an employment site at KS2 and a leisure site at KS7, Kingsteignton
- Deletion of specific phasing requirements to allow greater flexibility in the deliverability of the urban extension at South West Exeter (SWE1) and
- Wording changes of various policies to ensure consistency with the National Planning Policy Framework (NPPF)

Introduction

1. This report contains my assessment of the Teignbridge District Council Local Plan 2013-2033 (LP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan June 2013 which is the same as the document published for consultation in November 2013.
3. My report deals with the main modifications that are needed to make the Local Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out a further addendum to the Sustainability Appraisal (SA). Both the modifications schedule and the SA addendum have been subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report, as a result of which I have deleted one main modification. I have made an amendment to the detailed wording of the main modifications. This minor amendment neither significantly alters the content of the remaining modifications as published for consultation nor undermines the participatory processes and sustainability appraisal that has been undertaken.

Assessment of Duty to Co-operate

5. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. Document CDA9 is a statement which sets out a summary of the wide range of consultations, discussions and written exchanges undertaken by the Council in the preparation of the Plan. In particular, I note that considerable work has been completed on studies of housing need in the wider Exeter housing market area comprising five local planning authorities and Devon County Council (DCC). Specific examples include re-assessing the impact of the Exeter Growth point in East Devon and work looking at the cross boundary issues with the City Council in planning for the South West Exeter (SWE) expansion. Infrastructure planning has also been undertaken in conjunction with adjoining authorities, DCC and relevant

statutory bodies. There have been no objections from any relevant consultee. I consider the duty to co-operate has been met fully.

Assessment of Soundness

Main Issues

6. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified a number of main issues upon which the soundness of the Plan depends, under ten main headings.

Matter 1 – Spatial strategy

Is the LP based on a sound process of SA and testing of reasonable alternatives, in a proportionate manner? Were the changes to the Plan made prior to final public consultation the subject of adequate SA and Strategic Environmental Assessment (SEA)?

7. SA was undertaken during the preparation of the Plan in accordance with statutory requirements. Document CDA5 sets out the testing of a number of alternatives, which were in sufficient detail at that stage to inform the evolution of the strategy. In addition to the SA carried out in October 2012, before the consultation on the LP, an Addendum Report was published in June 2013 to elaborate on some aspects of the SA/SEA process. During the hearings in September 2013 the Council agreed to respond to some criticisms of the SA, including the June 2013 addendum, by preparing a further addendum. The addendum ensured that a full SA had been prepared which addressed two significant appeal decisions and dealt with revisions agreed by the Council as a result of the hearings and the main modifications publicised in December 2013. All of this material, including the second SA Addendum, has been published for public comments. I have taken both addenda and the related comments into account in coming to my conclusions in this report.

Does the Local Plan present a clear spatial vision for the Borough, recognising its distinct qualities and specific communities?

8. A key element of the Plan is to meet the housing and employment needs of the District through what was described as 'transformational change', in essence a marked increase in the level of growth up to 2033 compared with the previous decade. The strategy seeks to concentrate a large majority of new building in the Heart of Teignbridge (HoT) area, focussed on the main town in the District, Newton Abbot. In broad terms this appears to be a logical response, and one which should be capable of bringing about sustainability benefits. There is a clear audit trail from the preferred options stage which indicates how the chosen strategy would provide for a justified level of housing and employment growth which meets the objectives of the National Planning Policy Framework (NPPF).

9. The concentration of growth in the HoT in comparison with other patterns of more dispersed development would accord with the fundamental planning objective to promote sustainable development. The strategy responds to the physical characteristics of the district by protecting its most attractive landscapes and its other environmental assets, including protected habitats and species. This includes provisions to ensure that any wider impacts on areas and protected flora and fauna beyond the district boundary would be averted or fully mitigated before development takes place. I consider that the Plan has been positively prepared to address housing and employment shortfalls while including positive measures to protect environmental assets, including the retention of important natural features and wildlife.

In broad terms, will the LP provide an appropriate balance between the housing and employment needs of the District, while safeguarding its environmental assets?

10. There was some strong opposition to this strategy, primarily on the grounds that it would not be possible to achieve the social and economic growth objectives without an unacceptable impact on the landscape, ecological and other environmental assets of the District, in conflict with the objective of retaining a high quality environment. For the reasons explained in more detail throughout the report, I consider the amount of growth proposed would not have unduly adverse effects on the landscape and ecology of the District as a whole. Impacts on protected species and areas of special wildlife interest can be adequately protected by the policy framework within the Plan, including development criteria for the main allocated sites. As the analysis in the SA shows, the very significant benefits of new housing and employment outweigh any local environmental disadvantages related to the urban extensions to the main settlements.

Does the LP meet sub-regional needs and address cross boundary issues effectively?

11. In summary, I have found the broad strategy of the Plan, including the concentration of growth at urban extensions to Newton Abbot, sound. The proposed housing provision, based on an updated Strategic Housing Market Assessment (SHMA) that takes into account the needs of the wider south Devon area, including Exeter, is soundly based. The SHMA indicates that objectively assessed needs include a significant allowance for in migration, albeit at a lower rate than the previous outdated draft Regional Strategy (RS) figures. It takes into account the reduced level of development in recent years, but puts forward what I consider to be a reasonable significant increase in provision, which is can be delivered on a realistic trajectory.

Matter 2: Environment

Will the LP be effective in protecting the District's environmental and heritage assets?

12. The Plan contains a wide range of policies to protect the landscape quality, biodiversity and heritage features of the District. There are no nationally important areas of landscape, such as Areas of Outstanding Natural Beauty

(AONB) within the Plan area. The setting of the adjoining Dartmoor National Park would be safeguarded through relevant policies for the Bovey Tracey area. Locally important areas are protected through Policies EN2 and EN2A, which were amended before submission after comments from Natural England (NE). English Heritage (EH) has agreed with the approach to protect and enhance heritage assets set out in policy EN5.

Is policy EN1 - protection of strategic breaks - justified? If so, will it provide for adequate protection of important landscape breaks between settlements? Have the breaks been identified properly?

13. The breaks would prevent coalescence and help retain separate identity where settlements lie close together. I agree with the Council that it is not necessary to duplicate this notation over other designations, such as the areas covered by Policy EN2, Undeveloped Coast. The designated areas reflect rational settlement boundaries and important landscape features.

Will the LP deliver effective mitigation of any adverse effects on protected coastland, Sites of Special Scientific Interest (SSSIs) and protected species?

14. The Plan follows guidance in paragraph (#) 114 of the NPPF in setting a restrictive policy context for substantial areas of coastland, through the 'Undeveloped Coast' notation. There is no Heritage Coast in the Plan area but Policy EN2 prevents development that would have a detrimental on the character of the extensive designated area and presumes against proposals that do not need a coastal location.

15. A raft of policies, EN8 – EN12, are directed specifically at protecting biodiversity, important habitats, priority species and flora. Natural England raised no objections to the broad approach of these policies. The detailed policies for site allocations include appropriate criteria to mitigate and/or offset any impact on protected species or habitats, with particular reference to bats, given the proximity of the South Hams Special Area of Conservation (SAC) and to nationally important concentrations of circl buntings. Some sites have been allocated on coastal areas protected by the previous LP. On balance, subject to provisions relating to some specific sites, I agree the benefits of new housing outweigh the environmental disadvantages at those particular locations (see below).

Does the LP address issues of climate change satisfactorily? Is Policy EN3 regarding carbon reduction justified and consistent with national policy in the NPPF? Will increased employment lead to more very unclear commuting by car?

16. The overall strategy would create the most sustainable pattern of development through urban extensions. It would reduce travel by car through encouraging walking and cycling and would enable more effective and efficient public transport services. Policy EN3 is intended to ensure implementation of Policy S7, which seeks to achieve a reduction of carbon emissions in line with the national target in the Climate Change Act 2008 of an 80% reduction between 1990 and 2050. The Council intends to implement the policy through requiring major development proposals to be accompanied by a carbon reduction plan and the application of a development charge matrix, as indicated in a supporting document CDD34. In essence, the Council will apply a set of charges on new residential developments with more than 10

dwellings. The policy does not prescribe what measures the carbon reduction plans should contain, giving scope for a variety of approaches, including offsetting, depending on the location of development and the carbon impact, according to the matrix. While I have some concerns about the application of the policy through SPD, which has not been tested at any public examination, the broad thrust of the policy wording meets the clear policy in the NPPF to reduce carbon emissions through sustainable development. However, I consider an important qualification to the policy concerning development viability is required to ensure consistency with other important NPPF policy objectives to promote sustainable and viable development. For soundness, the rewording of the policy as set out in **MM3** is required.

Matter 3: Employment

Will the LP provide an adequate supply of employment land? Will there be a demand for the allocated sites; are they viable and deliverable?

17. The Plan seeks to create a significant increase in the number of jobs in the District through the allocation of a number of new sites, principally in the HoT area. The intention to reduce the out-commuting of existing residents to major employment centres in Exeter and its surroundings has not been the subject of any objections from neighbouring planning authorities and the provision of new job opportunities at sustainable locations is a cornerstone of policy in the NPPF. The viability study produced to support the draft Community Infrastructure Levy (CIL) does indicate that the viability of some types of employment development is marginal. While some of the suggested areas within the urban extensions of Newton Abbot are quite small sites, there are other larger allocations, so that a reasonable variety of employment types could be expected overall. Some of the smaller allocations are within Newton Abbot town centre, on constrained sites, but there is no firm evidence that these may not come forward for service businesses, particularly if the Council is able to continue 'pump priming' infrastructure investment, such as the recently completed road extension to Jetty Marsh.
18. Although I have proposed a modification to remove a major allocation at Kingsteignton (KS2), there is a proposed replacement allocation of similar net size at Forches Cross, on the north side of Houghton Barton, Newton Abbot, adjoining a major housing allocation. I deal with the merits of individual sites in the relevant sections for different places within the district.

Is the floorspace/job ratio realistic? Will the LP provide adequate employment opportunities of the right type?

19. Much depends on the type of development proposals that come forward on the allocated sites, which to considerable extent will be a result of market needs and pressures. I accept that if all the larger sites are given over to Class B8 large scale warehousing, the employment numbers quoted by the Council will not be achieved. However, not all the sites are suitable for such a use.
20. The retention of major employers, such as the largest manufacturing business, Centrax, is critical to the success of the employment strategy. I deal with this in more detail in the HoT section below. The business is a successful

enterprise, incorporating modern technology and retaining a skilled workforce which might not be available elsewhere. In the absence of firm financial evidence that the company can no longer operate profitably at the site I consider Policy NA4 provides sufficient flexibility, without the inclusion of an unacceptable retail use, to ensure the retention of this key manufacturing employer.

Is the aspiration to provide one job for each resident of working age justified and deliverable?

21. One of the key objectives of the Plan is to reduce out commuting and to provide a range of jobs for new residents of the housing allocations. I recognise that local planning authority areas are not employment islands but this reasonable aspiration accords with NPPF. Many of the employment sites are within mixed use allocations, in accordance with the NPPF, #17 and 69. The Council's evidence indicates that the lack of suitable space is a business constraint which the Plan intends to redress. I consider the Plan does what is realistically possible within the spatial planning system to deliver new employment sites, and hence increased job opportunities within the Plan area.

Is the proposed distribution of new employment opportunities justified?

22. Table 14 of the Council's statement FS52 shows that the distribution of new employment development would be broadly aligned with that for new homes, with a concentration in the HoT in accordance with the overall strategy. As explained in the HoT section, the deletion of site KS2 and its replacement with land at Forches Cross will not have any significant effect on this spatial strategy. I consider the allocation of further land at south west Exeter (an extension to site SWE2) would have some impact on the distribution of job opportunities in the District. For the reasons explained in the SW Exeter section, I concluded it would not be appropriate to proceed with the advertised main modification, although the proposal should be kept under review.

Is the protection of existing employment sites justified?

23. Policy EC2 would help to retain a range of suitable sites and buildings for employment, in accordance with the policy aspiration to reduce out-commuting on sustainability grounds. The policy is justified by the low vacancy rate identified in the Employment Land Review (CDD63) and the limited amount of new space that has been constructed in the last decade.

Does the LP provide adequate support for tourism, including diversification? Does the Plan provide an appropriate framework for the rural economy?

24. Tourism plays an important role in the local economy, particularly in the coastal towns, despite the small percentage of direct employment in the District. The policies of the Plan support the provision of tourist accommodation and attractions (EC11, EC12) and the diversification of the sector, especially in the rural areas (SO5). The larger allocations in Newton Abbot and other towns are not close to the main tourist areas and I believe the attractiveness of the District as a tourist destination would be unchanged. The policies supporting the rural economy generally also contain appropriate criteria to ensure that sustainability objectives are not compromised by expansion which would generate unacceptable traffic patterns and loss of rural

character. I consider the policies are consistent with the NPPF (#28) and are justified.

Matter 4: Retail Development/Town centres

Will Policy EC6 provide an appropriate framework for retail development in the District; is it consistent with the NPPF?

25. Policy EC6 directs major new retail development to defined town centres, following the town centre first approach of the NPPF. The policy criteria seek among other things to support locally distinctive and vital town centres through the creation of some small units suitable for local enterprises and a range of residential and other uses above ground level. However, to accord with the NPPF the policy needs to refer to town centres rather than solely 'primary shopping area' as shown in **MM13**.

Will the LP make adequate provision for likely convenience retail needs?

26. Based on the information contained in the 2010 Retail and Leisure Study (CDD106), which took into account committed store developments at Teignmouth and Dawlish, the Plan does not identify any major convenience retail allocations. A limited amount of comparison floorspace is proposed at Newton Abbot town centre, primarily on site NA9. The retail study provides reasonable estimates of needs up to 2017 but beyond that year would be less reliable. While more floorspace might well be required beyond the next five years, at this stage it would be inappropriate to modify the Plan by setting a new higher target. To do so would have potential effects on Exeter City centre and other centres in the sub region which would require more study and further consultation. Nevertheless, bearing in mind the amount of development proposed within the District during the Plan period and the rapidly changing nature of retail patterns, in order to ensure the Plan is effective I consider it would be prudent to require a review of retail needs in the near future, as set out in **MM2**.

Is the threshold of 280 sq m justified?

27. The threshold in Policy EC6 above which an impact assessment is required is low compared with the national guideline. The Council argued that it would apply the requirements of the policy, which could require an impact assessment, in a proportionate manner. In general the size of many units in most shopping centres in the District is small, so I consider the criterion of the policy is not unreasonable in the circumstances.

Matter 5: Housing

Need

Are the proposed housing numbers justified; are they based on an objective assessment of needs, using up to date, reliable evidence, including the latest CLG household projections? What is the justification for lower housing numbers than

proposed in the earlier draft RS and draft Core Strategy, on grounds of housing need?

28. The proposed housing numbers contained in the Plan have been derived primarily from the SHMA for the Exeter and Torbay area, first prepared by an independent company, ORS, in 2007. The core data from the initial assessment were updated in 2010 and subsequently in 2012 for the Teignbridge area. The 2012 update indicated a need for 620 dwellings per annum (dpa), equivalent to 12,400 homes over a 20 year period to 2033. The annual figure compares to a higher figure of 740 dpa contained in the 2010 SHMA and 795 dpa contained in the modifications proposed by the Secretary of State (SoS) to the 2008 draft RS. This document, which will not be adopted, based its indications of housing need on projections from 2003 which are clearly out of date.
29. The revised SHMA projections took into account purely demographic trends over the past decade, which show that the natural change in the District's population (the number of expected births over deaths) is limited. The effect of migration into the District, particularly of retired persons from Exeter and outside the south west, is projected to form a very significant element of any future increase in dwelling need.
30. The 2012 SHMA figures did not take into account the latest government population and household formation projections released by CLG in April 2013, which include an estimate of 510 dpa for Teignbridge. A number of objectors queried the need for what they considered to be an unjustified high rate of housing growth, bearing in mind also the slow rate of population increase experienced in the decade leading up to the 2011 Census. However, the Council gave a convincing explanation of why the higher SHMA figures should be preferred. The Census data reflected a period of slower housing growth, particularly in the last few years of the decade up to 2011, compared with that experienced in the 1990s. Using the government's household projections of past trends in an era of low growth, which might well have resulted from an inadequate supply to meet known needs, would therefore perpetuate existing patterns of development and continued under supply. In addition, the Council provided information from Council tax records about occupied dwellings and new completions which indicated that the Census household figure may well be an underestimate, by about 1200.
31. The projected needs figure of 620 dpa is in fact very close to the historic rate of dwelling increase during the 1990s. Much is dependent on the rate of migration, which itself reflects policy decisions about the desirable level of expansion. The level of migration also appears strongly correlated to economic growth. The assumptions and modelling of the SHMA projections specifically take into account an allowance for meeting a backlog of need from the past. Rather than perpetuate past levels of under provision, the Council's SHMA figures try to identify, through use of data for headship rates, and address the problem of hidden households, particularly those young people who have not left the family home because of an inadequate supply of affordable dwellings. The Council's data on the increasing ratio of house prices to median earnings between 1997 and 2012 confirm this trend.

32. While the targets in the Plan do not meet the full requirement for affordable housing contained in the SHMA, in my view they represent a reasonable compromise in setting out what might realistically be achieved, bearing in mind the substantial uplift in housing provision now planned for compared with the past decade. The targets derived from the SHMA take into account all needs in the wider sub region, including Exeter City and other adjoining Council areas. None of the Councils in the sub region, with whom there has been full co-operation, have raised any objections. I consider the 2012 SHMA provides a proper basis for the identification of objectively assessed housing needs, as required by the paragraph (#) 47 of the NPPF.

Will the right mix of housing be delivered to meet local needs? Are the proposed proportions of market and affordable homes justified? Will the Plan provide an adequate number of affordable homes? Is the proposed percentage requirement for affordable housing realistically deliverable, based on sound viability evidence?

33. The 2012 update to the SHMA calculates a forecast of dwelling sizes in terms of numbers of bedrooms, to reflect demographic trends, including the changing requirements of older people and families with children. Providers typically bring forward larger dwellings than the needs assessment would require, although a range of unit sizes continues to be provided. The allocation in the Plan of a range of sites in different settlements, of different sizes, and in both town centre and edge of town locations will remove constraints on supply and will also support a choice of provision. There would appear to be no strong justification for any policy response to intervene in the market in favour of a particular dwelling mix.
34. The 2012 SHMA indicates a need for 5152 affordable homes, just over 41% of the total requirement. However, the expected provision of about 3,000 affordable homes set out in the Plan is consistent with the viability evidence (CDD131- CDD133) and represents a reasonable compromise which would not be threatened by the provision of necessary infrastructure through the proposed Community Infrastructure Levy (CIL) charging rates.
35. The provision of extra care and other forms of housing appropriate to older people is specifically proposed within the Plan, at Policy DA2 to add to the provision currently being constructed within Newton Abbot. The Infrastructure Delivery Plan (CDD98) reflects the assessed need for extra care provision in other settlements. Local Plan policy WE7 requires larger developments to incorporate Custom Build Dwellings, to widen the choice in the housing market.

Is the housing trajectory realistic; can it be delivered? Will the LP provide a five and ten year housing supply without reliance on windfalls? Are the density assumptions reasonable? Is there sufficient flexibility in the proposals to deal with contingencies?

36. The 2012 Strategic Housing Land Availability Assessment (SHLAA) findings provide the basis for the housing supply figures and trajectory contained in the Plan. This shows that the housing targets, which make allowance for a historic

backlog, can be met. Representatives of the potential developers of the main allocations gave no indications that the trajectories for the largest sites were unrealistic. Many of the sites programmed for the first five years of the Plan period, already have planning permission, including two recent permissions granted on appeal at Bradley Bends, Bovey Tracey and Shutterton Park, Dawlish. The planned supply figures include a 20% additional requirement in the first five year period to account for past under-delivery, to comply with #47 of the NPPF, but make no allowance for windfalls, even though these have averaged about 173 dpa over the 10 years up to 2011. While the rate of windfalls may decline as the urban fabric becomes more densely developed, it is highly unlikely that they will not form a significant addition to the stock of dwellings over the Plan period, giving some flexibility to the overall supply number.

37. Similarly, the figures make no allowance for any development within villages outside the identified settlements. A small amount of housing may come forward outside the main defined settlements through infill proposals or through neighbourhood planning to meet local needs, which may include market as well as affordable housing in rural areas in accordance with Policies S23 and WE5. The density assumption used in calculating the supply, at about 25 dph, is not unduly high. This takes into account the nature of the topography in Teignbridge, which is rarely flat. However, some recent schemes have come forward at significantly higher densities, for example on sites NA5 and KS6, and the overall assumption gives further comfort about deliverability. Taking all these factors into account, I consider there is sufficient flexibility in the LP to allow for contingencies without a non-implementation allowance. On all the evidence put forward to the examination, I consider the housing targets put forward in the LP can be delivered and a five year supply of housing will be available.

Is the broad distribution of housing across the District justified?

38. As already discussed above, the general principle of concentrating development in the heart of Teignbridge makes sense in terms of promoting sustainable development, in comparison with a more dispersed pattern of development involving rural areas of the district. Generally, additional development in other settlements is broadly comparable with their existing size. The proportion of new dwellings at Dawlish has increased slightly above the 10% target of 1240 to reflect the granting of permission on appeal for 350 new homes at Shutterton Park.
39. Table 8 of the SA Further Addendum shows that the proposed distribution of new housing broadly matches that of existing development in the District, with two exceptions. First, the planned expansion of SW Exeter would help meet sub-regional needs, primarily the constrained ability of the city to meet its needs within its own boundaries. An additional site at Atwells Farm on the western side of the city, partly within the City Council boundary, was not supported by either Council, for the reasons discussed under Matter 10 below. Secondly, significant expansion of Teignmouth in line with its current size would require substantial investment in new infrastructure, in particular a western relief road, which would threaten viability. A number of parties have also commented in the past on significant potential prejudice to environmental

objectives if western expansion were to take place, leading to coalescence of settlements in the area of Undeveloped Coast, as I discuss below.

40. While there may be some scope for further housing provision in outlying smaller villages, such an approach would be a much less sustainable alternative to the Plan strategy.

Will the needs of gypsies, travellers and travelling showpeople be met satisfactorily, in accordance with government guidance?

41. The LP seeks to meet the needs of the travelling community, in line with the Council's own assessment (CDD95) which incorporated a full consultation with the Teignbridge Gypsy and Traveller Forum, as well as Plymouth and Devon Racial Equality Council and DCC. I consider this document provides an objective assessment as required by #4 of the NPPF Policy for Traveller Sites. Policies WE6, WE6a, NA1 and SWE1 provide a suitable framework for adequate provision, principally through the requirements for new pitches within the area of two major housing allocations, as well as a site at WE6A which now has planning permission. Looking at the viability of these two allocations overall, I see no reason to question the deliverability of pitches in locations that meet the relevant criteria of Policy WE6 concerning the sustainability of the sites in economic, social and environmental terms.

Matter 6 - Dawlish

Site DA1: Is employment, rather than housing, justified? Should the site be extended to include land south of Shutterton Lane?

42. On the day of the hearing concerning representations about sites in Dawlish, the SoS issued an appeal decision to allow 350 dwellings on site DA1, which was allocated in the Plan for employment use. The Council decided that the LP should reflect this decision by proposing a main modification, **MM4**, which includes the proposed deletion of Policy DA1 and shows the site as a residential commitment on the Proposals Map. The appeal decision took into account all environmental effects but there are implications regarding the loss of employment development on the site which have been addressed in the proposals for site DA2.

Site DA2; Is the site justified? Are the proposals deliverable and viable? Issues of flood risk, agricultural land loss and wildlife impact. Are the boundaries drawn appropriately? Should the site be expanded?

43. The site is the main strategic allocation for Dawlish, lying on the north-west side of the town. Part of the allocation already has planning permission for 96 dwellings. Even with the additional housing on DA1, the Council was reluctant to reduce the dwelling numbers on the site for viability reasons, principally the need for sufficient a number of homes to help fund the necessary link road. This would be an estate road capable of being served by buses, leaving Secmaton Lane as an attractive cycle and pedestrian route.

44. The southern part of the site appears to be home to a limited number of circl buntings (2 to 4 pairs). Although there was some dispute about the numbers of these nationally important birds, an adequate mitigation strategy has been put forward on adjoining arable farm land within the control of the site promoters, which would provide a suitable habitat. There is sufficient scope to avoid building on any areas liable to flood; there is no evidence that recent flooding should involve the need to re-visit any definition of the floodplain. The water treatment works at Dawlish can deal with an increased number of dwellings.
45. The viability of the employment allocation of 3 ha at Shutterton Park was questioned, primarily on marketing grounds, affected by the relatively poor accessibility of Dawlish to the strategic road network. In his decision, the SoS expressed no firm view on this issue. The need to meet balanced provision across the Plan area is set out in Policy S4. The site of DA2 was originally proposed as a location for 3 ha of employment land. Following the Shutterton Park appeal decision the Council asked me to recommend as part of the main modification **MM4** the retention of the housing allocation with the addition of three ha for employment on land owned by the health authority immediately north of the Plan allocation site.
46. The roads linking Dawlish to and from the strategic road network all have their limitations. Access to the A380 is via minor roads. The principal route to Exeter, the A379 along the Exe estuary, has a section at Starcross which effectively allows only two narrow vehicles to pass. However, the highway authority is considering a number of measures to deal with this problem, including the installation of traffic lights. Improved rail services, including increased frequency of service between Dawlish and Exeter and a new station at Marsh Barton, would provide better access to new employment areas. On balance I consider the proposed allocation as modified by **MM4** is justified on the grounds of its suitability to meet some local employment needs, particularly those of some of the residents of the 1,650 new homes now proposed in the Plan.

Should site **DA3** be re-instated?

47. This quite small elongated site small is not particularly accessible from the town by foot or cycle, because of steep gradients. The land is a known circl bunting territory although any impacts on this nationally important bird could possibly be offset by mitigation matters. Nevertheless, the proposed housing, for only 20 more homes at most, is not needed. The land is located in a highly prominent position above existing development, where further development along the ridgeline would have clear adverse visual and landscape effects. Extending development beyond the current envelope could not be justified and I recommend against the proposal accordingly.

Should site **DA4** be extended? What are the biodiversity impacts?

48. A small area for 20 dwellings already has planning permission, in accordance with the Plan allocation. Following the grant of permission at Shutterton Park the number of homes now planned for Dawlish exceeds the proposed requirement set out in Policy S4. Another 60 dwellings are not needed and would have some adverse environmental effects.

49. There are two cirl bunting territories on the proposed allocation and two others very close by; RSPB guidance suggests that residential development would adversely affect four territories. The site promoters have offered an offsetting site on the east side of Exeter Road A379 in mitigation. This may provide a suitable alternative habitat for the long term, subject to effective management that could be secured through a Section106 agreement.
50. The area between Holcombe and Dawlish is notated Undeveloped Coast on the LP. This narrow gap is not just the hanging valley above the sea but also encompasses the higher land of which the objection site forms a part. Although the new buildings would be no closer to Holcombe than the nearest dwelling at the end of the South Downs Road estate, the site is not enclosed on the western side and would extend over open fields. As a consequence, much more development would enclose the narrow gap between the two settlements and in my view would undoubtedly increase the sense of coalescence. I do not agree with the objector that the development would not be visible from the south. Even with a substantial landscape buffer, which would need to be planted predominantly with deciduous trees to blend in with its surroundings, the urban extension would be visible from a number of viewpoints, including those in the adjoining residential area.
51. I acknowledge the views of the previous Neighbourhood Plan inspector, who was presented with a different balancing exercise concerning housing needs. However, I have found in my own examination that Dawlish is a settlement where a sufficient number of new homes can be provide in the planned allocations to meet the needs of the town and enable it to provide a commensurate amount of new housing in accordance with the overall strategy of the Plan. Even though the site is at a reasonably sustainable location, after careful consideration I consider on balance that the harmful effects on the landscape and the perceived narrowing of the gap between settlements outweigh the benefit of additional housing at the site.

Should site **DA5** be extended?

52. Planning permission for 20 dwellings has been granted. Permission for the objection site to extend the allocation northwards would in effect round off the small settlement at Holcombe without taking new building any further into the sensitive gap between the village and Dawlish itself. The Council did not raise any real objections to the extension and the SA/SEA addendum indicated that a development of this size would have no particular environmental impact. There is no firm evidence that the site could not be drained satisfactorily. The highway authority has stated that the minimal additional traffic generated by another 15 dwellings would have no implications for highway safety.
53. However I note residents' concerns that the overall density on the site would appear rather higher than that of the surrounding settlement. Having read the representations and looked again at the site, I consider it may be difficult to accommodate at least another 15 dwellings as required by **MM5** as advertised by the Council. Extending the allocation in size should allow more scope to provide a small number of additional dwellings, but which would not have any material impact on highway safety and would protect the living conditions of adjoining residents. I have therefore set out a change to the modification to

allow for up to 15 more dwellings on the extended site, rather than at least 15 dwellings.

Matter 7 - Teignmouth

Does the LP provide an adequate amount of new housing in Teignmouth? Should Sites **TE1** and **TE2** be re-instated?

54. Teignmouth is the one settlement where the amount of new housing proposed is proportionately smaller than the size of the town now, in accordance with the strategy in Policy S4. As I have already discussed, this approach is justified by the significant constraints to new development in the only directions possible, to the north and west. These are set out in detail in evidence to the examination but in summary comprise three main local constraints. Firstly, air quality along the A381, which is defined as an Air Quality Management Area (AQMA), is poor, particularly at the junction with B3192 and Shaldon Bridge, during the summer months. This would be exacerbated by any significant amount of new housing on the west side of the town for a significant part of the year. Secondly, the attractive landscape on the western side of the town, which is designated as Undeveloped Coast, would be very sensitive to change. Thirdly, extensive wildlife sites that form an extremely important habitat for curlew would be affected. The area between Teignmouth, Broadmead and Bishopsteignton supports the densest population of this species in the country (4% of the British population).
55. Earlier proposals for new housing on sites TE1 and TE2 were withdrawn from the Preferred Options version of the Plan after viability studies indicated that the quantum of development was not able to fund a necessary link road. Finally, further housing would add to the current imbalance in the provision of employment land in the town. I conclude that the amount of development in Teignmouth shown on the Plan is sound and that the re-instatement of the two sites is not justified.
56. A small part of TE1 enclosed by existing development has been put forward as an affordable housing development proposal. On the evidence to the examination, significant doubts remain that adequate access can be obtained and that the scheme would be viable. Given these doubts about effectiveness, I consider the site should not be included in the Plan at this stage.

Site **TE3**: Is the housing site justified and are the access proposals satisfactory? Should additional land be included?

57. I consider Site TE3 represents a logical allocation for new housing in Teignmouth, bearing in mind the problems associated with development to the west. The site is not within easy walking distance of the town centre, but many local services would be easily accessible by bus. Although some of the new building would have a substantial visual impact, the western boundary represents a reasonable edge to the town, retaining natural features. Satisfactory vehicular access can be obtained from B3192, avoiding undue

impact on natural features such as hedgerows and preventing disturbance from extra traffic along existing residential roads.

Omission site

58. The site at Higher Woodway Road lies outside the current settlement boundary, which represents a logical edge to the town on the ground. The proposed omission site would extend development into an area of attractive countryside in a prominent position, to its detriment. The area is an important part of the rural setting of Teignmouth. The SA indicates significant adverse impact on landscape, as the site is visible from several parts of the town, the Teign estuary and Shaldon, as well as the countryside to the north. The Council say the site also lies within a curlew territory. There is no need to allocate the site, which is not sequentially preferable to the allocation in the Plan.

Matter 8: Heart of Teignbridge

Is the overall amount of development in the sub-area justified? Is the supporting information in the SHLAA accurate and up to date?

59. As already discussed in the strategy section, I consider the general thrust of the Plan to concentrate development in the urban areas and in particular the Heart of Teignbridge, around Newton Abbot, is soundly based. The SA, including the two addenda, set out alternative options for development, including the possibility of more growth in the outlying villages and rural areas, but the proposed pattern of extensions to the main towns is the most sustainable option. I agree that the scale of growth in Newton Abbot is proportionate; it would consolidate its function whilst minimising additional infrastructure requirements elsewhere.
60. The SHLAA (CDD92) appears to have been thoroughly prepared and the information within it was updated at preferred options stage. The document dealt fully with all known constraints, including flood risk, biodiversity, topography and heritage. Crucially, despite some concerns about detail, at the hearings none of the promoters of the larger site gave any real cause for serious concern that the main housing allocations would not come forward during the timescale anticipated in the Plan. Indeed, work on detailed masterplanning appears to be well advanced on all the main allocations.

What infrastructure, including highways, social, community and green infrastructure is required? Are the proposals for individual sites sustainable, deliverable and viable? What are the constraints on individual allocations, e.g. flood risk? Are there any adverse environmental effects, including the effects on landscape, agricultural land, biodiversity, that cannot be mitigated satisfactorily? Do any such effects prevent development as a matter of policy? If so, do the benefits of development outweigh any adverse impacts?

61. I deal with the provision of infrastructure generally in section 13. Other questions concerning the deliverability of proposals and particular constraints

and the environmental impacts of the Plan proposals are considered below in the discussion about individual allocations.

Are the general phasing proposals identified in explanatory text for the major allocations justified? Should the Plan include more detail about the proposed delivery trajectory in the Heart of Teignbridge?

62. No particular problems about the timing of development are expected in the HoT, where there is only one requirement concerning the provision of approved road schemes at KS3, Abbroot. I agree with the Council that it would be unduly prescriptive for the Plan to contain more information than the expected housing trajectory, necessary to show a five year supply. If schemes come forward earlier than anticipated that would be an opportunity to be grasped, provided that necessary infrastructure provision is accelerated. In the delivery of strategic sites, more detailed phasing programmes linked to infrastructure delivery would be appropriate, undertaken as part of the masterplanning process.

Site specific issues

NA1: Is the allocation justified? What are the constraints? Should the allocation be expanded; relocation of employment uses; curlew bunting mitigation; sterilisation of minerals; inclusion of gypsy/traveller provision

63. The proposed allocation of NA1 at Houghton Barton covers a substantial area of rolling farmland to the north west of Newton Abbot, south-west of the A382 which links the town with the A38 and Bovey Tracey. The site owners say that development can start to be delivered early in the Plan period and the allocation is expected to make a major contribution to the housing completion trajectory for about 10 years.

64. The northern part of the site is occupied by Seale Hayne campus, now owned and run by the Dame Hannah Trust. The Plan allows for the Trust to develop its educational premises in accordance with its own corporate plan while protecting the setting of the listed buildings on the campus. No residential expansion would be forced upon the Trust but the wording of criterion a) and the supporting text in #7.13 may allow for some development as part of a Masterplan, if appropriate. I consider the Plan provides adequate direction for the site while retaining some flexibility to address future needs of the Trust.

65. Parts of the whole allocation lie within floodplains but the design guidelines make clear that substantial areas, including land unsuitable for new housing, should be retained as undeveloped green spaces. Development can be planned to avoid those areas subject to flood. Areas of green infrastructure are needed for a variety of reasons and specific uses. Some would help to provide mitigation for any potential impacts on bats, for example to provide improvements to foraging areas. I consider the precautionary approach is appropriate. However, more detailed work would be required following the production of a strategic bat mitigation plan, which the Council intends to produce after updating the survey evidence base.

66. Representors put forward an extension to the allocation to the west, to provide more scope for masterplanning and up to another 700 dwellings. There is no inherent landscape or ecological objection to this proposal. However, this part of the site is less sustainable, principally because of its distance from the town centre. Crucially, while it may be a possible site for expansion of Newton Abbot in the longer term, there is no need for more dwellings here within the life of the Plan to meet current needs. The proposed density for the allocation is not unduly high and the criteria of the policy give sufficient scope for effective masterplanning. The wording referring to the concept plan for the allocation states quite clearly that the diagrams in the LP are illustrative only and are very far from showing requirements for the final development.
67. An employment land allocation at Forches Cross was originally included in the preferred options version of the Plan but removed after representations that it may not be available. However, during the examination this position was reviewed by the owner and the Council suggested that it should be re-instated to the Plan. The land is not particularly attractive in landscape terms and from ecological surveys has no special wildlife value. It is well located alongside the A382, which has a bus service to Newton Abbot, which could be improved. The land does lie within an area known to hold reserves of ball clay, a nationally scarce resource of which some 90% is with the District. However as mineral planning authority DCC raised no objection to the employment allocation, with regard to long term sterilisation of a valuable ball clay resource. Unlike residential development, DCC considers that industrial or similar development could be reversed if at some date in the longer term future the clay were to be needed. Other parts of the main allocation do not lie directly above clay reserves, although there is a need at masterplanning stage to ensure that any uses adjoining the existing Ringslade Quarry would not prejudice its operations. I therefore recommend the employment allocation be re-instated [**MM1**].
68. The site promoters raised concerns about the requirement for gypsy and traveller provision within the site, through its impact on viability. However, the allocation is a good location for such provision, being relatively close to the strategic road network (A38) and services such as schools, healthcare and shops. The integration of the travelling community as part of a new neighbourhood complies with government guidance in Planning policy for traveller sites (PPTS), #11. The local travelling community supported this approach.

NA2: Is the allocation justified?

69. The allocation is located in a sustainable position at the edge of Newton Abbot. The land does not fall within a floodplain but any surface water drainage issues could be addressed by a Sustainable Urban Drainage Scheme (SUDS) to create improvements. Some bats may be present on the land but the Council gave evidence that any limited impact on bats could be mitigated. I consider the wording of various policy criteria regarding a minimum amount of employment space in the categories designated (B1, B2, B8) accords with the employment strategy. The criteria for masterplanning set out in the policy are reasonable and give sufficient flexibility for a deliverable development. The allocation is justified.

NA3

Coalescence of settlements; impact on listed buildings; additional land needed?

70. The landscape of the NA3 area has been categorised as high quality by DCC landscape section. The area has neither national nor local designation, such as an Area of Great Landscape Value (AGLV) in the previous SP. It is characterised by rolling Devon pastureland with an area of woodland, which would be retained, along with other green space. The upper north-western end is open farmland commonly found in this part of Devon, of no outstanding quality. The detailed criteria provide for a network of green infrastructure that could be designed to retain adequate buffers between the new development and both the southern side of Newton Abbot and Abbotskerswell. Having walked extensively over the site and viewed it from a number of locations suggested by representors, I have come to the conclusion that the quality of the landscape is a factor to be weighed in the overall planning balance but would not override any others, including housing need.
71. St Mary's church, a Grade 1 listed building, adjoins the northern boundary of the allocation. The church already abuts residential development to the east. The proposals map shows a green buffer between the church, which stands on higher ground, and the nearest housing. I see no reason why the setting of the church could not be protected through the detailed masterplanning process. Similarly, St Augustine's Priory stands to the south of the proposed buffer along the southern edge of the allocation, which is an essential element of green infrastructure as a strategic bat flyway. For the most part there is no intervisibility between the group of buildings and the proposed housing areas; the setting of the Priory and its grounds, which are screened from wider view to the north by a high perimeter wall, would be preserved.

The potential loss of biodiversity which may arise from the confinement of the Site of Special Scientific Interest and County Wildlife Site by surrounding urban development

72. A Greater Horseshoe bat flyway runs along the southern boundary of the site. The policy criteria require a buffer to be retained in the form of a green space along a ridge. The Council's expert witness indicated that such a buffer did not necessarily have to be 500m wide to be effective and that there would be adequate space for the flyway to be properly protected. While some mitigation measures may have been ineffective in the past, as the Council acknowledged, the policy requires a bespoke plan to be submitted and approved before planning permission can be granted. Considerable work has already been done and is continuing to ensure the long term protection of the bats, which would continue at detailed design stage. For example, careful attention would need to be given to the design of the road through the site, possibly including bat underpasses; however, there is no indication that this could not be achieved. NE have stated that the Plan proposals would provide for satisfactory protection of the bats and raise no objection to the allocation, a position to which I attach great weight.
73. Wolborough Fen SSSI lies within the allocation. The criteria of the policy require that development should protect and enhance this environmental

asset. Although concerns were raised about the impact of new hard surfaces within the area on the level of run off feeding into the fen, it is now standard practice for a SUDS to be designed in order to regulate all surface water within development sites such as this. I see no reason why such a scheme should not preserve the protected environment. The policy also requires a small green buffer around the Decoy woods, which split the allocation in two. Although the spine road would cross the wood, it could pass along the line of an existing track to minimise the loss of vegetation. There need be no unduly adverse effects on this asset.

Infrastructure provision

74. The proposed service road through the site will have some environmental impact, due to changes in levels across the site, but it need not be an unduly engineered solution. The highway authority has confirmed that it is not intended to be a major distributor road; a 6m width would suffice. It could be constructed at gradients commonly found in this part of Devon without prejudice to highway safety. Some masterplanning of the detailed alignment of the road and other infrastructure has indicated that the development as a whole would be viable. The topography could be used to reduce noise from the road and the development as a whole, which need be no more intrusive than any other urban extension, given the extensive amount of green buffers proposed around the allocation.

NA3 conclusions

75. In summary, after careful consideration of the many objections to its development, I have come to the same conclusion as the Council that the NA3 allocation would provide for a sustainable urban extension to Newton Abbot and is sound. There are no other sites large enough to meet the housing needs of Teignbridge in accordance with the strategy to concentrate development at HoT. NA3 has the major advantage of a highly sustainable location. While appreciating the concerns of nearby residents, the site is not part of any designated landscape area nor is it of such visual value as to prevent development. Other issues, such as the need to protect the strategic bat flyway, could be resolved, in this instance through detailed masterplanning; there is adequate space for a green corridor along the ridge. An adequate buffer would be retained between Abbotskerswell and new development to protect the setting of the village and prevent coalescence. I have no doubt that surface drainage outflow can be controlled by a SUDS, which will control the amount of water feeding into the SSSI, thus preserving this environmental asset. There is no objection from NE that protected species or habitats would be harmed.

NA3A

76. This small allocation is on land I understand was used as glasshouses, now demolished. It is a secluded site below existing dwellings in Beverley Way. As consequence, its development would have minimal environmental impact on the surrounding area. There is no detailed information that any protected species occupy the site or that there would be any unacceptable impact on wildlife. The site is screened from Bradley Manor, a listed building owned by the National Trust, which is a sufficient distance away for its setting to be

unaffected. The site adjoins, but is not part of, a floodplain. The evidence indicates that it could be developed for the small number of dwellings intended without any detriment to protected trees or building on any land subject to flooding.

NA4: viability of Centrax expansion; further expansion required?

77. Centrax is a successful company which manufactures generating equipment powered by gas turbines and other parts or complete assemblies for the gas turbine industry worldwide. It is an important employer, with 680 staff at the factory located at Newton Abbot. Policy NA4 provides for the support of the existing enterprise and its expansion if required. Quite clearly, it is entirely appropriate to support the skilled engineering business and the Plan allocates an additional employment area adjoining the current premises and the Milber Trading Estate. A specific proposal for a new factory has planning permission but the Council and the highway authority have indicated that the onerous requirement for a new road could be re-considered, in line with the additional flexibility provided by the proposed policy. Milber estate provides useful local employment but potentially more productive use of the site could be achieved through redevelopment of the rather outdated buildings, which the policy allows.
78. There is no qualitative or quantitative need for retail development at this out of centre location, which would quite clearly conflict with government policy in the NPPF (#23-24) In the absence of detailed financial information there is no guarantee that allocating part of the site for new housing would help secure the redevelopment of the Centrax premises and the company's long term future. I note that an earlier proposal for residential development on land to the south of the NA4 allocation was withdrawn due to concerns about its impact on the adjoining ancient monument. I consider the policy provides a sufficiently flexible context for the site in the current circumstances. The Council would be able to consider any new application for redevelopment, which may involve reconfiguring activities within the site and, if proven to be necessary, enabling residential development, on its own merits.

NA6 Bradley Barton

79. The allocation site for 70 dwellings is opposite a primary school and within easy walking distance of a number of amenities, including a community hall and bus routes. Although Ogwell Mill Road is busy for short periods at school start and finish times, the number of traffic movements from 70 houses is relatively small and there has been no objection for the highway authority on safety grounds.
80. However, a significantly extended site would have different impacts. It would not be sequentially preferable to allocated site NA3, nor would it provide enough dwellings as a substitute, in combination with other sites, to meet the identified need for housing. Cirl bunting territories about the proposed extension, which is only partly available. In contrast to the allocation the additional land is prominent from a number of public viewpoints. Access for a significant amount of extra traffic would be problematic, given the limitations of Chercombe Bridge Road. A higher number of vehicle movements in Ogwell Mill Road may have an unacceptable effect on highway safety.

NA9: should the scale of town centre retail expansion be reduced to 5,000 sq m?

81. The allocation is part of the town centre and retail expansion here in a sequentially preferable location would accord fully with the town centre first policy in the NPPF. The retail needs survey indicates that a small amount of new shopping would reinforce the position of the town centre in the retail hierarchy and cater for the significant amount of new housing proposed for the town during the period from 2016 to 2021. The amount of new floorspace is consistent with the retail needs study, which I have recommended should be reviewed. The Council is a major landowner in the allocated area and will be able to ensure effective delivery of the policy proposals, which include 120 homes. Although much of the site lies within an area liable to flood, the policy requires flood risk management to ensure that the town centre will be protected from flooding after redevelopment.

KS2: Landscape quality, viability of park and ride.

82. The Plan allocated this large field of 12ha on the north-east side of the junction of the A380 and A381 for mixed employment development, a mini freight depot and as a park and ride/park and change site. Although crossed by a power line, the allocation site was part of the AGLV and the Coastal Protection Area, (now renamed as Undeveloped Coast) designated in the former Structure Plan. Together with site KS7, the land to the east of the A380 forms part of the gateway to the Teign estuary which starts in visual terms along the A380, and which forms a clear natural edge to Kingsteignton. The land retains its attractive character and forms an integral part of the undeveloped coast and the loss of its open character to large scale development would be very unfortunate, if it could be avoided. I agree with objectors that landscape buffers would not mitigate the highly intrusive and detrimental impact on the landscape of large new commercial buildings and the infrastructure associated with a freight depot and large car parks.

83. There is some dispute about the agricultural quality of the land due to differing data from historic surveys. While some of the land may be grade 2, this in itself would not necessarily outweigh the benefits of employment development. However, it is a factor to be taken into account in the planning balance.

84. There is some evidence of grey long eared bats using land immediately north of the allocation as a roost. The bats may move across the site, and some foraging is possible, but unlikely when the field is in arable production. A buffer zone around the allocation could provide sufficient mitigation or even an improvement of the habitat for any bats nearby.

85. The employment likely to be generated by the allocation would be valuable but would stand alone as a new site without any links with other employment areas. The proposed main modification to re-instate the site at Forches Cross has more logic in this regard. There appears to be limited justification that the 'mini freight depot' would be viable, from the Council's own evidence (CDD130). In my view, the park and ride or change proposals also lacked sound justification. As the Council acknowledged, further work on viability would be required before any scheme could proceed. DCC recognise that a

traditional park and ride service with a dedicated bus service is unlikely to be viable; a park and change option using existing bus services would be a more likely option. However, it seems unlikely to me that visitors to Newton Abbot by car from Teignmouth and Dawlish would beak their journey rather than use existing public transport services, including the train. Diversion of drivers on the A380 from both north and south also appears unlikely. Newton Abbot town centre is reasonably well provided with parking and does not suffer undue congestion. The loss of this element of the proposals would not fundamentally affect the sustainability of the Plan; it is possible options on other routes capable of diverting more trips than the 80 or so estimated for this proposal would be more effective, subject to detailed analysis.

86. On balance, given that employment needs can be met elsewhere, I consider the loss of an important part of an area of attractive landscape cannot be justified. The policy is not sound and a main modification recommends its deletion and the re-designation as part of the Undeveloped Coast notation [**MM9**].

KS6

87. The Plan proposals allow for residential development of most of the domed site except for a green area on the top. I agree with the Council that the retention of a green space is justified, to protect the visual amenity of the Teign estuary. Planning permission has already been granted for part of the site but the detailed implementation of the open space proposals and the other residential land is a matter for development control and negotiations between land owners. The Plan allocation is justified and sound.

KS7

88. Together with site KS2, the land at KS7 forms an green gateway at the focal entry point to the Teign estuary. As for site KS2, similar arguments about the loss of an attractive landscape area at such an important visual location apply. Furthermore, the Plan is vague about what a 'small scale leisure use' might involve. the site is an attractive area. There has been no justification or clear indication of what is proposed, nor any viability assessment. This element of the Plan is not justified, there is no indication that the proposal could be effectively achieved and is therefore unsound. A main modification [**MM10**] recommends its deletion.

KK1: Are the detailed criteria for the site appropriate?

89. In broad terms the criteria contained in the policy for the development of this mixed used site cover relevant planning matters. The Council has suggested some minor changes which redefine the type of employment use to be allowed on part of the allocation, provided that it is appropriate to the site and its wider context; this allows adequate flexibility. Development would not be permitted on a small part of the site within a narrow floodplain. The site boundaries appear to be logical and the potential site access arrangements mentioned in # 9.10 of the Plan would be satisfactory. Any other detailed implementation matters could be resolved at planning application stage.

KK2: should the site be extended?

90. The site was reduced in size after the Preferred Options stage of the Plan process, because of concerns about access, deliverability and the residential amenity of houses adjoining the land to the west. I understand that three houses in addition to the allocated site have been granted planning permission. However, the development of a larger site as an extension to KK2 could well have rather different implications, particularly for the outlook and living conditions of residents adjoining the land. Bearing in mind that sufficient numbers of dwellings have been allocated in the HoT to meet the identified housing requirements, there is no need to make a further allocation here. Any potential extension to the site could be considered as a planning application on its own merits.

KK4: should part of the site be allocated for residential and recreation?

91. KK4 is a policy which provides for extensive green infrastructure in the form of a country park along the Aller valley, including a cycle route. This is a long term aspiration, intended to be funded through Community Infrastructure Levy (CIL) receipts. Some pump priming residential development from parts of sites forming the overall green infrastructure is not essential therefore. As the Council say, all of the omission sites within or adjoining KK4 land at Kingskerswell, discussed in the Omissions Sites document TDC2, have significant shortcomings. Major problems include location within zone 3B floodplain, the Greater Horseshoe bat strategic flyway which covers most of the land, adjacent cirl bunting territories and access difficulties. The quality of the residential environment which is likely to be created by the South Devon Relief Road, currently under construction, is also questionable. The allocation as green infrastructure is sound.

HoT Conclusions

92. After much careful thought, I have found the Council's proposed housing strategy for the HoT area sound. In summary, the amount of development proposed at NA1 is appropriate. Any extension to the west would take development farther from the centre of Newton Abbot. There are no overriding objections to NA3 on grounds of landscape quality and mitigation of environmental impacts, including those on the SSSI, noting that NE has no objection to the Plan proposals. The allocation would bring about very substantial benefits of new housing growth, including affordable housing, in the most sustainable location, closer to the centre of Newton Abbot than other options.

Should any/all of the omission sites be preferred?

93. The key point to be made about potential omission sites in general concerns overall need. I have agreed with the Council that the broad strategy for the amount of housing and employment growth in the District, and the concentration in the HoT, is sound. The main allocations in the HoT are justified and deliverable, so there is no overriding need for additional

allocations to meet the housing target in particular. While there is not necessarily any policy objection to providing more housing land, for example, if environmental and infrastructure constraints could be overcome, none of the omission sites, individually or cumulatively, would be an adequate replacement for the main allocated sites at NA1, NA2 or NA3. None perform as well in the SA as the allocated sites.

Iford Park

94. This site is part of a large area to the north west of site NA1 which has been partly developed for employment, and a further planning permission has been granted. The whole area, including Trago Mills retail park, has been developed in a rather incoherent manner. A 300 home caravan park also has permission, but this area has been put forward for residential development as a 'park homes' style scheme.
95. A major constraint to development is the underlying ball clay resource. A mineral operator has sold the freehold of the surface of the site, and says that the clay is unlikely to be worked in the foreseeable future. However, the mineral planning authority, DCC, opposes residential development in order to safeguard the resource for the longer term, following a potential change of ownership. In these circumstances I consider a residential allocation would not be justified.

Berry Knowles

96. Berry Knowles is a former ball clay quarry. Part has planning permission for the relocation of Newton Abbot Rugby Club, required as an element of a package involving employment redevelopment of the club's existing site, which I understand in turn was a requirement of a residential permission. Although another location may be found for the rugby club, it has not shown any indication of relocating in the short term and delivery of housing is uncertain. The site lies on the opposite side of the A382 from the NA2 allocation and the town centre, but the design of any new access could incorporate pedestrian and cycle facilities to improve accessibility. Part of the site lies within flood zone 3, including some in zone 3b, affecting capacity, even with a SUDS. Another uncertainty concerns the possible use of the site by bats as foraging. Taking all these points into account, residential capacity may be limited to no more than 150 dwellings. If the rugby club were to find another location, the site could have potential for the longer term, but it does not appear to be genuinely available now. It is not preferable to other allocations and is not needed now.

East Golds

97. East Golds is a ball clay quarry, being used for waste fill, with an expected life of 10 to 20 years. The owners have indicated that the programme of working could be accelerated and that the site could be available for mixed use development, mainly residential (possibly with some employment) in about 10 years. Some potential flooding problems may be resolved through use of a SUDS. The main problem is that the site will not be available to meet known needs now so it is best left for a much later review of the Plan.

Higher Sandygate

98. This area of farmland will form a new parcel when the B3193 is re-aligned to facilitate recovery of ball clay. However, a substantial part of the objection site forms part of the floodplain of the Ugbrooke and the developable area is limited. The site lies at the northern edge of Kingsteignton but there are some shopping and community facilities nearby. However, the developable land lies very close to a strategic flyway for Greater Horseshoe bats and the fields and hedgerows on the site are probably an important sustenance zone. The Council's expert witness confirmed that this area was one of the most sensitive areas where development could harm the bats. In these circumstances housing allocation could not be justified.

Land at Conitor

99. The identified omissions site in document TDC2 contains Conitor Cave, a Greater Horseshoe bat hibernation roost. This forms part of the South Hams SAC strategic flyway and there are recordings of bat activity in summer and 'autumn swarming'. Many of the hedges around the site, adjoining or within the part of the site being promoted for residential use. There is no doubt that development in this area on any significant scale would be likely to have a harmful effect on the integrity of the SAC and adequate mitigation would be very difficult. While the Council accept some limited development may be possible, there is no need for an allocation of any scale.

Matter 9: Bovey Tracey

What is the best strategy for housing provision in Bovey Tracey?

100. In between submission of the Plan and the examination hearings the SoS allowed an appeal for mixed use development including 205 dwellings at Bradley Bends (ref 2188938). The increase in dwelling numbers at Bovey Tracey from 470 to 675 would remain within the broad parameter of about 5% required by Policy S4, if the Plan allocations remained in place. The extra dwellings could help to retain the viability and vitality of town commercial enterprises and community facilities. There are no service constraints to this level of expansion, for example with regard to highways and the water treatment works, and the settlement is close to one of the largest employment areas in the district. The Council put forward a modification to reflect the Bradley Bends decision, which I recommend [**MM6**].

Site **BT1**: Is the allocation justified, having regard to landscape impacts, highway safety, adequacy of drainage, the need to mitigate any effects on protected species and the effects on heritage assets?

101. Site BT1 is reasonably well contained visually and the development would have no significant adverse affect on the landscape. The highway authority has raised no concerns about vehicular access, which can be provided with adequate access via Priory Street, Bonds Meadow and/or Moretonhampstead Road. A very small part of the northern end of the site lies within flood zone 3, which would remain undeveloped; the proposed density allows for this. There are no concerns about flood risk or drainage from either DCC or the EA.

102. The majority of the site is a sufficient distance from a strategic Greater Horseshoe bat flyway to the south to avoid any harmful effects on the bats. A reduced density of development allows for an adequate buffer to mitigate any impacts and in common with a number of other sites the policy requires a bespoke bat mitigation plan to be in place before development occurs. In response to criticism that the report did not include sufficient dynamic population data to make fully informed decisions about potential impacts, the Council acknowledged that it would be undertaking further work but decisions had been taken in the light of the best available information about numbers of bats over recent years. There is no objection from Natural England (NE) to the allocation.

Site **BT2**; Should the site be re-instated in preference to BT2A? Are there any better alternative sites? Should BT2A be extended?

103. The allocation at Indio House is a visually contained addition to the built form of the town. The proposed extension to the allocation is not needed to meet any shortfall of dwellings in the settlement according to the strategic LP requirement. The expansion of the site is likely to have an adverse effect on the setting of the listed building within the enlarged site and also a number of protected trees. Furthermore, it would bring housing much closer to a strategic bat flyway but no detailed mitigation plan has been put forward to show how harmful effects could be avoided. The allocation as set out in the Plan is justified and can be delivered.

Site **BT2B**; is the site deliverable if the owners of part (Dartmoor NPA) oppose development? Impact on bats not assessed properly.

104. Part of this small site is owned by Dartmoor National Park Authority, which has indicated that it does not wish to pursue redevelopment. The remainder is too small to be considered a strategic site capable of making any significant contribution to housing provision in Bovey Tracey. Any proposals to redevelop these commercial premises could be treated on their own merits in the usual way. I therefore recommend that the site be deleted as a residential allocation [**MM7**]

Site **BT3**; Should more housing be proposed? Is the allocation justified?

105. The allocation comprises 19 ha, of which about 1.2 ha is known to flood (risk 3B). The development requirements allow for substantial areas to remain undeveloped to avoid the flood zone and provide large areas for mitigation of impacts on the bats known to use the site as a sustenance zone. Proposals for offsetting mitigation would secure a long term improvement in the future habitat for bats in good position very near site. The policy criteria provide a sound framework to achieve this. The proposed density of development is appropriate and the allocation is justified.

Matter 10: SW Exeter

Is the overall amount of development in the sub-area justified?

106. The proposed urban extension of the south west side of Exeter has been in gestation for a considerable period, dating back to the former draft regional plan, SoS proposed changes, and previous local plans in the sub region. The amount of residential development in the planned expansion reflects the 2012 update of the SHMA, which takes into account needs of Exeter City. The allocations have the support of the City Council and DCC. The amount of employment development at SWE2 is broadly consistent with the strategy in Policy S3, which includes provision for '5%+' of development at SW Exeter, to accord with the emphasis on the HoT. The Plan is consistent with the recently approved Exeter Core Strategy (CS), and the City Council has confirmed that there are no outstanding issues regarding the Duty to Co-operate statement.

What infrastructure is required? Are the proposals deliverable and viable?

107. The policies for SWE1 and SWE3 set out the full range of infrastructure needs required for the successful implementation of the proposals. The Infrastructure Delivery Plan (IDP) provides further details. The requirements have been discussed with all relevant service providers, including DCC. All these infrastructure requirements have been assessed in a broad viability appraisal as part of the SW Exeter Masterplan (CDD5) and the Strategic Sites Addendum (CDD132) to the CIL viability evidence. There is strong and continuing developer interest and I have no doubt that the proposals are deliverable.

108. A substantial area of green infrastructure is required to mitigate against any impacts from new residents on protected European sites and an SSSI along the Exe estuary and at Dawlish Warren. I deal with this in discussion of allocation SWE3 below.

Site specific issues

SWE1: landscape breaks.

109. There is a substantial strategic break between proposed development and the M5 which forms the ridge top park and also extends beyond the M5 to the south west of Exminster. This safeguards the setting of Exeter but it would not be appropriate for the development to be separated from the city area, as the urban extension is conceived as a single entity covering both administrative areas, intended to be integrated with Exeter itself. Substantial areas of land are needed to meet the requirements of NE for the reduction of pressure on the Exe estuary protected sites through the provisions of SANGS.

110. The Plan makes quite clear that the illustrative masterplan in the document is indicative only, and that further work would be required.

Are the indicative phasing proposals in paragraphs 10.23-10.26 justified? Should the Plan include more detail about the proposed delivery trajectory in SW Exeter?

111. The phasing provisions of the Plan are unnecessarily prescriptive for such a large site. In response to objections, the Council put forward an amendment to provide more flexibility, which I recommend as **MM11**. This requires a phasing plan to be submitted and approved but does not specify the number or timing of specific events. It would allow an earlier start to development as proposed by some developers.

Are there any adverse environmental effects that cannot be mitigated satisfactorily? Do any such effects prevent development as a matter of policy? If so, do the benefits of development outweigh any adverse impacts?

112. The requirements of the policy criteria for community and transport infrastructure are necessary. The park and ride is needed to replace an existing facility at Matford, already at capacity. The highway authority has confirmed that its proposed location on the south side of the A379 is satisfactory.

113. The need for 300 secondary school places to meet the needs of the allocation was identified in the DCC Infrastructure Planning Evidence Base Report (CDD99). The criteria of the policy set out a requirement for land for a new secondary school to meet future needs in west Exeter, due to constraints in the city area. The needs for gypsy and traveller provision have been justified by the GTA Needs Assessment (CDD95). Allocations at SWE1 and NA1 are the best placed for access to a range of facilities, and the location has been agreed as appropriate by representatives of the groups.

114. The allocation does not include the site of the Heavitree brewery. The Council stated that it would have no objection to inclusion within any development Masterplan. There is no need to amend the allocation to achieve some development of the site if a proposal comes forward.

SWE2: highway safety, extension

115. SWE2 now has planning permission for up to 17,885 sq m of employment uses, to be served by a new vehicular access, including a new roundabout on the A379.

116. I have considered the expansion of employment at SWE2, which was advertised as a main modification. As the Council states in the SA/SEA Addendum, to some extent the weighting of benefits and harmful effects of development has an element of subjectivity. I recommended this because of the undoubted benefit to the local economy that the development of a business area which would create a number of new jobs would bring. Such provision would accord with a key policy of the NPPF to support sustainable new business development (#17-22). The promoters of the site have indicated that its development is viable and deliverable. It lies in a relatively sustainable location close to a major new housing area, with potentially good accessibility from a large catchment by public transport and cycle.

117. However, I acknowledge that a significant employment allocation here would dilute a major element of the overall strategy of the LP to focus new development at Newton Abbot. I also acknowledge Exeter City Council's concerns that a major new allocation here would have significant implications for the employment strategy within the sub-region as a whole, and possibly the deliverability of other employment sites, which have not been fully explored.
118. Like virtually all of the District north of Newton Abbot, the site is notated of Great Landscape Value, but has no greater visual quality as open countryside than the residential areas proposed in SWE1. The impact of new buildings alongside two major roads could be reduced considerably by substantial planting buffers around the whole site, as required by the modified policy. I do not consider the landscape quality of the site, already strongly influenced by adjoining commercial premises and major roads, to be an overriding constraint to its development.
119. The highway authority has commented that the development should be restricted to some B1, B2 and B8 uses, because of traffic constraints on the A379. The promoters of a sizeable part of the residential development at SWE1 argue that an expansion of employment would have a 'catastrophic' effect on traffic flows along the road. Having considered all the representations about the proposed modification, I consider that more analysis on the highway impacts of more specific proposals, combined with a review of employment provision within and around Exeter is required. I have therefore not included an extension to SWE2 as a main modification to the Plan, despite the considerable weight of future employment benefits. However, given the potential of a relatively sustainable site to meet future employment needs in accordance with policy in the NPPF, the site should be considered in a review of the Plan.

SWE3: Is the size of the park justified?

120. The substantial area of green space proposed is intended to act as an interceptor for Exeter residents and those living in urban extension from visiting the Exe estuary to reduce pressure there. The land is required by NE in accordance with guidelines originating from a mitigation strategy for the Thames Basin and Heaths SSSIs of 8ha per 1,000 new residents. On this basis some 36 ha of SANGS would be required. The principle of this approach has been accepted by the SoS in his decision to allow development at Shutterton Park, Dawlish.
121. The proposal in SWE3 is for a larger park of about 70 ha. The additional land would enable the integration of varied topography and a range of landscape features, to provide a choice of attractive walking routes, in accordance with NE's requirements. It will incorporate a Scheduled Monument and provide adequate space for necessary car parking, which could be incorporated within the park and ride proposal, if considered appropriate at detailed design stage. I consider the larger park is justified, to provide much more effective mitigation of impacts on protected sites from the development proposed in the Plan and to meet possible future needs.

Omission sites

Should any/all of the omission sites, be preferred?

Atwells Farm

122. The wider issue of housing need has already been considered in the discussion of matter 5 above. I concluded that the identified requirement for 12,400 homes over the Plan period was justified and the distribution of those homes, with a concentration in HoT, was also justified. The SHMA takes into account the needs of other adjoining authorities, including Exeter City Council, who have stated that land to the north west of Exeter, including Atwells Farm, is not needed to meet the City's needs. The duty to Cooperate Statement confirms this position.
123. The site forms part of an area of attractive rolling farmland, rightly designated as an Area of Great Landscape Value (AGLV), carried over from the Devon Structure Plan. Exeter CC supports the Council's view that development on the edge of Exeter at this point will have an unacceptably harmful impact on the attractive rural landscape, which contains some steep changes of level. I agree that there would be an adverse impact on the setting of Exeter at this location. The City Council also raise real concerns about accessibility and the capacity of Exwick Road within Exeter, which is constrained by a pinch point. I consider the site is not sequentially preferable to SWE1, and there is no need to allocate it for residential development in preference or addition to the allocated land.

Hillcrest Road

124. The proposed site lies adjacent to the village of Exminster, which has already seen considerable expansion in recent years and further sites are likely to come forward following appeal decisions in the last year or so. I treat seriously the Parish Council's concerns that the cumulative impact of additional housing on the strained village facilities will be severe. I note that the capacity of Exminster primary school is limited, because of recent approvals. The site itself is prominently located above the village within a strategic open break and the visual impact of more development on the setting of the village would be adverse. Also, curl bunting territories are likely to be affected and there is some doubt that on site mitigation would be effective. The land is not required to meet housing targets for this part of the District or wider needs, including those of Exeter. Allocation is not justified therefore.

Matter 11: Chudleigh

Site **CH1**: Is the allocation justified?

125. Chudleigh is the only settlement with infrastructure constraints on the amount of new development, due to the limited capacity of the waste water treatment works and the limited potential for the primary school to expand. The required investment in both these facilities would not be feasible without an amount of development which would be greater than the need shown in the SHMA and the policy aspirations to allow proportionate development in the

main settlements. I consider the Council's approach to disperse market and affordable housing and employment development around a number of sites in the village is sensible and justified. It reflects community aspirations in the Chudleigh Community Masterplan and should ensure a pattern of sustainable development, with most new homes and jobs within easy walking distance of the centre.

126. Site CH1 avoids all main constraints and while more housing might be capable of accommodating more homes, the balanced distribution between this site, the largest anyway, and others is appropriate. No evidence was produced during the examination hearings to show that the proposed amount of employment development would not be viable. The provision of more employment at Chudleigh to achieve a better balance between jobs and homes and potentially reduce out-commuting is a key objective of Policy S20, which reflects the Community Masterplan. The site is large enough to easily accommodate the elements set out in the criteria to the policy, including sufficient space for local allotments and mitigation measures to ensure the protection and enhancement of bat habitats. I consider the policy is justified.

Site **CH2**; Is the proposed density appropriate? Can any effects on bats be mitigated satisfactorily?

127. While supporting the allocation in principle, the promoters of the site argued that the size of the site should be increased, to ensure consistency with the Community Masterplan and provide greater flexibility in masterplanning the delivery of the allocation. The proposed density of development on the site allocated in the Plan would be relatively high for Chudleigh, at about 44 dph. The Council did not object to a proposal to increase the site size while retaining the maximum number of new homes at 150. The extra land would give more scope to protect the greater horseshoe bats that are known to fly across and forage on parts of the site, particularly along Kate Brook at the western boundary (see #129 below). Criterion g) of the policy requires a bespoke mitigation plan to achieve this. I recommend the extension of the site as **MM8**.

CH1, CH2, CH3, CH4, CH5, CH6: the cumulative impact of the above proposal on the sustainability of the greater horseshoe bat population emanating from the caves at the nearby South Hams Special Area of Conservation (SAC)

128. Chudleigh Caves and Woods SSSI is a main roost site for an internationally important population of greater horseshoe bats. It is one of five interconnected SSSIs that form the South Hams SAC, to which European Habitats Directive applies. Throughout the Plan each policy pertaining to a site where there is known bat activity includes criteria requiring protection of flyways and/or a bespoke bat mitigation plan. The latter criteria were included in the Plan following preparation of the HRA, which has been agreed by NE, whose original objections to policies S20, CH1, CVH2 and CH3 have been withdrawn. In addition, Policy CH9 sets out green infrastructure proposals specifically for Chudleigh, among other things to protect and create bat habitats.
129. The allocations in Chudleigh have been informed by a further report (CDD24) from specialist consultants, who advised that potential impacts can be

mitigated through on site measures and careful design and management of the supporting green infrastructure required by Policy CH9. In response to criticism that the report did not include sufficient dynamic population data to make fully informed decisions about potential impacts, the Council acknowledged that it would be undertaking further work but decisions had been taken in the light of the best available information about numbers of bats over recent years. The legally enforceable policy framework for each site required no net loss of habitat and in some cases, net gain, which can be assessed after more detailed work. I give significant weight to the advice of NE that the Plan will have no adverse effects on the South Hams SAC and conclude that the allocations at Chudleigh are justified and sound.

Matter 12: Villages & rural areas

Have the settlement boundaries been identified correctly?

130. Policy S21 identifies a number of larger villages with key facilities where some small scale development within their limits may be allowed to meet their social and economic needs. No specific allocations are made within villages and any development which comes forward would effectively be in housing completions terms treated as windfalls, thus adding flexibility to the housing supply position. The Neighbourhood Plan (NP) process is intended to be the mechanism through which such proposals would be identified and implemented, in accordance with Policy S23. Policy WE5 allows for rural exceptions, to provide affordable housing adjoining settlements.
131. All settlement boundaries for the large towns have been updated to take into account updated officer surveys, allocations in the Plan, development that has already occurred and other commitments, including appeal decisions. The settlement limits for defined villages follow those of the previous LP. While these village boundaries remain tightly drawn, this approach is consistent with the strategy of the Plan to concentrate development in the main towns and larger villages, in accordance with the sustainability objective of the NPPF and the evidence in the SA. The policy context is justified, accords with the NPPF and is sound.

Are there any omission sites in villages and the rural areas that would provide demonstrably more suitable, sustainable locations for development?

132. A number of omissions sites in the villages and rural areas were put forward at the examination. These are addressed in the Council's hearing statement FS61, with which I agree. In broad terms, none meet the sustainability criteria of the SA more effectively than the sites allocated in the Plan and are not more suitable locations for development. Abbotskerswell is a village which has already indicated an intention to prepare a NP, which can consider the settlement limits and potential sites for expansion. Some proposed sites, such as an area of 3.6 ha to the south west of the village, are likely to be large enough to be considered strategic; in such cases, the allocation in the NP would not meet the requirements for conformity with the LP itself. Other smaller sites within or abutting the current settlement limit, would be considered on their merits but do not justify allocation in the LP. Other smaller sites such as those at Ipplepen and Cockwood, could also be

considered through the development management policies or the NP process, which provides a sound framework to deliver sustainable development in the rural areas of the District.

Matter 13: Infrastructure/Monitoring/Summary

Infrastructure

Has the LP adequately addressed the District's infrastructure needs? Does the Infrastructure Delivery Plan (IDP) include all essential elements of infrastructure?

133. The IDP sets out both strategic and specific requirements for infrastructure, with a concentration on the needs of the strategic development sites, especially the urban extensions in the Heart of Teignbridge. It covers a comprehensive range of items which include new schools, essential green infrastructure, new roads and leisure facilities. The IDP has been prepared in full consultation with all relevant providers and stakeholders, as set out fully in the Council's hearing statement FS62. The elements of infrastructure have been grouped in three priorities: critical, important and desirable, with an estimated total requirement of about £250m.
134. It is recognised that several important elements of infrastructure will be provided by the private sector in developing major allocation sites, through the provision of new roads, for example. The IDP does not include specific measures to include improvements to the narrow section of the A379 at Star Cross. However, a traffic management scheme is under consideration and the Marsh Barton station, which will improve movement in the Exeter-Dawlish corridor, has funding. Similarly, the A382 corridor scheme of improvements, including Jetty Marsh 2, has been approved and some funding secured; a bid to the Local Enterprise Partnership (LEP) has been made.

How these will be funded and delivered, in a co-ordinated manner? Is the identified funding gap too great to suggest a realistic prospect of delivery of all necessary infrastructure?

135. The Council has also set out how it expects all items to be funded, principally through site specific section 106 obligations or the CIL, together with the New Homes Bonus. Other sources of funding, such as the Exeter area Regional Growth Fund may be available, as in the past. The funding gap of about £19m for all critical and important infrastructure over the 20 year plan period is not a large percentage of the total.
136. The Council has stated that some critical elements of infrastructure, in particular the SANGS needed to mitigate against development impacts on protected European wildlife sites, will be given priority funding from CIL receipts. The mechanism through which the sites will be delivered is a more detailed matter for other plans or statements. While the developers of major allocations indicated some concerns about the provision of infrastructure and affordable housing requirements, they agreed that these did not go to the heart of delivery. Taking all these points and other submitted evidence into account, I agree with the Council and DCC that there is a reasonable prospect (as required by the NPPF) that all necessary funding will be secured, bearing in

mind recent success in using external sources. From the evidence to the examination I do not doubt that the majority of development set out in the Plan can be delivered with appropriate and necessary infrastructure in a viable manner. In fact planning for delivery of major projects has already started in some instances.

Is the overall strategy reasonably flexible and does the LP indicate adequate mechanisms for monitoring its effectiveness?

137. The discussion of all the issues throughout this report indicates that the Plan is reasonably robust and has sufficient flexibility to deliver the outcomes intended, particularly with regard to housing and employment growth, together with continued environmental protection. The Plan provides for a number of allocated growth areas in different locations, spreading the risk of failure to delivery. Although monitoring is not now part of the NPPF test of soundness, the Council has a range of measures as set out in FS62, to monitor the performance of the Plan, with regard to statutory requirements such as SEA monitoring, monitoring of biodiversity indicators and an Annual Monitoring Report aligned with the LP targets.

Assessment of Legal Compliance

138. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The LP is identified within the approved LDS, April 2013, which sets out an expected adoption date of March 2014. The LP's content and timing are broadly compliant with the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in February 2011 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate. See # 7
Appropriate Assessment (AA)	The Habitats Regulations Report (June 2013) includes AA where necessary
National Policy	The LP complies with national policy except where indicated and modifications are recommended.
Public Sector Equality Duty (PSED)	The Local Plan complies with the Duty and is adequate
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

139. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

140. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Teignbridge Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Geoff Salter

Inspector

This report is accompanied by the Appendix containing the Main Modifications

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM1	74	NA1	<p><i>Modify Policy NA1 Houghton Barton as follows:</i></p> <p>"A site of approximately 150 160 hectares is allocated...</p> <p>b) deliver 10 18 hectares of land for employment..."</p> <p><i>Add a new supporting paragraph as follows:</i></p> <p><u>'The allocation of land for employment uses at Forches Cross does not preclude the extraction of minerals in this location in the longer term, where employment buildings can feasibly be removed at the end of their operational life.'</u></p> <p><i>Modify the Policies Map as shown on Plan MM1.</i></p>
MM2	27	2.41	<p><i>Modify paragraph 2.41 through the addition of:</i></p> <p><u>'Bearing in mind the date of the data contained in the Retail and Leisure Study and changing patterns of retailing experienced in recent years, the Council will carry out a full review of retail development needs within three years of the adoption of the plan.'</u></p>
MM3	59	EN3	<p><i>Modify Policy EN3 Carbon Reduction Plans as follows:</i></p> <p>'is to be <u>could be</u> achieved, <u>and the implications for development viability,'</u></p>
MM4	116	DA1 and DA2	<p><i>Delete Policy DA1 South of Shutterton Lane.</i></p> <p><i>Modify Policy DA2 North West of Secmaton Lane as follows:</i></p> <p>"A site of approximately 35 <u>43</u> hectares is allocated north-west of Secmaton Lane..."</p> <p><u>"g) deliver at least 3 hectares of land for employment development, for office, general industrial or storage and distribution uses as appropriate to the site and its wider context, ensuring that there is also a mix of unit size to enable businesses to start up and expand;</u></p>

		<p><u>support will also be given to employment generating uses provided that they are compatible with the immediate surroundings and do not conflict with town centre uses”</u></p> <p><i>Modify the supporting paragraphs 11.5, 11.6, and 11.8 as follows:</i></p> <p>‘11.5 The Local Plan provides for concentrated growth to the north and north-west of Dawlish, adjoining Shutterton Lane and Secmaton Lane which is covered by Policy ies DA1 and DA2. This is proposed as two component parts of will form part of a single contiguous <u>strategic site allocation traversing the A379 urban extension with recently approved mixed use residential development to the east of the A379, with a strategic ‘blue and green’ route and open space linking from Langdon Road at the back of the town to Dawlish Warren. The option will provide for a better connected place through enhanced opportunities for walking and cycling. It avoids undeveloped coast and cliff tops and the coalescence of small communities within Dawlish parish. Deliverability of this growth option is assisted through the recently completed highway infrastructure in connection with the Sainsbury’s supermarket.</u></p> <p>11.6 As <u>a</u> strategic sites with the need to deliver key infrastructure, a mix of uses, a number of land ownerships, and many issues to be balanced it is essential that DA1 and DA2 <u>are</u> is planned as a whole. It is acknowledged that developments will be brought forward in smaller parcels. However, it is essential that key infrastructure for roads, wildlife and community facilities are properly planned for and safeguarded. The masterplan will include consideration of urban design appropriate for the Dawlish area. Developments in prominent locations adjacent to the A379 Exeter Road will need to be designed to a high quality and act as landmark buildings with appropriate landscaping to frame, not hide, the structures.</p> <p>11.8 Serviced employment land in accessible locations will be an important part of improving the job offer and wages at Dawlish. The proposed provision of <u>requirement to deliver at least 3 hectares of land for B-space business use within site allocation DA2</u> will help redress the balance of the number of jobs available</p>
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			<p>compared to the number of working age people in the area.'</p> <p><i>Modify the Policies Map as shown on Plan MM4.</i></p>
MM5	118	DA5	<p><i>Modify Policy DA5 Land at Littleleigh, Holcombe as follows:</i></p> <p>'A site of approximately 0.8 <u>1.4</u> hectares is allocated at Littleleigh, Holcombe for at least 20 <u>up to 35</u> homes, with a target of 25% affordable homes'</p> <p><i>Modify supporting paragraph 11.13 as follows:</i></p> <p>'11.13 The Dawlish Parish Neighbourhood Plan has identified a site for new housing adjoining Holcombe village, which now has planning permission. An <u>extended site</u> This is fronted on three sides by development and has limited visibility from the open countryside. Holcombe is situated on the A379 road and public transport route, in close proximity to Teignmouth and Dawlish which offer a range of shops, services, schools and local employment opportunities.'</p> <p><i>Modify the Policies Map as shown on Plan MM5.</i></p>
MM6	128	BT2	<p><i>Add Policy BT2 Bradley Bends as follows:</i></p> <p><u>"BT2 Bradley Bends</u></p> <p><u>A site of approximately 10 hectares is allocated for mixed use development at Bradley Bends including:</u></p> <p><u>a) a comprehensive landscape and design led masterplan for the strategic site allocation, produced with meaningful and continued input and engagement from stakeholders;</u></p> <p><u>b) delivery of at least 915 sq m of employment floorspace for uses appropriate to the site and its wider context. Support will also be given to employment generating uses provided that they are compatible with the immediate surroundings and do not conflict with town centre uses;</u></p> <p><u>c) delivery of at least 200 homes (including 20 self build) with a target of 30% affordable housing;</u></p>

			<p><u>d) green infrastructure and on-site open space incorporating measures to mitigate any flood risk, appropriate buffering and landscaping measures to address the site's gateway entrance to Bovey Tracey;</u></p> <p><u>e) measures to mitigate any ecological impacts, in particular on protected species including the greater horseshoe bat, including retention of the necessary existing mature trees and hedgerows, appropriate controls on levels of lighting and implementation of a Landscape and Ecological Management Plan secured by conditions;</u></p> <p><u>f) cycle and foot path providing safe pedestrian and cycle access to the town centre, and;</u></p> <p><u>g) road safety improvements including realignment of the B3344 'Bradley Bends' and extension of the 30mph zone to include the appeal site."</u></p> <p><i>Add new supporting paragraphs to Policy BT2 as follows:</i></p> <p><u>'Following an appeal decision on 7 August 2013 (APP/P1133/A/13/2191841), site BT2 Bradley Bends has been granted planning permission for 185 dwellings (plus 20 self build residential plots), 915 square metres of B1 employment floorspace, public open space, improvements to foot and cycleways into Bovey Tracey, re-alignment of the B3344, with appropriate contributions to the Riverside GP surgery, Bus route no.39, education and indoor and outdoor recreation.</u></p> <p><u>Any further application shall take account of the above Inspector's report and any new evidence. Any masterplan and further studies relating to the site shall ensure high quality urban design, a well-connected street layout, appropriate green infrastructure buffers, good connectivity between the site and the town centre, improvements to the existing road alignment to improve the entrance to the town and consideration of how green infrastructure can reduce or mitigate flood risk and impact on the landscape and protected species including Greater Horseshoe Bats.'</u></p> <p><i>Modify the Policies Map as shown on Plan MM6.</i></p>
MM7	128	BT2B	<i>Delete Policy BT2B Coal yard site and its supporting paragraphs 13.8 and 13.9 from the plan, and modify the Policies Map as shown on Plan MM7.</i>
MM8	135	CH2	<i>Modify Policy CH2 Land North East of Chudleigh as follows:</i>

			<p>'A site of approximately 10.5 <u>16</u> hectares is allocated to the north east of Chudleigh...'</p> <p><i>Modify the Policies Map as shown in Plan MM8.</i></p>
MM9	96	KS2	<p><i>Delete Policy KS2 Ware Barton and its supporting paragraphs 8.9 – 8.12 and related paragraph 6.14. Modify the Policies Map as shown on Plan MM9.</i></p>
MM10	100	KS7	<p><i>Delete Policy KS7 North of Passage House and its supporting paragraph 8.25 and modify the Policies Map as shown on Plan MM10.</i></p>
MM11	108	SWE1	<p><i>Modify Policy SWE1 South West of Exeter Urban Extension clause e) as follows:</i></p> <p>'e) a range of community facilities well related and accessible to all, including a multi-purpose community/sports building, youth and children's centre, health, police, <u>library</u> and faith provision, library, and shops, and small scale employment to provide a focus for neighbourhoods will be provided in mixed use local centres and hubs. The hubs will serve the day-to-day needs of nearby residents and act as the focal point for the community being well connected and permeable;'</p> <p><i>Modify the supporting paragraphs 10.22, 10.23 and 10.24 as follows:</i></p> <p>'10.22 To maintain viability, the urban extension should be delivered in phases to ensure sustainable growth and that the appropriate level of infrastructure is in place to accommodate it. It is proposed that there will be four phases, each delivering a portion of sustainable development in a way that should reduce up front infrastructure costs. Coordination of infrastructure delivery will be required across the area.</p> <p>10.23 The associated South West Exeter masterplan contains phasing proposals in order to ensure that infrastructure is provided in step with development in an achievable manner.</p> <p>This indicates: a) 500 dwellings within Exeter as an early phase; b) 500 dwellings with a primary school, Chudleigh Road upgrade and part of the Matford Valley Park;</p>

			<p>c) 1,000 dwellings associated with public transport improvements, park and ride and signalled junctions, pedestrian enhancement of the A379 and part of the ridge-top park; and</p> <p>d) 500 dwellings and the remainder of the required infrastructure.</p> <p>10.24 Although considered a logical and deliverable sequence of development, this may not be the only order that development could be brought forward. However, any development brought forward out of the sequence suggested will need to be considered carefully. This is to ensure that it does not impact upon the viability of subsequent growth and that development delivered is sustainable in its own right. As well as avoiding development that relies on the future provision of services and infrastructure that may not happen. In this instance a <u>A</u> phasing strategy will be required for infrastructure and development across the whole site relating to SWE1 and SWE3.'</p>
MM13	39	EC6 c) i & ii	<p><i>Modify Policy EC6 Large Scale Retail Development clause c) criteria i. and ii. as follows:</i></p> <p>'c) the proposal accords with the sequential approach as follows:</p> <p>i. if it is within 300 metres walking distance of a primary shopping area <u>town centre</u> there must be no site available within the town centre for the use proposed;</p> <p>ii. if it is more than 300 metres walking distance from a primary shopping area <u>town centre</u> there must be no site available within or closer to the primary shopping area <u>town centre</u> for the use proposed;'</p>