

**CABINET
3RD SEPTEMBER 2020**

REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION

TIVERTON AREA B MASTERPLAN

Cabinet Member **Cllr Graeme Barnell**
Responsible Officer **Mrs Jenny Clifford, Head of Planning, Economy and
Regeneration**

Reason for the Report: To inform members of the outcome of the Stage 2 public consultation and the draft masterplan that has subsequently been produced taking these comments into account and to seek a recommendation to Council to adopt the Tiverton Area B Masterplan Supplementary Planning Document (SPD) taking into account the comments received during the Stage 2 public consultation.

RECOMMENDATIONS TO CABINET:

- 1. That Members note the comments received at the Stage 2 public consultation (Appendix 1) and proposed changes as a result;**
- 2. That the Cabinet recommend to Council that:**
 - i) Subject to the updating of the policy section and policy references following the adoption of the Local Plan Review, the Masterplan Supplementary Planning Document for Tiverton Eastern Urban Extension Area B (Appendix 2) is adopted; and**
 - ii) Delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration prior to publication to**
 - a) update the policy section and policy references following the adoption of the Local Plan Review and**
 - b) make any typographical, grammatical and formatting changes to the Tiverton EUE Area B Masterplan SPD**

The draft Masterplan SPD has been prepared during a time when the Council's Local Plan Review has been subject to the Inspector's post examination report and subsequently considered for adoption. The Local Plan Review has now been adopted (29th July 2020). The draft masterplan currently refers to both the old Local Plan and the Local Plan Review. Cabinet is asked to recommend to Council that delegated authority is granted to update the policy section of the draft masterplan and policy references in order to align with the Local Plan Review.

Financial Implications: The consultant contract for the Tiverton EUE Area B Masterplan (here after referred to as the Draft Masterplan) was awarded at the meeting of Cabinet in 30th May 2019 following a procurement process. The contract has been funded from capacity money awarded to the project by the Government, at

no cost to MDDC budget. A budget of up to £143,000 was set and included such studies and reports as needed to update the evidence base as well as the Draft Masterplan SPD itself.

Budget and Policy Framework: The budget for the production of the Draft Masterplan SPD was agreed at Cabinet 30th May 2019 and utilises capacity funding. The Policy Framework consists of both statutory documents that have to be adopted or approved by the Council as well as locally determined policies and strategies that form an integral part of the decision making process. Once adopted, the Masterplan would have Supplementary Planning Document status and will be a material consideration for planning decision making purposes.

Legal Implications: The process for preparing and adopting the Draft Masterplan SPD has been in compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Planning policy requires the adoption of a masterplan ahead of the submission of planning applications. Whilst the Adopted Masterplan SPD will not form part of the Development Plan, once adopted it will be a material consideration in the determination of planning applications relating to the area.

Risk Assessment: Policy sets out that masterplanning should take place before applications are submitted. Delay in adoption of the Draft Masterplan SPD could in turn delay the delivery of housing on this part of the site as well as affect the confidence of land owners to promote their land. Adoption of the masterplan will provide greater planning certainty and assist the site coming forward for delivery. The site is dependent upon the HIF funded phase 2 junction to the A361 in order to come forward.

Equality Impact Assessment: The masterplan reflects the policy requirement for pitch provision for the gypsy and traveller community which will result in a more positive outcome for that community. No other equality issues are identified for this report, but it is noted that design should have regard to the needs of different groups in community including by age and disability.

Impact on Climate Change: A core principle within the Draft Masterplan SPD is to support the Council's commitment to achieving net zero carbon emissions by 2030 through design and timely delivery of infrastructure, dwellings and employment. The Draft Masterplan SPD has regard throughout to climate change and within the confines of adopted planning policy seeks to promote development that responds positively to climate change.

Relationship to Corporate Plan: The Draft Masterplan SPD will provide guidance on the planning and delivery of a strategic site for Mid Devon. It will form an addendum to the Adopted Tiverton Eastern Urban Extension Masterplan SPD (2018). The Draft Masterplan SPD directly relates to all four Corporate Plan 2020-24 priorities including:

Homes: use new developments as opportunities to help communities to become increasingly sustainable and self-sustaining

Environment: to encourage new housing and commercial developers to be 'exemplar' in terms of increasing biodiversity and decreasing carbon use;

Economy: to identify strategic and tactical interventions to create economic and community confidence and pride in the places we live; and
 Community: to promote new and more integrated approaches to better health and living.

1.0 INTRODUCTION: BACKGROUND

- 1.1 The Council has resolved to develop a Masterplan for Area B of the Tiverton Eastern Urban Extension (EUE) as a Supplementary Planning Document.
- 1.2 The existing Tiverton EUE Masterplan was adopted as a Supplementary Planning Document in April 2014 and updated in June 2018. Whilst covering the whole of the development allocation site, it was not able to address all of the site to the same degree of detail. This was largely due to the absence of some site-wide survey work in Area B. As a consequence the Adopted Masterplan SPD did not fully resolve the land use issues across the whole allocation. It makes reference to the fully surveyed land as Area A and the area requiring a further degree of masterplanning, to the south east of the allocation, as Area B.



- 1.3 Following Cabinet approval (2nd February 2017) masterplanning of the whole of Tiverton EUE was consulted upon as the first of a two stage process. Stage 1 scoped out the content and key issues to be considered within the Draft Masterplan SPD. The Stage 1 public consultation took place over a 4 week period from the 13th June to 11th July 2017. A series of key masterplan issues formed the basis of the public consultation event. At this stage, the consultation did not seek to resolve these issues but to invite comment and feedback on them:
- Means of access.
 - Phasing of development.
 - The extent of the developable area and amount of development.
 - The uses within the green infrastructure (GI) area, where these different GI uses are to be located and their management.

In accordance with Mid Devon's Statement of Community Involvement, the Draft Masterplan SPD is required to undergo two stages of public consultation; Stage 1 to scope out the proposed contents of the masterplan and present the options that might be included in it and Stage 2 to present the draft masterplan itself.

- 1.4 A report was considered at Cabinet on 16th January 2020 where upon the Draft Masterplan SPD for Area B was approved for Stage 2 public consultation. Stage 2 public consultation was scheduled between 27th February and 9th April 2020 with 4 staffed events planned. The consultation included a letter drop to 2060 homes and businesses, in addition to the posting of public notices in and around the site. There was also a press release and social media announcements. Permanent exhibitions were made available at Phoenix House, Tiverton and at Tiverton Town Hall (with a comments box to receive any returned questionnaires/observations). All the associated documentation (including a copy of the draft masterplan, exhibition boards, background documentation and online questionnaire) were also placed on the Council's website for viewing and downloading.

Four staffed events were scheduled to take place through the consultation period, where Officers would be present to answer any questions. The first two of these events took place on:

- Monday 2nd March (5pm - 8pm)
- Saturday 14th March (9am -12pm)

Unfortunately, as the COVID19 pandemic unfolded it was clear that in the interests of public and staff safety the final two public consultation events scheduled for 18th March and 27th March should not be held. The cancellation of the final two events were announced on the 16th March through a press release and also through social media (facebook and twitter). Whilst informing the public that the final two events had been cancelled, dates and times of dedicated Officer time for members of the public to phone in and talk through any concerns with the lead Officer were also offered. The project officer was also available throughout the consultation period by email to answer queries. As a further measure, the consultation period was also extended by a further two weeks to the 23rd April 2020. This was announced in a further press release and social media announcements. It was included in the Tiverton Gazette newspaper on 14th April 2020. The lead Officer has been available during normal office hours throughout the whole period to provide support, assistance and respond to queries. Whilst the latter part of the consultation period was affected by the coronavirus pandemic, efforts were therefore made to offer alternative means of engagement and consultation over a longer period.

2.0 SUMMARY OF AREA B MASTERPLAN

- 2.1 The Area B Masterplan once adopted will not in itself form part of the Development Plan for planning purposes, but will nevertheless be a material

consideration in the determination of planning applications. The Draft Masterplan is attached at **Appendix 2**.

2.2 As means of a 'key points' summary the Draft Masterplan proposes the following:

Number of units (Area B): 684 dwellings (35dph)
 Number of Units (EUE in total): 1,619 dwellings

Employment (Area B): 2,050 sqm (0.41ha)
 Employment (EUE in total): 29,550sqm (5.91ha)

Formal Sports (Area B): 1.95ha
 Formal Sports (EUE in total): 1.95ha

Allotments (Area B): 0.38ha
 Allotments (EUE in total): 2.63ha

Country Park (Area B): 26ha towards the southern part of Area B and lying adjacent to the Grand Western Canal to the south and separated from the developable area to the north by West Manley Lane. The Country Park is in planning terms the majority of the green infrastructure area associated with the development.

Public open space including children's play (Area B): 29.96ha
 Public open space including children's play (EUE in total): 57.07ha

Principal point of highway access: from Area A. This was established at the initial and earlier masterplanning stage. The previous Cabinet resolution (26th October 2017) was that the consideration of any alternative means of access should not include Mayfair and/or Manley Lane /Post Hill junction. It is therefore still not intended that vehicular access for residents or commercial development will be gained for Area B directly from either West Manley Lane, Manley Lane or Mayfair. The only exception is for emergency access.

3.0 SUMMARY OF PUBLIC CONSULTATION FEEDBACK

3.1 The Stage 2 public consultation asked for feedback on exhibition boards that were made available through different channels. Feedback was invited on eight themes including:

- The vision for the new garden neighbourhood;
- The key development objectives for the new garden neighbourhood;
- The principles that will shape the form of development;
- Key land use principles and amount of development;

- The principles informing the road, lanes, cycles and footpath network;
- The provision of landscape, open space and recreation;
- The built character; and
- The delivery and phasing of development.

3.2 In total, 121 responses were received with an additional 9 post closure of the public consultation deadline. A detailed record of the consultation responses is provided at **Appendix 1**.

4.0 **ANALYSIS OF THE CONSULTATION RESPONSES**

4.1 The analysis of the consultation responses seeks to report the level of response under each of the eight themes identified at paragraph 3.1 and particular areas of concern. (For detailed analysis and responses please refer directly to **Appendix 1** and the columns ‘suggested response’ and ‘section amendments’). The vision for the new garden neighbourhood received the following responses:

The vision for the new garden neighbourhood				

4.2 The Draft Masterplan SPD provided a vision statement that sought to capture aspects of the opportunity to establish a garden neighbourhood and a development set within a rural location yet facilitating a modern lifestyle close to town centre services and facilities. Responses to the vision tended to be neutral or support as represented in the table above. An emerging area of concern within the responses related to:

- **Traffic.** The vehicular impact of the proposed Country Park car park at Follett Road.

Response: The Country Park car park at Follett Road has been removed. (Page 100, Appendix 2, shows the car park at Follett Road removed and the existing pasture retained).

In response to the Stage 2 public consultation and the removal of the Country Park car park from Follett Road, Planning Policy Advisory Group (PPAG) at their meeting (27th July 2020) were asked their initial thoughts on an alternative location for the Country Park car park as it is no longer proposed to be located off Follett Road. PPAG were asked to give particular consideration to:

- i) A Country Park car park located at the site of the formal sports pitches. It would serve both the formal sports pitches and the Country Park.

This option whilst ensuring the car park would be accessed from within the development area would be located at greater distance from the proposed country park; and

- ii) A car park located off and served from Manley Lane, this being located closer to the Country Park.

PPAG requested site locations to be considered further, but expressed a preference for a location for the Country Park car park at Manley Lane (for reasons of proximity to the Country Park). Subsequent discussions with DCC Highway Authority, the consultants engaged in the delivery of the Masterplan SPD (and their highway specialists) indicate that a car park could be achievable mid-point between the canal bridge and the former railway line bridge. In such a location, visibility would likely be achievable with the wider verge and alignment of Manley Lane aiding its suitability. The Draft Masterplan accordingly incorporates changes (Page 99, final paragraph; Page 102, Figure 63, **Appendix 2**) to make provision for either enhanced provision at the formal sports area or provision in closer proximity to the Country Park whilst making it clear that the specific detail would be required at planning application stage.

The public consultation flagged reports of some antisocial behaviour issues at the existing canal car park – consideration that will require specific thought at the planning application / design stage of the Country Park car park. However, highway advice indicates that the provision of additional car parking spaces at this location would not present any material issues around additional vehicle traffic along Manley Lane. Should further spaces be needed there could also be opportunity to get one or two extra spaces in the existing Grand Western Canal car park at Manley Lane with some sensitive demarcation that would make best use of the space.

- 4.3 The key development objectives for the new garden neighbourhood received the following responses:

The key development objectives for the new garden neighbourhood					
	Strongly Object	Object	Neutral	Support	Strongly Support
Character	11	2	16	18	2
Urban design and placemaking	11	3	18	16	1
Movement, transport, connectivity	18	8	14	10	1
Landscape, open space and recreation	12	4	11	13	10

Housing mix	16	8	15	8	1
Employment facilities (area B)	13	8	14	11	4
Energy and resource efficiency	8	0	21	12	6

4.4 The Draft Masterplan SPD offered a number of key development objectives for the new garden neighbourhood. These were organised under the seven headings included in the table above. Each of the seven headings tended to receive a neutral / general support or a strong objection. Particular areas of concern tended to relate to:

- **Traffic.** The vehicular impact of the proposed car park at Follett Road.
Response: Car park at Follett Road removed (Page 100, Appendix 2, shows the car park at Follett Road removed and the existing pasture retained).
- **Employment.** Concern that its contribution is so minimal that it is almost worthless.
Response: The employment provision is aligned with the Local Plan requirement. The existing adopted masterplan seeks to provide the majority of the employment floorspace within Area A in the northwestern part of the EUE allocation close to the A361. Whilst the employment floorspace proposed in Area B is significantly less, it still supports the wider provision identified above and provides opportunity for a different employment floorspace offer to that in Area A. (See Page 71, text amendments, Appendix 2).
- **Access.** Lack of clarity regarding access to Area B from the east (through Hartnoll Farm).
Response: Plans confirm that it is intended that there be no direct access to the development from Manley Lane (See Figure 29, Page 60, Appendix 2). In accordance with the Cabinet resolution of 26th October 2017, consideration of alternative means of access is within the scope of this masterplan. Access from the east, from the Hartnoll Farm direction is not discounted, but would require third party land.
- **Housing Mix:** the identification of Gypsy and Traveller pitches – the ability to secure mortgage agreements, loss of property value and the advice of the Planning Inspector to ‘de-couple’ pitch provision from planned urban extensions.
Response: Policies DM7 and TIV1 of the Local Plan Review 2013-2033 relate to traveller pitch provision giving consideration to pitch location. The Local Plan Inspector has found the Local Plan Review to be sound, legally compliant and suitable for adoption with revisions to policy DM7 through a main modification. Requirement for the provision of at least 5 pitches on the eastern urban extension is retained. Amendments to policy DM7 refer to pitch provision on allocated sites such as this and that they should be provided on site unless it is demonstrated that off-site provision will achieve an acceptable outcome for gypsies and travellers. The inclusion of pitches is in accordance with policy. No change is proposed.
- **Energy Efficiency:** highest possible standards of energy efficiency should be sought rather than minimal standards.
Response: The masterplan cannot go beyond the requirements of the Local Plan, but the emphasis of sustainability and energy efficiency has been

strengthened with reference to connection to an energy heat network should it become available and encouraging the incorporation of design innovation including zero carbon homes (See text amendments Page 57 and Page 119, Appendix 2).

4.5 The principles that will shape the form of development received the following responses:

The principles that will shape the form of development					
	Strongly Object	Object	Neutral	Support	Strongly Support
Responding to surrounding area	7	4	11	13	13
Working with landscape features	5	0	6	13	25
Establishing a country park	12	1	6	10	22
Connected & permeable lanes and streets	9	2	12	16	10
A collection of neighbourhoods and places	10	2	16	14	6
A network of open spaces	7	2	7	13	20
A sustainable settlement	8	0	10	14	17

4.6 The Draft Masterplan SPD includes a number of key principles to shape the form of development that were organised under the seven headings included in the table above. Respondents tended to support or strongly support the principle that the development should respond to its surroundings, seeking to retain existing landscape features, have a network of linked open spaces and be a sustainable form of development. Whilst the inclusion of a country park was generally supported / strongly supported there were a number of replies that strongly objected. A review of **Appendix 1** would indicate that the concern focused towards the country park was as a result of a proposed car park at Follett Road and the long term maintenance / management of the country park. Revisions to the Draft Masterplan SPD associated with the car park have been made, as outlined at Para. 4.2 above. Commentary on long term maintenance and management of the proposed country park is provided at Page 118 of the Draft Masterplan SPD. Additional detail or text amendments are not considered necessary.

4.7 Whilst the principle of a collection of neighbourhoods that will give the development an identity and a sense of place was generally accepted or supported, there were also a number of respondents that strongly objected. Concerns appear to relate to issues of amenity for existing residents at Mayfair, Post Hill and Manley Lane. The Draft Masterplan SPD includes a number of references to ensure that the quality of amenity is retained for existing residents. Examples include:

- Cabinet resolution (26 October 2017) that the consideration of any alternative means of access should not include Mayfair and/or Manley Lane / Post Hill junction (Page 31, Access, Appendix 2)
- In seeking to protect local character and amenity, it is not intended that vehicular access for residents or commercial development will be gained for Area B directly from either West Manley Lane, Manley Lane or Mayfair (Page 39, The New Garden Neighbourhood for Area B, Appendix 2)
- With the exception of emergency access, no direct vehicular access to serve the residential and employment developments areas shall be provided by Manley Lane, West Manley Lane or Mayfair (Page 62, A permeable and Connected Network of Streets and Lanes, Appendix 2); and
- Additional text has been introduced at Page 82 confirming that 'large gardens will help to provide a buffer to existing dwellings and reduce the impact on amenity'. (Note- text update required as the masterplan currently refers to reducing impact upon views rather than amenity).

4.8 The key land use principles and amount of development received the following responses:

Key land use principles and amount of development					
	Strongly Object	Object	Neutral	Support	Strongly Support
Residential-led land use	11	1	16	14	8
Built development only north of West Manley Lane	8	2	8	13	19
Inclusion of small clusters of employment use	11	6	15	13	5
Centrally located open space	5	0	10	19	15
Accessible allotments	6	0	9	18	16
Location/provision of sports pitches	6	1	12	14	16

4.9 The Draft Masterplan SPD includes a number of key land use principles that were organised under the six headings included in the table above. Respondents tended to be in general support for the approach of the masterplan with either neutral, support or strong support. Areas of particular concern tended to relate to:

- **No development south of West Manley Lane:** To protect the Country Park as envisioned in the Draft Masterplan SPD, confirmation is required that West Manley Lane forms the southern boundary with no housing development to the south of it.
Response: adoption of the Draft Masterplan SPD will establish it as a material consideration in any planning decision. In so doing, it will establish West Manley Lane as the southern boundary for built development. Any future

speculative applications beyond this boundary will be subject to the development management process.

- **Employment use:** The view was expressed that to ensure town centre vitality following the loss of traditional retail uses there, employment uses should be directed towards the town centre. Residential friendly employment uses should be excluded from the EUE in order to protect the town.

Response: the principle and amount of the mix of employment / residential uses has been established in Local Plan policy. Removal of employment would be contrary to the Local Plan Review requirement for the Eastern Urban Extension. The response refers to retail use. A neighbourhood centre is proposed within Area A of the urban extension. Whilst this will include a proportion of retail, it will complement, not compete with the town centre.

4.10 The key principles informing the road, cycle and footpath networks received the following responses:

The principles informing the road, lanes, cycles and footpath network					
	Strongly Object	Object	Neutral	Support	Strongly Support
No vehicular access from West Manley Lane, Manley Lane or Mayfair	5	1	5	8	31
Main street will transverse the site east-west, providing access to area A	9	1	10	17	13
Network of green routes	9	0	8	16	17
Loop street will provide connections between neighbourhoods	7	1	12	21	5
Local streets provide access to individual properties	7	1	9	22	6
Retain existing trees / hedgerows (ecology)	4	0	1	5	40

4.11 The Draft SPD includes a number of key principles informing the movement network that were organised under the six headings included in the table above. Respondents tended to be in general support for the approach of the Draft Masterplan SPD being in either neutral, support or strong support. Areas of particular concern tended to relate to:

- **Ecology:** the loss of agricultural land and wildlife.
Response: the principle of development is established in Local Plan policy. The achievement of biodiversity enhancement and 'net gain' is an expectation of planning policy during the determination of planning applications. Text changes have accordingly been made (Page 50, D2; Page 63, bullet point 8; Page 108, third column, bullet point 5).
Shared Lane: Give consideration to West Manley Lane as an official shared lane.

Response: West Manley Lane by its nature is a shared facility highway with low vehicle speeds due to its geometry. Additional text has been added at Page 69 offering options such as a Traffic Regulation Order (access only) and interventions such as 'gateway features' to clarify 'shared lane' status.

- **Settlement Limit:** The protection of the settlement limit along Manley Lane appears to be an obstacle to bringing in a vehicular route from the east (through Hartnoll Farm land). Should Hartnoll Farm now be brought within a redefined settlement limit?

Response: It is not for an SPD to redefine settlement boundaries, this being achieved through a Local Plan. No change required.

- **Highway provision:** The main route must be big enough for buses; off road parking must be realistic and visitors need off road parking.

Response: Figure 33 Movement confirms a loop road will be designed to support bus traffic while page 83 provides guidance on parking design and layout that would be acceptable at planning application stage. No further changes required.

- **There should not be paths and board walks through the area of land between West Manley Lane and the Canal or additional points of access on to the canal.**

Response: 47 hectares of strategic green infrastructure is a Local Plan policy requirement. Delivered through this SPD as a country park, it will create a community asset for the future community providing health benefits, enhanced cycle / pedestrian connectivity and access to nature. Public access routes and points of access will require careful balance and management, but will be required to fulfil broader requirements in terms of the function of this area as green infrastructure and recreation needs of the development. No change required.

4.12 The key principles relating the provision of landscape, open space and recreation received the following responses:

The provision of landscape, open space and recreation					
	Strongly Object	Object	Neutral	Support	Strongly Support
Streets and open space will need to respect existing landscaping	3	0	4	8	35
A network of new open space to connect houses and neighbourhoods	8	1	8	16	17
Different spaces should incorporate play space, allotments, sports and Country Park	10	1	6	14	19
Country park will be a community resource for the eastern urban extension and will benefit from agreed management plan	13	0	6	11	20

4.13 The Draft Masterplan SPD includes a number of key principles for landscape, open space and recreation that were organised under the four headings included in the table above. Respondents tended to support or strongly support the approach of the masterplan. The areas of concern expressed within this part of the public consultation (parking and access, Follett Road car park and the country park) have been addressed above.

4.14 The key principles relating the built character received the following responses:

The built character					
	Strongly Object	Object	Neutral	Support	Strongly Support
	13	4	24	7	1

4.15 The Draft Masterplan SPD key principles on built character are illustrated through indicative plans of low, medium and high density residential neighbourhoods with an illustrative residential density plan. Respondents tended to have a neutral or strong objection to the principles offered. The areas of concern related to:

- **Carbon Neutral Construction:** consider greater variety in built form, more innovative design and planning incentives to encourage zero carbon homes.
Response: reference is introduced to zero carbon homes including an additional text insert at section 3.3.7. Whilst the SPD can encourage higher standards, it can not go beyond existing policy requirements.
- **Building Heights:** should be restricted to 2 storeys to protect the amenity and outlook of existing residents and the character of the country lanes.
Response: Loss of a view is not a material consideration. However, edits have been made at Pages 72, 79 and 82 making reference to large gardens acting as a buffer to existing dwellings and reducing the impact on amenity. The approach of the masterplan to storey height is consistent with the previously adopted design guide.

4.16 The key principles relating the delivery and phasing of the development received the following responses:

The delivery and phasing of development				
Strongly Object	Object	Neutral	Support	Strongly Support
10	4	24	5	4

Respondents tended to have a neutral or strong objection to the principles offered. The areas of concern related to:

- **Education:** There should be a provision for secondary education as well as primary.
Response: There is no on site requirement for secondary provision in the Local Plan but contributions towards off site secondary education provision will be sought via planning obligations and will be determined at the planning application stage. No change required.

- **Phasing:** The country park should be begun well before the Area A and Area B houses are completed.

Response: the Phasing Plan at Fig 68 aligns delivery of the Country Park with the delivery of homes on Area B. No change required.

- **Phasing:** the development of Area B should not coincide with Area A as this will lead to piecemeal and opportunist development.

Response: Policy TIV1 of the Local Plan Review requires the completion of an Area B Materplan SPD. It will act as a sister document to the Adopted Tiverton EUE Masterplan SPD, with both documents ensuring a comprehensive approach to development and its delivery. Should an alternative means of access become available, that is not reliant on access from Area A, development may be delivered in tandem with Area A (page 113, Appendix 2). No change required.

4.17 Respondents were also invited to comment on any additional areas of concern. The following comments were made:

- **Primary Health Care Provision.** There does not appear to be any.
Response: The Tiverton Eastern Urban Extension is an allocated site having gone through a lengthy process of local plan formulation, consultation and public examination. NHS England will be aware of the expected increase in population and will accordingly seek contributions at the planning application stage.
- **Flooding.** West Manley Lane is prone to flooding.
Response: A drainage strategy and betterment of existing run off rates to take account of the impact of climate change will be required at planning application stage.
- **Biodiversity Net Gain:** Specific reference should be made to the need for net gain in biodiversity.
Response: text amendments have been made (Page 50, D2; Page 63, bullet point 8; Page 108, third column, bullet point 5) to reflect the NPPF and policy in the Local Plan Review (DM26a). The 'GI Strategy' at planning application stage will further confirm minimum targets for quality and quantity of specific elements.
- **Archaeology:** More detailed examination of the significance and extent of any heritage assets with archaeological interest across the proposed development site is required within the masterplan.
Response: A geophysical survey has been undertaken for the majority of the site. Whilst it is acknowledged additional work is required this will be completed through the planning application stage. The need for an archaeological assessment is listed within the planning application requirements at (Page 77, 95 & 120, Appendix 2).
- **Consultation.** The consultation period has occurred throughout the COVID-19 lock-down making it especially difficult for those without internet access to engage in the consultation process.
Response: Details are provided at para 1.4 of this report confirming that in response to the COVID-19 position the consultation period was extended and alternative means of engagement was offered. The public consultation met all requirements, including those through the MDDC Statement of Community Involvement.

- 4.18 Following PPAG and a further review of the Draft Masterplan, clarity to the Land Use Budget Table has also been introduced. This is in the form of an amended figure for the residential site area. The draft masterplan presented at public consultation indicated a residential developable area of 14.26ha for Area B. This did not include the areas of infrastructure to accommodate minor roads, foot/cycle ways across the development site. The approach to how the residential site area was calculated was not consistent with that for Area A within the earlier masterplan exercise and could have caused confusion. Officers have therefore updated the residential developable area as shown in the land use budget table to align with the approach at Area A by including the area of 5.35ha of infrastructure/minor roads. This provides an amended site area of 19.55ha (Page 66, Appendix 2). In this way, only the major road through the development is excluded from the residential density calculation. The figure titled 'Infrastructure' has been accordingly amended to remove the 5.35ha of infrastructure/minor roads to prevent double counting. This approach is both in conformity with the Adopted TIV EUE Masterplan SPD (2018) and prevents possible confusion with the figures within the table.
- 4.19 **Appendix 1** summaries the comments received through the consultation, the response to them and amendments to the draft masterplan as a result. **Appendix 2** incorporates the changes as identified by text in red.

5.0 Planning Policy Advisory Group

- 5.1 Planning Policy Advisory Group considered the contents of this report and the outcomes of the Stage 2 public consultation on 27th July 2020. Members of PPAG discussed the following:
1. An alternative location for the Country Park car park that does not include Follett Road
 2. Opportunities for alternative means of access that do not include Area A
 3. Assurance that there is no vehicular access (other than emergency) through Mayfair
 4. Comments from Natural England relating to their representation with specific reference to Appropriate Assessment and the HRA

6.0 Strategic Environmental Assessment / Habitats Regulation Assessment Screening

- 6.1 A Habitat Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) is required in accordance with Regulations and Directives on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects. An HRA and SEA formed part of the Stage 2 public consultation material. The screening reports indicated that the Draft Masterplan SPD is 'unlikely to have significant effects on the environment'.
- 6.2 Comments received from Natural England as part of the consultation refer to the Habitats Regulations Assessment undertaken for the Mid Devon Local Plan Review, in respect of policies TIV1 – TIV5 (allocations at Tiverton) and

conclude, that the effects remain uncertain and that Appropriate Assessment for the masterplan is required. Natural England acknowledge that whilst the Masterplan provides guidance for a future planning application, the draft masterplan is site specific and relates to a specific geographic area rather than being general design guidance.

- 6.3 Officers have had further discussions with Natural England and as a result provide a revised HRA (attached as **Appendix 3**) to include a screening stage and Appropriate Assessment stage. The key changes occur at page 10 with regard to the screening and Appropriate Assessment. Other changes in the document have also been made to reflect the adoption of the Local Plan Review 2013-2033 on the 29th July 2020. Confirmation has now been received from Natural England that they concur with the conclusions in Section 7 of the HRA (**Appendix 4**) and that the proposals will not have an adverse effect on the integrity of European sites.

7.0 Conclusion

- 7.1 A thorough analysis of the consultation responses has been undertaken and amendments accordingly made to the Draft Masterplan SPD. The Draft Masterplan SPD once adopted will provide a comprehensive framework to guide development in a coordinated and comprehensive manner. Once adopted it will achieve full weight in decision making as a material planning consideration.

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Background Papers: The policies relating to the Tiverton Eastern Urban Extension may be viewed in the Local Plan Review 2013-2033 at
<https://www.middevon.gov.uk/inspector-s-report-confirms-soundness-of-local-plan-review-with-main-modifications/>

The Adopted Tiverton EUE Masterplan and Area B Stage 2 Public Consultation material may be viewed at
<https://www.middevon.gov.uk/residents/planning-policy/masterplanning/>

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