



Regulation 16  
representations  
submitted to the  
examiner

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 13 March 2024 17:17  
**To:** Planning Consultation (DPD)  
**Cc:** [REDACTED]  
**Subject:** DL 24/4/24 - Willand Neighbourhood Plan Regulation 16 - National Highways response

Dear Forward Planning Team,

Thank you for providing National Highways with the opportunity to comment on the submission draft of the Willand Neighbourhood Plan. We are responsible for operating, maintaining and improving the strategic road network (SRN) which in this instance consists of the M5 motorway which runs through the west of the designated Plan area. M5 Junction 28 is located approximately 500m south of the Plan area boundary with M5 Junction 28 located approximately 1.8km north. We previously provided comments on the pre-submission draft of the Plan in July 2023.

Following our review of the submission draft we remain satisfied that the proposed policies within the Plan are unlikely to result in development which will adversely impact the SRN and we therefore have no specific comments to make. This does not however prejudice any future responses National Highways may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the prevailing policy at the time.

Kind regards,

[REDACTED]  
**[REDACTED], Highways Development Management, South West Operations**  
National Highways | Ash House | Falcon Road | Sowton Ind. Estate | Exeter | EX2 7LB  
**Phone:** 07834 974215

**Web:** [www.nationalhighways.co.uk](http://www.nationalhighways.co.uk)

For information about our engagement with the planning system please visit  
<https://highwaysengland.co.uk/our-work/planning-and-the-strategic-road-network-in-england/>

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 15 March 2024 09:34  
**To:** Planning Consultation (DPD)  
**Subject:** RE: Willand Neighbourhood Plan Regulation 16  
**Attachments:** DCAF Neighbourhood Plans position statement rev. 2020 FINAL.pdf

Dear Sir/Madam

### **Willand Neighbourhood Plan Regulation 16**

On behalf of the Devon Countryside Access Forum, I am attaching the Forum's position statement on Neighbourhood Plans in response to the above consultation with the request that this is cross-referenced against the Willand Neighbourhood Plan.

I should be grateful if you could confirm receipt.

Regards  
[REDACTED]

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory remit is to give independent advice "as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area..." Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, and this includes district and parish councils.

The DCAF currently has seventeen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.



Devon Countryside Access Forum  
c/o Public Rights of Way team  
Great Moor House  
Bittern Road  
Sowton  
EXETER EX2 7NL

Tel: 07837 171000  
01392 382084

[devoncaf@devon.gov.uk](mailto:devoncaf@devon.gov.uk)

[www.devon.gov.uk/dcaf](http://www.devon.gov.uk/dcaf)

## NEIGHBOURHOOD PLANS

### Thinking about recreation and access

The Devon Countryside Access Forum is a statutory forum under the Countryside and Rights of Way Act 2000. Its members are volunteers appointed by Devon County Council to provide independent advice on “the improvement of public access to land for the purposes of open-air recreation and enjoyment.” The members represent the interests of land managers, access users and other interests such as tourism.

The Localism Act 2011 provides the opportunity for communities to draw up a Neighbourhood Plan and have more say in where development is located, subject to certain limitations. Plans need to support the strategic development needs set out in the Local Plan (district/borough council) and to plan for local development in a positive manner.

**Looking at the provision of public rights of way and green space is an important part of each Plan as these offer opportunities for people to exercise and gain health benefits.**

### Checklist

#### **What's there already?**

- Map **public** green space areas within the Plan area (including woods, parks, playing fields, public rights of way and cycle/multi-use trails);
- recognise the importance of areas shown on the map and protect them, where possible, from development;
- recognise other routes, such as Unclassified Unsurfaced County Roads, and their contribution to recreational opportunities; and
- consider designating important and special open areas as Local Green Space, in consultation with the district council. [Open space, sports and recreation facilities, public rights of way and local green space - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

#### **Improving what's there - be aspirational but ensure your proposals are realistic and achievable.**

**Don't forget you are dealing with land that is owned by someone, whether that's a farmer or another individual/body. Consult closely with them at an early stage. Some improvements require permission or need to go through a legal process.**

- Consider the improvement or upgrading of routes, for example
  - improving the surface to allow all year round use;
  - designing new routes to the requirements of those with mobility needs, and in the improvement of existing routes;
  - upgrading to permit horse riding or cycle use.
- use the 10 Steps Guide, produced by Devon County Council, to achieve neighbourhood improvements; [Community Paths - a 10 step guide](#)



[REDACTED]

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**From:** [REDACTED]  
**Sent:** 10 April 2024 11:49  
**To:** Planning Consultation (DPD)  
**Subject:** RE: Willand Neighbourhood Plan Regulation 16  
**Attachments:** 10-04 Willand NP.pdf

Dear Sir / Madam

We write to you with regards to the current consultations as detailed above in respect of our client, National Grid.

Please find attached our letter of representation. Please do not hesitate to contact me via [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com) if you require any further information or clarification.

Kind Regards

[REDACTED]  
Graduate Planner

[REDACTED] | [avisonyoung.com](http://avisonyoung.com)

Our Ref: MV/ 15B901605

10 April 2024



Dear Sir / Madam

**Willand Neighbourhood Plan - Regulation 16 Consultation  
March – April 2024  
Representations on behalf of National Grid Electricity Transmission**

National Grid Electricity Transmission has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

**About National Grid Electricity Transmission**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently.

National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET.

**Proposed development sites crossed or in close proximity to NGET assets:**

An assessment has been carried out with respect to NGET assets which include high voltage electricity assets and other electricity infrastructure.

NGET has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

NGET provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please also see attached information outlining guidance on development close to NGET infrastructure.



**Distribution Networks**

Information regarding the electricity distribution network is available at the website below:  
[www.energynetworks.org.uk](http://www.energynetworks.org.uk)

**Further Advice**

Please remember to consult NGET on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

[Redacted]

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

Avison Young  
Central Square South  
Orchard Street  
Newcastle upon Tyne  
NE1 3AZ

[Redacted]

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid Electricity Transmission  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

[Redacted signature]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**For and on behalf of Avison Young**



NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

NGET's *'Guidelines for Development near pylons and high voltage overhead power lines'* promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgrid.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

NGET's statutory safety clearances are detailed in their *'Guidelines when working near National Grid Electricity Transmission assets'*, which can be downloaded here: [www.nationalgrid.com/network-and-assets/working-near-our-assets](http://www.nationalgrid.com/network-and-assets/working-near-our-assets)

#### How to contact NGET

If you require any further information in relation to the above and/or if you would like to check if NGET's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 17 April 2024 14:32  
**To:** Planning Consultation (DPD); [REDACTED]  
**Subject:** Willand Neighbourhood Development Plan - Regulation 16 Consultation - formal response

Dear [REDACTED],

Thank you for your email of 16 March inviting us to comment on the Regulation 16 Consultation for the Willand Neighbourhood Development Plan. We congratulate the Neighbourhood Plan Steering Group on their effort and dedication required to arrive at this stage in the planning process.

At Historic England, we mainly focus our engagement on Neighbourhood Plans that seek to make specific site allocations for development. Such site allocations pose the greatest potential for harm to heritage assets, so our detailed advice is of greatest value on those occasions.

We note that the submitted Willand Neighbourhood Plan is particularly modest in scope and is not proposing to allocate specific sites for development; therefore, we do not wish to make any detailed comments regarding the submitted plan.

We have no further comments to make at this point in time, aside from wishing the Neighbourhood Plan Steering Group well with their ongoing work towards a made Plan.

Kind Regards,

[REDACTED]

[REDACTED] | Historic Places Adviser  
Historic England | South West  
1st Floor Fermentation North | Finzels Reach | Hawkins Lane | Bristol | BS1 6WQ

[REDACTED]  
<https://historicengland.org.uk/southwest>



Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at [historicengland.org.uk/strategy](https://historicengland.org.uk/strategy).

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[Redacted]

**From:** [Redacted]  
**Sent:** 19 April 2024 12:21  
**To:** Planning Consultation (DPD)  
**Subject:** RE: Willand Neighbourhood Plan Regulation 16

Dear Mid Devon DC,

Thankyou for your consultation on the above, we have now reviewed this with regards to our remit and our only comment to make is to draw your attention to the fact that your map 10 of Main employment areas and subsequent EE1 policy include an area of historic landfill (pink hatch below) and an area incorporating flood zones 2 and 3 (in blue). As such these would need to be considered/avoided when considering any development.



Yours faithfully

[Redacted signature]

[Redacted] **MRTPI**  
Sustainable Places Planning Specialist  
Environment Agency – Devon, Cornwall & Isles of Scilly Area

✉ Manley House, Kestrel Way, Exeter, EX2 7LQ

[Redacted address line]

**From:** SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 23 April 2024 08:28  
**To:** Planning Consultation (DPD)  
**Subject:** Consultations Response - Willand Neighbourhood Plan - Regulation 16 Consultation  
**Attachments:** Willand Notice of publication.pdf; 469661 NE Response.pdf

Please find Natural England's response in relation to the above mentioned consultation attached.

Kind regards,

Adviser  
Operations Delivery, Consultations Team  
Natural England  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

Tel 0300 0603900

mail to: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

**Thriving Nature  
for people and planet**

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)  
For further information on the Pre-submission Screening Service see [here](#)

Date: 23 April 2024  
Our ref: 469661  
Your ref: Willand Neighbourhood Plan



Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ  
T 0300 060 3900

Forward Planning Team  
Mid Devon District Council

Dear Sir/Madam

## **Willand Neighbourhood Plan - Regulation 16 Consultation**

Thank you for your consultation on the above dated 13 March 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

### **Natural England does not have any specific comments on this draft neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in [Natural England's Standing Advice on protected species](#) .

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours faithfully

  
Consultations Team

## Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

### Natural environment information sources

The [Magic](#)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, [National Parks \(England\)](#), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available from [the Association of Local Environmental Records Centres](#).

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>2</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>3</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)<sup>4</sup> website and also from the [LandIS website](#)<sup>5</sup>, which contains more information about obtaining soil data.

### Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>6</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>7</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

### Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>3</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>4</sup> <http://magic.defra.gov.uk/>

<sup>5</sup> <http://www.landis.org.uk/index.cfm>

<sup>6</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>7</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>8</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>9</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>10</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>11</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see [Guide to assessing development proposals on agricultural land](#)<sup>12</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment and should provide net gains for biodiversity in line with the [National Planning Policy Framework](#). If you are setting out policies on new development or proposing sites for development, you should follow the biodiversity mitigation hierarchy and seek to ensure impacts on habitats are avoided or minimised before considering opportunities for biodiversity enhancement. You may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development and how these could contribute to biodiversity net gain and wider environmental goals.

Opportunities for environmental enhancement might include:

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to reduce impacts on wildlife.
- Adding a green roof to new buildings.
- Providing a new footpath through the new development to link into existing rights of way.

Site allocations should be supported by a baseline assessment of biodiversity value. The statutory [Biodiversity Metric](#) may be used to understand the number of biodiversity units present on allocated sites. For small development allocations the [Small Sites Metric](#) may be used. This is a simplified version of the statutory [Biodiversity Metric](#) and is designed for use where certain criteria are met. Further information on biodiversity net gain including [planning practice guidance](#) can be found [here](#)

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision. Natural England's [Green Infrastructure Framework](#) sets out further information on green infrastructure standards and principles
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance](#)<sup>13</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks or on verges, changing hedge cutting timings and frequency).

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<sup>8</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>9</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>10</sup> <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

<sup>11</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>12</sup> <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

<sup>13</sup> <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory [Biodiversity Metric](#) and is available as a beta test version.



[REDACTED]

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**From:** [REDACTED] >  
**Sent:** 23 April 2024 10:08  
**To:** Planning Consultation (DPD)  
**Subject:** Willand Neighbourhood Plan Response

Good morning,

Thank you for consulting Somerset Council, I can confirm we have no comments on Willand Neighbourhood Plan.

Kind regards,

[REDACTED]  
[REDACTED]  
Planning Policy  
**Somerset Council**  
01823 356746

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Willand Neighbourhood Plan Group  
c/o Cllr Stephen Little

██████████  
██████████████████  
██████████

**Planning Services**

Phoenix House  
Phoenix Lane  
Tiverton  
Devon  
EX16 6PP

**Tel:** 01884 255255  
**e-mail:** [planningconsultations@middevon.gov.uk](mailto:planningconsultations@middevon.gov.uk)

**Date:** 24<sup>th</sup> April 2024

**Contact:** ██████████  
Forward Planning Team Leader

Dear Cllr Little,

**Response to the Submission consultation on the Willand Neighbourhood Plan**

Mid Devon District Council fully supports Willand Neighbourhood Plan Steering Group with its preparation of a Neighbourhood Plan.

At examination, a neighbourhood plan will be judged on whether it complies with the Basic Conditions set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. These are:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State
- b) The making of the neighbourhood plan contributes to the achievement of sustainable development
- c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.
- d) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- e) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Having regard to the Basic Conditions set out above, this document sets out Mid Devon District Council's formal response to this consultation. Our previous responses sought to achieve general conformity with the strategic policies of the Mid Devon Local Plan 2013 – 2033. They were provided in order to enable a robust neighbourhood plan that meets the basic conditions and can be utilised effectively in the determination of planning applications. The response reiterates many of the

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**Requests for alternative formats will be considered on an individual basis.**  
**Please telephone 01884 255255 or email [customerfirst@middevon.gov.uk](mailto:customerfirst@middevon.gov.uk)**

comments made previously at Regulation 14 stage in relation to conformity issues between the Willand Neighbourhood Plan and the Local Plan 2013-2033. They are provided in order to enable a robust neighbourhood plan that meets the basic conditions and can be utilised effectively in the determination of planning applications. We have also made comments in relation to the detailed wording of some of the Neighbourhood Plan policies so that these may be taken into consideration through the examination process.

We hope this comment is useful in progressing the plan through the Independent Examination.

Yours sincerely

██████████

**Forward Planning Team Leader**

**Table 1: MDDC Comments by proposed NP policy**

Regulation 16 Willand NP Policies	Relevant Local Plan Policies	Conformity between regulation 16 Willand NP policies and Adopted Mid Devon Local Plan Policies
Policy SD1: High-quality Design in New Developments	S1, DM1	This policy is in conformity with local plan policies.
Policy SD2: Sustainable Design in New Developments	S1, DM1	This policy is in conformity with local plan policies.
Policy COM1: Engaging with the Community on Major Development Proposals	DM3, DM27	The policy is in conformity with local plan policies.
Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets	S1, S2, DM23	This policy is in conformity with local plan policies.
Policy COM3: Protecting Sports Facilities, Amenities and Assets	DM24	<p>The Council objects to the wording of Clause 2.ii) as this requires alternative replacement provision ‘in the Plan area’ (i.e. Willand Parish). It is uncertain how this clause can be complied with if there is no suitable site or building within Willand Parish. NPPF paragraph 89 states “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements.... The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”. The wording of Clause 2.ii) is inflexible and could rule out consideration of a suitable site or building outside, but well related and accessible to Willand Parish.</p> <p>The Council objects to the inclusion of the words “through a community agreement, s106 agreement or other enforceable legal agreement” in Clause iii). The means by which provision can ensure community access can be explained in the reasoned justification for the policy.</p> <p>The Council objects to the wording of Clause 2.v) since this implies that a planning decision will be based on the requirements of Sport England and relevant sports governing</p>

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Willand Neighbourhood Plan Regulation 16 submission consultation: MDDC response

Regulation 16 Willand NP Policies	Relevant Local Plan Policies	Conformity between regulation 16 Willand NP policies and Adopted Mid Devon Local Plan Policies
		<p>bodies, but which are not set out in a development plan policy. To overcome this objection this part of Policy COM4 should be deleted and moved to the reasoned justification for the policy to make clear that regard will be given to advice provided by Sport England and relevant sports governing bodies on planning applications.</p> <p>The Council objects to the wording of Clause 3, since this wording is inflexible and it does not allow consideration of alternatives to section 106. We recommend rewording Clause 3 as follows: "Where replacement cannot be achieved in the Plan area, satisfactory alternative provision will be provided elsewhere in the district." The reference to use of a section 106 should be moved to the reasoned justification for the policy.</p>
<p>Policy COM4: Enhancing Sports Facilities, Amenities and Assets</p>	<p>DM23</p>	<p>The Council objects to the wording of Clause 2 as this requires alternative replacement provision 'in the Plan area' (i.e. Willand Parish). It is uncertain how this clause can be complied with if there is no suitable site or building within Willand Parish. NPPF paragraph 89 states "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements.... The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist". The wording of Clause 2 is inflexible and could rule out consideration of a suitable site or building outside, but well related and accessible to Willand Parish.</p>
<p>Policy COM5: Protecting Community "Services"</p>	<p>S1, DM23</p>	<p>The Council objects to the wording of Clause 2 ii) as this requires alternative replacement provision 'in the Plan area' (i.e. Willand Parish). It is uncertain how this clause can be complied with if there is no suitable site or building within Willand Parish. NPPF paragraph 89 states "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements.... The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where</p>

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Regulation 16 Willand NP Policies	Relevant Local Plan Policies	Conformity between regulation 16 Willand NP policies and Adopted Mid Devon Local Plan Policies
		suitable opportunities exist". The wording of Clause 2 ii) is inflexible and could rule out consideration of a suitable site or building outside, but well related and accessible to Willand Parish.
Policy GI1: Local Green Space	DM24	Evidence has been provided to demonstrate sites identified as LGS meet with NPPF paragraph 106.  Map 7 is incorrect, this should be Map 5
Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat	S9	The Council objects to the requirement in Clause 3 ii) to provide replacement provision within the Parish. The wording of this clause is inflexible and could rule out consideration of a suitable site somewhere else, for example through off-site net gains in biodiversity on habitat banks elsewhere in Mid Devon or outside the district.  The Council objects to Clause 4 and this requirement should be deleted and moved to the reasoned justification for the policy.
Policy GI3: Protecting Trees from Loss as a Result of Development	S1 (i, j), S9 (a), DM1 (e)	This policy is in conformity with local plan policies.
Policy GI4: New Trees and Planting	S1, S8, S9 (a), DM1 (e), DM3, DM26	This policy is in conformity with local plan policies.
Policy TAC1: Improving Transport, Accessibility and Connectivity	S1 (e), S8, DM1 (d), DM3	This policy is in conformity with local plan policies.
Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network	S1, DM1, DM26	This policy is in conformity with local plan policies.
Policy TAC3: Electric Charging Points for Plug-in Vehicles	S1, S8, DM5	This policy is in conformity with local plan policies.

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Regulation 16 Willand NP Policies	Relevant Local Plan Policies	Conformity between regulation 16 Willand NP policies and Adopted Mid Devon Local Plan Policies
Policy TAC4: E-cargo and Electric Vehicle Hub	DM5	This policy is in conformity with local plan policy.
Policy EE1: Small Employment Units and Hubs to Support the Local Economy	S13, DM18	For the sake of clarity the Council recommends that the comma between the words 'settlement limit boundary' and 'subject to other policies in the development plan' is replaced with the word 'and'. Local Plan Policy DM18 allows employment development in the countryside subject to criteria being met. The Council also draws attention to the NPPF paragraph 89 which states that "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport."

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To contact your local Councillor, his/her name and address can be obtained by visiting our website or telephoning Customer First on 01884 255255