

Willand Neighbourhood Development Plan

Submission Version 2020 – 2033

Report of Examination

July 2024

**Undertaken for Mid Devon District Council with the support of
Willand Parish Council on the submission version of the plan.**



Independent Examiner:

Liz Beth BA (Hons) MA Dip Design in the Built Environment MRTPI

Contents

Summary.....	3
1. Introduction and Background	4
1.1 Neighbourhood Development Plans.....	4
1.2 Independent Examination	4
1.3 Planning Policy Context	6
2. Plan Preparation and Consultation.....	7
2.1 Pre-submission Process and Consultation	7
2.2 Regulation 16 Consultation Responses.....	8
3. Compliance with the Basic Conditions Part 1	9
4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan	11
5. The Referendum Boundary.....	19

Abbreviations used in the text of this report:

The Willand Neighbourhood Plan is referred to as ‘the Plan’ or ‘WNP’.

Willand Parish Council is abbreviated to ‘Willand PC’.

Mid Devon District Council is abbreviated to ‘MDDC’ or, as the Local Planning Authority, ‘LPA’

The National Planning Policy Framework is abbreviated to ‘NPPF’.

The National Planning Practice Guidance is abbreviated to ‘NPPG’.

The Mid Devon Local Plan 2013 - 2033 is abbreviated to MDLP33

The key Neighbourhood Plan Regulations are abbreviated to ‘Reg14’ and ‘Reg16’ respectively.

Local Green Space is abbreviated to ‘LGS’.

Summary

- I have undertaken the examination of the Willand Neighbourhood Plan (WNP) during June and July 2024 and detail the results of that examination in this report.
- The Willand Parish Council have undertaken comprehensive consultation on this Plan, and it complies with legislative requirements. The Plan is focused on issues relevant to the locality and in need of detailed local consideration. The Mid Devon Local Plan 2013 - 2033 provides a current strategic policy framework.
- I have considered the comments made at the Regulation 16 Publicity Stage, and where relevant these have to an extent informed some of the recommended modifications.
- Subject to the modifications recommended, the Plan meets the basic conditions and may proceed to referendum.
- I recommend the referendum boundary is the designated neighbourhood plan area.

Acknowledgements: Thanks to Local Authority and qualifying body staff for their assistance with this examination. My compliments to the local community volunteers and Willand Parish Council, who have produced a concise and locally relevant Plan.

1. Introduction and Background

1.1 Neighbourhood Development Plans

1.1.1 The Localism Act 2011 empowered local communities to develop planning policy for their area by drawing up neighbourhood plans. For the first time, a community-led plan that is successful at referendum becomes part of the statutory development plan for their planning authority.

1.1.2 Giving communities greater control over planning policy in this way is intended to encourage positive planning for sustainable development. The National Planning Policy Framework (NPPF para 29) states that:

“neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood Plans can ... help to deliver sustainable development”.

Further advice on the preparation of neighbourhood plans is contained in the Government’s Planning Practice Guidance website:

<http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>

1.1.3 Neighbourhood plans can only be prepared by a ‘qualifying body’, and in Willand that is the Willand Parish Council (PC). Drawing up the Neighbourhood Plan was undertaken by the Neighbourhood Plan Steering Group, working to the Parish Council.

1.2 Independent Examination

1.2.1 Once Willand PC had prepared their neighbourhood plan and consulted on it, they submitted it to MDDC. After publicising the plan with a further opportunity for comment, MDDC were required to appoint an Independent Examiner, with the agreement of Willand PC to that appointment.

1.2.2 I have been appointed to be the Independent Examiner for this Plan. I am a chartered Town Planner with over thirty years of local authority and voluntary sector planning experience in development management, planning policy and project management. I have been working with communities for many years, and have recently concentrated on supporting groups producing neighbourhood plans. I am independent of any local connections to Willand and MDDC, and have no conflict of interest that would exclude me from examining this plan.

1.2.3 As the Independent Examiner I am required to produce this report and recommend either:

- (a) That the neighbourhood plan is submitted to a referendum without changes; or
- (b) That modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
- (c) That the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.2.4 The legal requirements are firstly that the Plan meets the 'Basic Conditions', which I consider in sections 3 and 4 below. The Plan also needs to meet the following requirements under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990:

- It has been prepared and submitted for examination by a qualifying body;
- It has been prepared for an area that has been properly designated by the Local Planning Authority;
- It specifies the period during which it has effect;
- It does not include provisions and policies for excluded development;
- It does not relate to land outside the designated neighbourhood area.

The WNP complies with the requirements of Paragraph 8(1). The Neighbourhood Area was designated originally on the 3rd February 2022 by MDDC. As minor changes to the parish boundary were subsequently made, a revised boundary was designated on the 21st June 2023. The plan does not relate to land outside the designated Neighbourhood Area. It specifies the period during which it has effect as 2020 – 2033 and has been submitted and prepared by a qualifying body and people working to that qualifying body. It does not include policies about excluded development; effectively mineral and waste development or strategic infrastructure.

1.2.5 I made an unaccompanied site visit to Willand to familiarise myself with the area and visit relevant sites and areas affected by the policies. This examination has been dealt with by written representations, as I did not consider a hearing necessary.

1.2.6 I am also required to consider whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to a referendum. I make my recommendation on this in section 5 at the end of this report.

1.3 Planning Policy Context

1.3.1 The Development Plan for Willand neighbourhood area, not including documents relating to excluded mineral and waste development, is the Mid Devon Local Plan 2013-33 (MDLP33). All policies in the MDLP33 are considered strategic. There is a review of the Local Plan underway, but that is at an early stage and does not yet have significant planning weight.

1.3.2 The National Planning Policy Framework Dec 2023 (NPPF) sets out government planning policy for England, and the National Planning Practice Guidance (NPPG) website offers guidance on how this policy should be implemented.

1.3.3 During my examination of the WNP I have considered the following documents:

- National Planning Policy Framework (NPPF) Dec 2023
- National Planning Practice Guidance 2014 and as updated
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004
- The Localism Act 2011
- The Neighbourhood Planning Regulations 2012 (as amended)
- Submission version of the Willand Neighbourhood Plan (WNP)
- The Basic Conditions Statement submitted with the WNP
- The Consultation Statement submitted with the WNP
- The Strategic Environmental Assessment Screening Decision for the WNP June 2023
- Neighbourhood Area Designation (map)
- Mid Devon Local Plan 2013 – 2033: Adopted July 2020. (MDLP33)
- Open Space and Play Area Strategy – 2014 parts 1 and 2 Mid-Devon District Council (MDDC)
- Representations received during the publicity period (reg16 consultation)

2. Plan Preparation and Consultation

2.1 Pre-submission Process and Consultation

2.1.1 Willand is a rural village and parish in the County of Devon, about 15 miles north of Exeter. The M5 motorway runs through the parish, and the parish has significant industrial land within it. The population is just under 3,500, and there are a good range of local services in the village.

2.1.2 The Neighbourhood area is the parish council boundary, and as stated above (para 1.2.4) this boundary changed after the initial designation of the area. The change was however minor, and judged by the LPA to not be significant enough to require further consultation or other changes to the process of plan-making.

2.1.3 A Steering Group organised the work of developing the WNP, the group being made up of Parish Councillors and volunteers from the local community. Planning consultants were employed in an advisory capacity. Consultation and engagement with the local community was seen as a continuous process, and social media, notice boards and a local magazine were used for communication, as well as the parish council website for updates and documents.

2.1.4 The Consultation Statement sets out the nature and form of consultation prior to the formal Reg14 six week consultation. A questionnaire was delivered to every household, local businesses and community groups contacted and a schools survey undertaken. Other stakeholders such as local cyclists engaged at this early stage. Considerable efforts were made to engage a wide cross-section of the community, despite the impact of the pandemic on consultation. After the 2020 lockdown in November of 2021 a meeting of local organisations was held to gather views and publicise the process going forward. This led to themed topic meetings on travel and housing issues.

2.1.5 As required by Regulation 14 of the Neighbourhood Planning Regulations 2012, the formal consultation for six weeks on the pre-submission WNP ran from the 9th July to the 20th August 2023. Each household received printed notification of the consultation, and hard copies of the plan were available as well as the online plan on the parish council website. Posters and social media also publicised the consultation and statutory consultees, businesses and local organisations were notified of the Reg14 consultation. There were several opportunities for people to question Steering Group members about the Plan.

2.1.6 Representations were received from 11 people and organisations. Most feedback was positive, and only minor amendments were needed. Responses are documented in the

Consultation Statement. I am satisfied that due process has been followed during the consultation undertaken on the Plan.

2.1.7 As required, the amended plan, together with a Basic Conditions Statement, a Consultation Statement, the Screening Opinion and a plan showing the neighbourhood area was submitted to MDDC at the beginning of 2024.

2.2 Regulation 16 Consultation Responses

2.2.1 MDDC undertook the Reg 16 consultation and publicity on the WNP for six weeks, from the 12th March to the 24th April 2024. Eight representations were received during this consultation, all from statutory consultees. Six offered general advice or confirmed they had no specific infrastructure interests in the Plan area. Two gave more specific comments and objections to policies in the Plan, and where relevant to the examination they are dealt with in my report.

2.2.2 I am specifically limited by legislation to correcting with recommended modifications the Plan's compliance with the Basic Conditions and other legal requirements. Comments in the Reg16 responses suggesting significant additions, such as new sites, are not something this examination is authorised to consider. Notification of minor corrections needed to the text are very useful, but again cannot be the subject of any modifications I recommend. The LPA will be aware however that it is authorised to correct minor errors that may have been missed so far [Town and Country Planning Act 1990 Schedule 4B section 12(6)].

3. Compliance with the Basic Conditions Part 1

3.1 General legislative requirements of the 1990 Town and Country Planning Act (TCPA) other than the Basic Conditions are set out in paragraph 1.2.4 above. The same section of this report considers that the WNP has complied with these requirements. What this examination must now consider is whether the Plan complies with the Basic Conditions, which state it must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations and comply with human rights law; and
- Not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (*prescribed basic condition since December 2018*).

3.2 The Basic Conditions Statement considers how each of the Plan's policies promotes the social, economic and environmental goals of sustainable development as required by the NPPF. A sustainability matrix was drawn up to assess each policy, and concludes that most policies are supportive of the sustainability aims, a few are neutral in some aspects but none have a negative effect. The vision for the Plan identifies the need for long term sustainability, and I accept that the Plan does contribute to sustainable development in line with the Basic Conditions.

3.3 A screening opinion has been issued by MDDC which considers whether Strategic Environmental Assessment (SEA) and/or Habitat Regulations Assessment (HRA) are required for the WNP. These environmental requirements are incorporated into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004, and implement the main EU Directive that neighbourhood plans still need to comply with. The Screening opinion states that:

- SEA is not required as the Plan in its current form is not likely to have significant environmental effects;
- HRA Appropriate Assessment is not required because the WNP has no potentially significant effects upon the National Site Network and is outside the 10km buffer zone for them.

I accept that with regard to the SEA and HRA Appropriate Assessment, the requirements of EU legislation have been complied with, and this Basic Condition met.

3.4 The WNP in my view complies with Human Rights Legislation. It has not been challenged with regard to this, and the consultation statement showed that the need to consult with a wide cross-section of the community was appreciated. An assessment of each policy with regard to its impact on protected characteristics showed no negative impact.

4. Compliance with the Basic Conditions Part 2: National Policy and the Development Plan

4.1 The final and most complex aspect of the Basic Conditions to consider is whether the WNP meets the requirements as regards national policy and the development plan. This means firstly that the Plan must have regard to national policy and guidance, which for this neighbourhood plan is the NPPF 2023 and the NPPG. Secondly the Plan must be in general conformity with the strategic policies of the development plan. The phrase 'general conformity' allows for some flexibility. If I determine that the Plan as submitted does not comply with the Basic Conditions, I may recommend modifications that would rectify the non-compliance.

4.2 The Plan and its policies are considered below in terms of whether they comply with the Basic Conditions as regards national policy and the development plan. If not, then modifications required to bring the plan into conformity are recommended.

Modifications are boxed in this report, with text to *remain in italics*, new text **highlighted in Bold** and text to be deleted ~~shown but struck through~~. Instructions for alterations are underlined.

4.3 The WNP is a generally well written and very nicely presented document. The desire to include Community Actions and Projects is understandable and of community benefit. However the way this is done must comply with government guidance, which states that they need to be clearly separate from the planning policy document which deals only with land-use issues (NPPG Ref: ID41-004-20190509). In order that the WNP complies with the Basic Conditions and pays due regard to government guidance on separation of non-landuse issues, I recommend it is amended as shown in Modification 1.

Modification 1: Sections within the document headed "Community Actions and Projects" (4.3; 5.6; 6.5 and 7.6) to be taken out of the main body of the plan and included as a separate item at the end of the Plan document.

4.4 **Policy SD1: High-quality Design in New Developments** Complies with the Basic Conditions.

4.5 Policy SD2: Sustainable Design in New Developments Complies with the Basic Conditions.

4.6 Policy COM1: Engaging with the Community on Major Development Proposals Complies with the Basic Conditions.

4.7 Policy COM2: Protecting and Enhancing Community Facilities, Amenities and Assets Complies with the Basic Conditions.

4.8 Policy COM3: Protecting Sports Facilities, Amenities and Assets The LPA objects to the requirement in this policy for replacement provision to be within the parish of Willand. There is a similar objection to policies COM4 and COM5 from the LPA. I have considered this requirement in the light of MDLP33 Policy DM24, which requires replacement to be “in a suitable location” [Policy DM24 (b)]. The justification for Policy DM24 includes the need for replacement sites to be “within an accessible distance”, and the 2014 Open Space and Play Area Strategy has defined what an accessible distance is for each type of open space. This study also shows an under supply of Park and recreation ground land (which includes outdoor playing pitches) in the parish. It is not unreasonable therefore for the WNP to require replacement to benefit the local community. The parish boundary for Willand is fairly tight to the urban area, and there may be times when a replacement site can be provided not within the parish, but still accessible to the population of the parish. Policy COM3 can allow for this possibility while still keeping the benefit of replacement local, and comply with strategic policy in the MDLP33. Alternative financial contributions (Clause 3) cannot override the duty of the LPA to consider the strategic considerations of the district if necessary.

4.8.1. The LPA also object to clauses in Policy COM3 being too specific, and suggesting that some requirements should be relegated to the justification. Policy, not the justification, is the place for requirements, but those requirements should not be so inflexible as to undermine the deliverability of the Plan (NPPG ID: 41-005-20190509). Clause 2(ii) cannot require replacement to be better than the existing as this is not reasonable and could adversely impact deliverability. Clause 2(iii) does not need to specify the particular type of legal agreement, which is a consideration beyond the remit of a landuse policy. Clause 2(v)

is over-promoting the role of national body to offer guidance on sports facilities, which in some circumstances may need to be judged alongside competing considerations and issues.

4.8.2 In order that the WNP has paid due regard to government guidance, and strategic policy in the development plan, and thus complies with the Basic Conditions, I recommend it is amended as shown in Modification 2 below.

Modification 2: Policy COM3 to be amended as follows:

1. Our main sport facilities and pitches are identified on Map 4 and are:

- i) Tennis Courts at Jubilee Field;*
- ii) Digger (Fishing) Lakes;*
- iii) the Willand Rovers Athletic Football Club ground.*

2. Existing sports facilities and pitches will be protected from loss. Where loss of a facility or pitch is unavoidable, it will be supported only where:

- i) redevelopment of the existing site includes an alternative type of community use, space or access;*
- ii) alternative replacement provision **will normally be expected to be** ~~is~~ **made within the Plan area but in some circumstances replacement adjacent to Willand Parish may be acceptable if the site is still accessible to the residents of Willand, as defined in Local Plan guidance. Replacement shall be to an equal or and to a better quality and quantity than the facility and / or pitches being lost;***
- iii) provision ensures community access through ~~an community use agreement, s106 agreement or other~~ enforceable legal agreement;*
- iv) that the proposal demonstrates how it has taken into account the most up-to-date Local Planning Authority Playing Pitch Strategy and / or Sports Facility Strategy; and,*
- v) proposals for replacement to mitigate loss **should where possible comply with the guidance** ~~satisfactorily meet the most up-to-date policy requirements~~ **of Sport England and relevant sports governing bodies.***

*3. Where replacement cannot be achieved **in line with 2ii) above, a financial contribution may be acceptable instead** ~~the Plan area, a section 106 planning obligation (financial contribution), in lieu of replacement, will be made~~ **to ensure that provision is enhanced at other existing facilities, amenities and assets, where possible within the Parish of Willand.***

4.9 Policy COM4: Enhancing Sports Facilities, Amenities and Assets As discussed above in relation to Policy COM3, clause 2 in this policy needs to acknowledge that there may be potential to benefit the local area in land adjacent to, but not within, the neighbourhood area. In order that Policy COM4 has paid due regard to strategic policy in the development plan I recommend that it is amended as shown in Modification 3.

Modification 3: Clause 2 of Policy COM4 to be amended as follows:

*.... 2. If proposals for additional or improved facilities and/or pitches to accommodate demand arising from development proposals are not feasible or viable on-site, off-site provision or financial contributions towards provision should be made **in line with Policy COM3.** ~~within the Plan area.~~*

4.10 Policy COM5: Protecting Community “Services” The LPA have objected to clause 2ii) of this policy as being too inflexible. The relevant Local Plan policy is DM23, which deals with the retention and improvement of local community facilities for local benefit. The LPA accept that any replacement would need to be still within reach of the local community. The nature of community facilities generally, and as shown on Map 3 are that they are embedded within the urban area. Therefore in this instance I do not consider it unreasonable to require replacement within the plan area, if the use is still viable. The policy complies with the Basic Conditions.

4.11 Policy GI1: Local Green Space. This policy proposes the designation of twenty five areas as Local Green Space (LGS). National policy on designation of LGS requires that the space to be designated is “demonstrably special” for reasons that can include “beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife”. (NPPF paras 105-6) In my view several of these proposed designations are not special enough to designate as LGS, often being too small and without obvious attributes that could be called special. The justification for designation in Appendix 2 has not offered reasons to counter my first impressions, and so in order that the WNP complies with the Basic Conditions, and has paid due regard to government policy, I recommend that the proposed LGS areas are reduced to those shown in Modification 4. In a few instances I recommend that separate proposed designations are

amalgamated, in order that sites that are adjacent or only separated by a minor road can combined reach a level of beauty and local significance that justifies designation. This applies to proposals ii) and xv); iv) and v) and xvii) and xviii); The correct map reference is also shown amended in modification 4, for accuracy.

Modification 4: The first paragraph of Policy G11 and clause 1 to be amended as follows:

1. Our locally valued green spaces are identified on Map 7 5 (and Appendix 2) and are designated as Local Green Space in accordance with the requirements of the National Planning Policy Framework. These areas will be protected for their local environmental, heritage and / or recreational value.

Willand's Local Green Spaces are:

- ~~i) Aspen Close / Myrtle Close;~~
- ~~ii) Beech Close;~~
- iii) Chestnut Drive / Maple Close;
- iv) **Culm Valley Trail (North); North and South**
- ~~v) Culm Valley Trail (South);~~
- ~~vi) Greenwood;~~
- ~~vii) Harpitt Close;~~
- viii) Jubilee Playing Field / Gables Lea;
- ~~ix) Mallow Court;~~
- x) Orchard Way;
- ~~xi) Rectory Close;~~
- ~~xii) Rowan Lea;~~
- xiii) St Mary's Churchyard;
- ~~xiv) South View Close;~~
- xv) Sycamore Close and Beech Close;
- xvi) Townlands;
- xvii) Victoria Close / Blenheim Drive and xviii) Victoria Close;
- ~~xviii) Victoria Close;~~
- xix) Willand Allotments;
- xx) Willand Moor Road / Buttercup Road;
- xxi) Willand Moor Road;
- ~~xxii) Willand Moor Road / Poppy Close;~~
- xxiii) Willand Parish Cemetery;
- ~~xxiv) Worcester Crescent.~~

Numbering of designations (12 total) and boundaries to be amended in Policy G11 and Map 5

4.12 Policy GI2: Locally Valued Areas of Biodiversity, Geodiversity and Habitat The LPA have objected to clause 3ii) requiring any replacement provision to be within the neighbourhood area, as alternative replacement outside the Parish may sometimes be acceptable. The designated areas of wildlife and biodiversity areas in clause 1 of Policy GI2 often run from and into areas outside of the Parish, and I agree with this criticism of the policy being too restrictive and potentially limiting the most effective replacement biodiversity solution contrary to government policy (NPPF 186). It is reasonable however to require that any improvement in mitigation is applied to the same feature.

4.12.1 Clause 3i) of the policy aims to restrict acceptable development to the current 'use and role of the site', which makes sense with reference to the M5 corridor, but less sense for the designations of stream and river corridors. The requirement is also potentially likely to sometimes unnecessarily place undue burdens on the deliverability of potential development, contrary to the requirements of the NPPG (ID: 41-005-20190509).

4.12.2 The policy is currently confusing, as Map 6 shows more designations than Clause 1 lists. After seeking clarification on this matter, I propose that the clarity required by government policy (NPPF para16d) will be gained with clause 2 referring to all the sites shown, and clause 3 dealing with development proposals in the higher level sites identified in clause 1. For clarity clause 2 will also need to remove the blanket reference to 'significant harm will not be supported' because this prohibition is contrary to clause 3 which states when significant harm may be acceptable with mitigation.

4.12.3 The LPA have also suggested that clause 4 needs to be removed from the policy and placed in the reasoned justification. A specific requirement like this does belong in policy, but as currently worded the requirement is not always reasonable. As explained in para 4.12.1 of this report above, the NPPG requires policy to not place undue burdens on development that could undermine deliverability.

4.12.4 In order that Policy GI2 complies with the Basic Conditions and has paid due regard to government guidance and policy, I recommend it is amended as shown in Modification 5 below:

Modification 5: Policy GI2 to be amended as follows:

1. *Our locally valued areas of biodiversity, geodiversity and habitat are identified on Map 6 and the following are of particular significance: are:*

- i) Culm River Corridor;*
- ii) Five Bridges / M5 Corridor;*
- iii) Meadow Park / Maple Close / Rowan Lea Woodland;*
- iv) Spratford Stream Corridor (North);*
- v) Spratford Stream Corridor (South);*
- vi) Tiverton Junction Woodland Belts;*
- vii) Uffculme Road Woodland.*

2. ~~These Areas shown on Map 6 will be protected (and enhanced where possible) as areas important in supporting wildlife habitats, biodiversity and geodiversity and their role within the wider network of green infrastructure. Significant harm will not be supported. Green corridors linking these areas will also be protected.~~

3. ~~Proposals which result in the unavoidable significant harm to these areas~~ **designated in clause 1 of this policy** (in whole or in part) will only be supported where ~~i) The proposal is specific to that use and role of the site; and, ii) the area (quality, land area and habitat, biodiversity and geodiversity value) can be satisfactorily replaced within the Parish~~ **with net gains in biodiversity to that feature.**

4. **Where appropriate**, proposals on or affecting these sites should demonstrate how they have responded to the requirements of this policy through an ecological assessment.

4.13 **Policy GI3: Protecting Trees from Loss as a Result of Development** Complies with the Basic Conditions.

4.14 **Policy GI4: New Trees and Planting** Complies with the Basic Conditions.

4.15 **Policy TAC1: Improving Transport, Accessibility and Connectivity** Complies with the Basic Conditions.

4.16 **Policy TAC2: Protecting the Footpath, Bridleway and Cyclepath Network** Complies with the Basic Conditions.

4.17 **Policy TAC3: Electric Charging Points for Plug-in Vehicles** Complies with the Basic Conditions.

4.18 **Policy TAC4: E-cargo and Electric Vehicle Hub** Complies with the Basic Conditions.

4.19 **Policy EE1: Small Employment Units and Hubs to Support the Local Economy.** The LPA have pointed out that the MDLP33 Policy DM18 allows for some employment development in the countryside. As policy EE1 is only supporting employment development within the settlement boundary, it is ruling out development that could potentially be acceptable to strategic policy DM18 of the MDLP33, and is therefore not in general conformity with the development plan. The Environment Agency has offered guidance on potential constraints with some of the areas indicated on Map 10 of the WNP. However this Map is not referenced in Policy EE1, the areas shown are not subject to any designation or preference for employment development, and while the LPA and Qualifying Body may wish to include reference to these constraints in the WNP for information, it is not a Basic Conditions issue for me to deal with in this report.

4.19.1 In order that Policy EE1 complies with the Basic Conditions and is in general conformity with the development plan, I recommend it is amended as shown in Modification 6.

Modification 6: Clause 1 of Policy EE1 to be amended as follows:

1. Development proposals for the creation of flexible work hubs, workshops and other business premises to support micro, small and medium sized local businesses will be supported ~~within the settlement limit boundary,~~ subject to ~~other~~ policies in the development plan, ~~and~~ where they do not have an unacceptable adverse effect on the local amenity enjoyed by existing neighbouring uses and residents. ...

5. The Referendum Boundary

5.1 The WNP has no policy or proposals that have a significant enough impact beyond the designated Neighbourhood Plan Boundary that would require the referendum boundary to extend beyond the Plan boundary. Therefore I recommend that the boundary for the purposes of any future referendum on the Willand Neighbourhood Development Plan 2020 – 2033 shall be the boundary of the designated Neighbourhood Area for the Plan.