



July 2022

Crediton Neighbourhood Plan

Decision Statement: Crediton Neighbourhood Plan proceeding to Referendum

REGULATION 18 - THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 AND THE LOCALISM ACT 2011

SUMMARY

This Decision Statement confirms that, following an independent examination of the Crediton Neighbourhood Plan, Mid Devon District Council accepts the examiner's recommendation that, subject to modifications, the Crediton Neighbourhood Plan can proceed to a Referendum.

The Examiner's Report, submission version of the Crediton Neighbourhood Plan and associated documents, including this Decision Statement, are available to inspect on the Mid Devon District Council website: <https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/crediton-neighbourhood-plan/> and at the Council's office at Phoenix House, Phoenix Lane, Tiverton, EX16 6PP during opening hours.

BACKGROUND

Crediton Town Council as the qualifying body has prepared a neighbourhood plan for the parish of Crediton with the help of the local community. The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

With the agreement of the qualifying body, Mid Devon District Council appointed an independent examiner to conduct the examination of the Crediton Neighbourhood Plan. The examination is required to test whether the plan meets the basic conditions, and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

EXAMINER'S RECOMMENDATIONS

The Examiner's report was received on 13th May 2022. In the report the Examiner has recommended a number of modifications to policies within the Crediton Neighbourhood Plan in order that the plan and its policies meet the 'basic conditions'. Additional minor modifications have also been recommended to improve the clarity of the neighbourhood plan. Full details of the 'basic conditions' against which the plan has been examined, the recommended modifications and reasons for these can be found in the Examiner's report.

The report has concluded that, subject to the recommended modifications, the Crediton Neighbourhood Plan meets the basic conditions and can proceed to a Referendum. The Examiner has also confirmed that the Crediton Neighbourhood Plan should proceed to a Referendum based on the neighbourhood area approved by Mid Devon District Council in July 2014, which is the Crediton parish area and is shown in Appendix 2.

COUNCIL'S DECISION

As required under paragraph 12 of Schedule 4B to the Town and Country Planning Act 1990, Mid Devon District Council must consider each of the examiner's recommendations and the reasons for them and decide what action to take in response to each.

Having considered the Examiner's report, the Council accepts the recommended modifications and the reasons given for these. The Council considers that the Crediton Neighbourhood Plan, as modified, meets the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and that the Crediton Neighbourhood Plan complies with provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.

Accordingly, the Crediton Neighbourhood Plan, incorporating the Examiner's recommended modifications and a typographical correction to the title of Map 5 Views which are set out in Appendix 1, may proceed to a Referendum.

A Referendum will be held within 56 working days following the publication of this Decision Statement and the date for this Referendum will be published not fewer than 28 days before the date on which the Referendum will be held.

To meet the requirements of the Localism Act 2011 the Referendum will pose the following question:

“Do you want Mid Devon District Council to use the Neighbourhood Plan for Crediton to help it decide planning applications in the neighbourhood area?”

Government planning guidance advises that where a decision statement has been made detailing the intention to send a neighbourhood plan to Referendum, such as for the Crediton Neighbourhood Plan, that plan can be given significant weight in planning decision-making, so far as the plan is material to the application.

**Tristan Peat,
Forward Planning Team Leader for Mid Devon District Council**

For further information, please contact the Forward Planning Team at fplan@middevon.gov.uk

Appendix 1 – Mid Devon District Council’s Decision Statement on the Examiner’s recommended modifications to the Crediton Neighbourhood Plan July 2022

Neighbourhood Plan Section / Policy	Examiner’s recommended modifications	Recommended Council decision and reason
Section 1.3	Add a new sentence at the end of the third paragraph under Section 1.3 on page 8, to read “For the purposes of this Neighbourhood Plan, the settlement limit and land allocations shown on the Proposals Map for Crediton which accompany the adopted Mid Devon District Plan Review are carried forward and used in the NP.”	Agreed. This modification will add clarity to the neighbourhood plan.
Maps	Add updated mapping and figures to the NP, as supplied by MDDC	Agreed. This modification will add clarity to the neighbourhood plan.
Section 1.3	Amend first sentence of first paragraph of section 1.3 to read “The previous Mid Devon Local Plan included three parts - Core Strategy adopted July 2007, Allocations and Infrastructure Development Plan Document adopted January 2011, and the Local Plan Part 3 Development management policies adopted October 2013. This was accompanied by a Policies Map which was adopted October 2013.” Amend last three sentences of first paragraph of section 1.3 on page 8 and replace with: “The District Council adopted the Mid Devon District Plan Review in July 2020 to cover the period 2013-2033. The plan brings forward sites that are deliverable within the plan period.” Amend second sentence of last paragraph of section 1.3 to read “Because of its topography and other environmental constraints, Crediton is expected to have less development and fewer new houses than Tiverton and Cullompton.” Amend the last sentence of the third paragraph under section 1.3 to read “The Neighbourhood Plan accepts the development allocations identified in the adopted Mid Devon District Plan Review.”	Agreed. This modification is a factual correction to refer to the current adopted Mid Devon Local Plan. There are environmental constraints to development at Crediton.

Neighbourhood Plan Section / Policy	Examiner's recommended modifications	Recommended Council decision and reason
Policy D2 Sites allocated in the Mid Devon Local Plan as shown in the Adopted Policies Map for CREDITON	Amend first sentence of Policy D2 to read "Full planning applications and reserved matters applications for allocated residential sites and mixed use sites should be supported by detailed plans and proposals which include:"	Agreed. This modification will clarify that full planning applications and reserved matter applications will require detailed plans and proposals.
Policy D2 Sites allocated in the Mid Devon Local Plan as shown in the Adopted Policies Map for CREDITON	Retitle "Design Statement " as "CREDITON Design Guide" and place under NP entry on the District Council and Town Council websites. Add "CREDITON" before "Design Guide" at end of first bullet point of Policy D2	Agreed. This modification will clarify that the document referred to is the CREDITON Design Guide.
Policy D4 Custom and Self Build Housing	Reword Policy D4 to read: "Custom and self-build housing, especially where supported by locally specific evidence, can provide a more affordable housing solution and will be supported subject to other policies in the development plan." Amend last sentence of second paragraph of supporting text to read "Custom and self build housing can offer an affordable route to achieving a home as well as offering opportunities for innovative and energy efficient design and could be a feasible solution for some residents." Add a new sentence at the end of the third paragraph of the supporting text in Section 1.4 (page 19) to read " Supporting evidence is also set out in the Local Plan Review evidence base, such as the Custom and Self Build Demand Assessment Framework (Three Dragons, July 2018). Other useful sources of supporting evidence could include local housing needs surveys or secondary data from external sources such as Buildstore (www.buildstore.co.uk)."	Agreed. The reworded policy though this modification is consistent with the Council's response made to the Regulation 16 stage submission consultation on the CREDITON Neighbourhood Plan

Neighbourhood Plan Section / Policy	Examiner's recommended modifications	Recommended Council decision and reason
Policy D5 Design	Add a new sentence at the end of the last bullet point of Policy D5 to read: "The design of any Sustainable Urban Drainage System (SUDS) should comply with the relevant Devon County Council guidance." In the fifth bullet point delete "the Green Infrastructure Plan for Crediton" and substitute "green infrastructure of Crediton as promoted in policy En4"	Agreed. The reworded policy through this modification is consistent with the Council's responses made to the Regulation 16 stage submission consultation on the Crediton Neighbourhood Plan.
Policy TC1 Town centre development	Reword first two sentences of Policy TC1 to read "Development proposals within the town centre boundary, as defined in Figure 2, will be supported where they provide:"	Agreed. This modification will add clarity to the neighbourhood plan in respect of where the policy applies.
Policy TC2 Town centre living	Reword policy TC2 to read: "Within the town centre boundary, development will be supported that re-uses buildings for residential use above ground floor level, including live/work accommodation and 'living over the shop'"	Agreed. This modification will add clarity to the neighbourhood plan in respect of where the policy applies.
Policy TC4 High Street to St Saviour's Way car park access route	In second paragraph of Policy TC4, delete "cf LPR DM19" and replace with "Mid Devon District Plan Review Policy DM19"	Agreed. This modification will add clarity to the neighbourhood plan in terms of cross referencing to the adopted Mid Devon Local Plan.
Policy S1 Renewable energy excluding wind turbines	Delete "wind turbines are not considered in this plan as no suitable" at the bottom of the supporting text under Section 5.1 Renewable energy. Change "proposals" to "Proposals" and add "small" before "groups of properties" in first sentence of Policy S1. Add a comma after "appropriate" in last bullet point of policy.	Agreed. This modification will remove superfluous text and is consistent with the Council's response made to the Regulation 16 stage submission consultation on the Crediton Neighbourhood Plan in respect of the inclusion of the word 'small' in Policy S1. This will make the policy more explicit about the scale of development that proposals for renewable energy would serve.

Neighbourhood Plan Section / Policy	Examiner's recommended modifications	Recommended Council decision and reason
Policy S2 Energy diversification	Reword Policy S2 to read "Initiatives that would enable local businesses to develop renewable and low carbon energy will be supported where: - the primary function is to support their operations - they are subordinate to the primary business - the siting, scale and impact of the proposed development is appropriate to its setting and position in the wider landscape"	Agreed. These modifications will make minor typographical corrections to the policy.
Policy E2 Change of use of allocated employment land	Add as a new sentence at the end of the text box under 6.2 Change of use of allocated employment land (Page 36) to read : "For this reason, the loss of any of the allocated employment sites (defined in Policy DM19 in the adopted Local Plan), through a change of use will be resisted."	Agreed. This modification will add clarity to the neighbourhood plan that Policy E2 will apply to allocated employment sites in the adopted Mid Devon Local Plan.
Policy H4 Credton Station	Reword first sentence of Policy H4 to read "Credton station buildings and signal box form an important part of the heritage of Credton Neighbourhood Plan area". Change "thy" to "they" in second sentence.	Agreed. This modification will add clarity to the neighbourhood plan by making clear that Policy H4 will apply to Credton station buildings and signal box.

Neighbourhood Plan Section / Policy	Examiner's recommended modifications	Recommended Council decision and reason
Policy En2 Trees	<p>Reword opening sentence of Policy En2 to read: "In order to improve and increase tree cover in the plan area and to retain and enhance green corridors and the street scene and to capture carbon, the following principles of retaining, avoiding harm, enhancement and compensation will apply:"</p> <p>Move Principle 1 to become Principle 2 and vice versa.</p> <p>Reword first two paragraphs of Principle 1 to read "Avoid harm. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland or veteran trees) should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. The following principles should guide the design of a development where ancient woodlands or veteran trees may be affected:"</p> <p>Amend formatting of second paragraph under Principle 3 Enhance, so that it is consistent with Principle 1 Avoid harm.</p> <p>Reword last paragraph of Principle 4 to read:" In circumstances where compensation cannot be delivered on site, arrangements to compensate elsewhere, through financial contributions to offsite tree planting (including management costs) should be explored."</p>	<p>Agreed.</p> <p>This modification will add clarity to the neighbourhood plan through giving the policy a more logical structure and ensuring it complies with the National Planning Policy Framework.</p>

Neighbourhood Plan Section / Policy	Examiner's recommended modifications	Recommended Council decision and reason
Policy En3 Flood Plains	Reword second sentence of policy En3 to read "In addition, any proposals for development within the floodplain should, where appropriate, be supported by...."	Agreed. This modification will add clarity to the neighbourhood plan. The inclusion of the words "where appropriate" in the second sentence of Policy En3 will make clear that not all development proposals within the flood plain will need to be supported by detailed information.
Policy En4 Green Infrastructure	In Policy En4 change "Map 5 see Appendix 1 p 53" to "Map 4 on page 52, open spaces". In the second sentence of the policy change "Map 6" to "Map 5 on Page 53 Green Corridors"	Agreed. This modification will add clarity to the neighbourhood plan through correcting the cross referencing to maps in the Appendix 1. The reference to page "52" will be amended to page "54" and reference to page "53" will be amended to page "55" to reflect the reformatted "referendum" version of the neighbourhood plan.
Policy En5 Views and Vistas	Delete "views shows" and substitute "view from Downeshead shown" after in the second line of Policy En5.	Agreed. This modification will add clarity to the neighbourhood plan in terms of the view that Policy En5 applies to.

Mid Devon District Council has made the following modification to the Crediton Neighbourhood Plan which is a typographical correction.

Neighbourhood Plan Section / Policy	Council modification	Reason
Appendix 1, page 56, Map 5 Views	Amend the title of the map from "Map 5 Views" to "Map 6 Views".	The map is incorrectly numbered map '5' and the modification is needed so that the map number is consistent with the cross reference to Map 6 included in the wording of Policy En5.

Appendix 2: Crediton Neighbourhood Area Designation



TDE
Crediton Parish

GMS

Scale not to scale

Date 8/02/2012

Orig. No. Crediton_A3

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