

Crediton Neighbourhood Plan

Independent Examiner's Report

May 2022

Barbara Maksymiw

Independent Examiner BSc (Hons), MSc, MRTPI

Contents

Summary

1. Introduction
2. Appointment of the independent examiner
3. The role of the independent examiner
4. Compliance with matters other than the basic conditions
5. The examination process
6. Consultation
7. Compliance with the basic conditions
8. Neighbourhood Plan policies
9. Conclusions and recommendations

Appendix 1 Background Documents

Appendix 2 Examiner's questions

Summary

I have been appointed by Mid Devon District Council to carry out an independent examination of the Crediton Neighbourhood Plan.

The examination was carried out between March and April 2022 and was undertaken by considering all the documents submitted to me, including the written representations. I visited the Neighbourhood Plan area on 15 March 2022.

Crediton is a small market town, in the western part of the district of Mid Devon, situated to the north west of Exeter.

Subject to a number of modifications set out in this report, I conclude that the Neighbourhood Plan Review meets the Basic Conditions and I am pleased to recommend that it should proceed to referendum.

I recommend that the referendum should be confined to the Neighbourhood Plan area.

Barbara Maksymiw

Independent Examiner

May 2022

1. Introduction

1. Neighbourhood planning is a relatively new process, introduced by the Localism Act 2011, which enables local communities to develop planning policies to guide development in their area and help to shape the places where they live and work.

2. Crediton is a small market town, in the western part of the district of Mid Devon, about nine miles to the north west of Exeter. It is situated between the rivers Yeo and Creedy and is surrounded by high grade agricultural land. The town is popular with commuters to Exeter and is an important service centre for the surrounding villages. It has a strong local community, keen to retain its sense of identity and growing as a sustainable town.

3. The plan has been prepared in the context of the Mid Devon District Plan Review, adopted in July 2020, and the Neighbourhood Plan accepts the development allocations set out in the Local Plan.

4. The purpose of this report is to assess whether the Crediton Neighbourhood Plan (NP) complies with the relevant legislation and meets the Basic Conditions. Where necessary, the report makes recommendations about changes or modifications to the plan to ensure that it meets the legislative requirements.

5. The report also makes a recommendation about whether the NP should proceed to the referendum stage. If there is a positive recommendation at referendum, the NP can be “made” by Mid Devon District Council and so become part of the wider development plan and then used by Mid Devon District Council to determine planning applications in the plan area.

2. Appointment of the independent examiner

6. I have been appointed by Mid Devon District Council, with the agreement of Crediton Town Council, to carry out this independent examination. The Neighbourhood Planning Independent Referral Service (NPIERS) has facilitated my appointment. I am a chartered town planner with extensive planning experience in local government and therefore have the appropriate qualifications and experience to carry out this examination. I am independent of the qualifying body and have no land interest in the area that might be affected by the plan.

3. The role of the independent examiner

7. The role of the independent examiner is to ensure that the submitted NP meets the Basic Conditions together with a number of legal requirements.

8. In examining the NP I am required, under Paragraph 8(1) of Schedule 4B of the Town and Country Planning Act 1990, to check ¹ that:

- the policies in the plan related to the development and use of land for a designated neighbourhood area; and
- the policies in the plan meets the requirements of Section 38 of the Planning and Compulsory Purchase Act (that is, it specifies the period to which it has effect, does not include provision about excluded development and does not relate to more than one neighbourhood area); and
- the plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.

9. I must also consider whether the NPR meets the Basic Conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended). A plan meets the basic conditions² if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- the making of the plan contributes to the achievement of sustainable development
- the making of the neighbourhood plan is in general conformity with the strategic policies of the development plan for the area
- the making of the neighbourhood plan does not breach, and is otherwise compatible with European Union (EU) obligations

10. Regulations 32 and 33 of the Neighbourhood Planning Regulations 2012 (as amended) set out two additional basic conditions. These are:

- the making of the neighbourhood plan is not likely to have significant effects on a European site ³ or a European offshore marine site ⁴ either alone or in combination with other plans or projects and
- having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this does not apply to this examination as

¹ Set out in paragraph 8(1) of Schedule 4B of the Town and Country Planning Act (as amended)

² Set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

³ As defined in the Conservation of Habitats and Species Regulations 2012

⁴ As defined in the Offshore Marine Conservation (Natural Habitats &c) Regulations 2007

it is not about a neighbourhood development order).

11. A further Basic Condition was added by legislation on 28 December 2018. The Neighbourhood Planning (General) Regulations 2012 para 1 states:

- In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act
- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

12. As independent examiner, having examined the plan, I am required to make one of the following recommendations:

- that the plan as submitted can proceed to a referendum; or
- that the plan with recommended modifications can proceed to referendum; or
- that the plan does not meet the necessary legal requirements and cannot proceed to referendum

13. If the plan can proceed to referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

14. Mid Devon District Council will consider the examiner's report and decide whether it is satisfied with the examiner's recommendations and will publicise its decision on whether the plan will be subject to referendum, with or without modifications. If a referendum is held and results in more than half of those voting in favour of the plan, the Council must "make" the neighbourhood plan a part of its development plan. The plan then becomes part of the development plan for the area and is a statutory consideration in guiding future development and determining planning applications in the area.

4. Compliance with matters other than the basic conditions

15. On 20 February 2014, Crediton Town Council applied to Mid Devon District Council to designate the parish as a Neighbourhood Area and the parish was formally designated, as a Neighbourhood Area in accordance with the Neighbourhood Planning (General) Regulations 2012 on 2 July 2014. The designated area covers the whole parish and does not cover any other Neighbourhood Area. The

plan covers the period from 2018 to 2033, which aligns with the timespan of the Mid Devon Local Plan Review 2013 – 2033 which was adopted in July 2020.

16. The preparation of the plan has been managed by a Steering Group made up of town councillors and members of the public, supported by professional planning consultants.

17. I am satisfied that the Neighbourhood Plan includes policies that relate to the development and use of land and does not include provision for any excluded development. The Crediton NP therefore meets the requirements set out in para 8 above.

5. The examination process

18. The documents which I considered during the course of the examination are listed in Appendix 1.

19. The general rule⁵ is that an examination is undertaken by the consideration of written representations only. Having considered all the information before me, including the representations made to the submitted plan (the Regulation 16 responses), I was satisfied that the Crediton NP could be examined without the need for a public hearing.

20. During the course of the examination it was necessary to clarify several matters with Mid Devon District Council and the Town Council. These are set out in Appendix 2 to this report. I was provided with prompt and helpful responses to my questions and I am satisfied that I had all the information I required to carry out the examination.

21. As part of the Neighbourhood Plan Examination process, it is important for the examiner to understand the context of the neighbourhood plan in the wider area and its overall character, as these shape the issues and policies set out in the plan. I therefore made an unaccompanied site visit to the area on 15 March 2022.

22. The plan has been assessed against the guidance in the National Planning Policy Framework (NPPF) dated July 2021.

23. As part of this examination, my report includes a series of recommended modifications to ensure that the policies are expressed concisely and precisely in order to comply with the basic conditions. Where I have suggested modifications, these are identified in **bold text**. The recommended modifications relate mainly to issues of clarity and precision and are designed to ensure that the

⁵ PPG para 004 ref id 41-004-20140306

plan fully accords with national and strategic policies. I have considered the policies in the order they appear in the plan, by section and comment on all of the policies, whether I have suggested modifications or not. Where I consider that the supporting paragraphs need amendment to help explain and justify the plan policy, I have made comments to that effect.

6. Consultation

Consultation process

24. Effective consultation and engagement with the local community is an essential component of a successful neighbourhood plan, bringing a sense of public ownership to its proposals and helping to achieve consensus. The policies set out in the Neighbourhood Plan will be used as the basis for planning decisions – both on local planning and on planning applications – and, as such, legislation requires neighbourhood plans to be supported by public consultation.

25. In line with the Neighbourhood Planning (General) Regulations 2012⁶, the Steering Group has prepared a short Statement of Consultation for the NP which sets out how the group approached public consultation.

26. Throughout the plan preparation process, the Steering Group has sought to consult and engage with the local community and feedback has been used to inform the content and scope of the plan. This was initiated by a comprehensive Household Survey, Schools Survey and Business Survey conducted in early 2015, followed by a series of public displays and consultations held between July 2015 and January 2020. In addition, the Steering Group provided regular updates through the Town Council's newsletters and press releases.

27. The Consultation Statement demonstrates that the Steering Group has fully engaged with the local community and kept people informed as the plan progressed. As a result, the community's vision and aim for the Town reflects the views and priorities of the community. These are

Vision:

We are a creative and sociable community that is committed to developing, over the plan period, a sustainable town alongside our valued heritage and environment . "Let's make it work better!"

⁶ Regulation 15 of the Neighbourhood Planning (General) Regulations 2012

Aim

We aim to fulfil our community's aspirations to make Crediton an even better place to live, work and play, while retaining our distinctive assets of arts -based social projects and events, our St Boniface heritage, sustainable transport connectivity and our rural valley setting

Statutory consultations and representations received

28. Preparing the NP has involved two statutory six-week periods of public consultation. The Regulation 14 consultation was held between from 8 April to 20 May 2019. In all, 7 representations were received – one was from a community organisation, four from statutory consultees and two from the local authorities.

29. The second consultation on the Submission Draft NP was managed by Mid Devon District Council and took place between 22 November 2021 and 14 January 2022. This generated eleven responses – one from Mid Devon District Council, five from statutory consultees, three from other organisations and two from Parish Councils .

30. Occasionally in this report I refer to representations and identify the organisation making that particular comment. However, I have not referred to every representation in my report. Nonetheless, I can assure everyone that each comment made has been looked at and carefully considered.

31. From the evidence in front of me, it is apparent that the Crediton NP has been subject to all the necessary public consultation, involving much time and effort by the Steering Group. I am therefore satisfied that the consultation process which has been followed complies with the requirements of the Regulations.

7. Compliance with the basic conditions

32. In my role as independent examiner I must assess whether the Neighbourhood Plan meets the Basic Conditions⁷ set out in the Regulations as described in paras 8-11 above.

33. I have considered the Crediton Neighbourhood Plan Basic Conditions Statement produced on

⁷ Para 8(2) of Schedule 4B of the Town and Country Planning Act (as amended)

behalf of the Steering Group to assist my assessment which is set out below.

National Policy

34. National planning policy is set out in the National Planning Policy Framework (NPPF) and in the supporting Planning Practice Guidance (PPG). At the heart of the planning system is a presumption in favour of sustainable development, which applies to all levels of plan making. For neighbourhood plans, this means that neighbourhood plans should support the strategic development needs set out in Local Plans and plan positively to shape local development. Planning Practice Guidance⁸ states that all plans should be prepared positively, be shaped by effective engagement with the local community and contain policies which are clearly written and unambiguous. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.

35. The Basic Conditions Statement, on pages 12 - 16, contains a comprehensive assessment of how the policies in the NP conform with the guidance in the NPPF 2019 (as amended). I therefore conclude that this Basic Condition is met.

Sustainable development

36. The qualifying body also has to demonstrate how a neighbourhood plan contributes to the achievement of sustainable development as set out in the NPPF⁹. Pages 25 -30 of the Basic Conditions Statement sets out an assessment of each policy in the NP and which of the three strands of sustainable development it addresses - the economic, social and the environmental. I therefore conclude that this Basic Condition is met.

Development Plan

37. The NP also has to demonstrate that it accords with the strategic policies of the Development Plan. In this case, the adopted development plan is the Mid Devon Local Plan Review which was adopted in July 2020. The Basic Conditions Statement includes a table on pages 16-24 which sets out how each policy in the NP is in general conformity with the Local Plan.

⁸ Planning Practice Guidance Paragraph: 041 Reference ID: 41-041-20140306

⁹ NPPF paragraph 16

38. From my assessment of the plan's policies in the rest of my report, it is evident that the strategic policies of the adopted Mid Devon Local Plan Review have generally been carried through to the NP. Therefore, subject to the recommended changes set out in Section 8 below, I conclude that the NP is in general conformity with the strategic policies of the development plan and therefore this basic condition is met.

Basic Conditions – conclusions

39. I have considered the Basic Conditions Statement, the Basic Conditions Additional Information document and the supporting evidence and representations made to the Crediton NP and I am satisfied that the Plan as submitted follows the general principles set out in national planning policy and contributes to the achievement of sustainable development. It sets out a positive vision for the parish and policies to protect its distinctive character while accommodating development needs.

40. At a practical level, however, a few of the policies in the Submission NP need some minor adjustment to ensure that they comply with the NPPF and the strategic guidance in the adopted Local Plan. I have therefore suggested a number of modifications in Section 8 below, to help ensure that the plan accords with national and strategic guidance and therefore meets the basic conditions.

European obligations and Human Rights Requirements

Strategic Environmental Assessment (SEA)

41. The SEA Directive aims to provide a high level of protection to the environment by ensuring that environmental considerations are included in the process of preparing plans and programmes. A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination is made by the responsible authority that the plan is not likely to have "significant effects".

42. A Strategic Environmental Assessment (SEA) Screening Opinion was carried out by Mid Devon District Council for the Crediton Neighbourhood Plan in September 2019 to assess whether a Strategic Environmental Assessment (SEA) and/or a Habitats Regulations Assessment (HRA) was required. In consultation with three relevant statutory bodies it was concluded that the NP did not

require a Strategic Environmental Assessment. It was also concluded that a Habitats Regulations Assessment (HRA) was not required.

43. As the screening report prepared to support the NP been done in light of the updated basic condition referred to in para 11 above, I conclude that the necessary legislative requirements have been met and that the basic condition is complied with.

Human rights requirements

44. The Basic Conditions Statement, on pages 30/31, briefly explains how the plan fulfils other EU obligations in relation to human rights.

45. I am satisfied, therefore, that the NP is compatible with the requirements of EU obligations in relation to human rights and no evidence has been submitted to me to suggest otherwise. I am satisfied, then, that the Plan does not breach the European Convention on Human Rights obligations and therefore meets the Basic Conditions.

Other Directives

46. I am not aware of any other European Directives that would apply to this NP, and in the absence of any evidence to the contrary, I am satisfied that the plan is compatible with EU obligations.

8. Neighbourhood Plan policies

47. This section of my report considers the NP policies against the basic conditions.

48. The Plan is well presented and illustrated with photographs, with a clear structure distinguished by separate sections. The plan's policies are set out on Section II and are grouped into eight distinct topics. The policies are presented in a consistent way with a short context, a summary of the issue and objectives for the policy. The policy itself is shown as separate text box.

49. The plan is supported by a very comprehensive evidence base which is presented in Section III as appendices to the document.

50. Several policies make reference to the settlement limit for Crediton and housing and other land allocations, but these are not mapped in the Neighbourhood Plan. Instead, they rely on the strategic guidance and mapping set out in the adopted Mid Devon District Plan Review. A clearer statement on this would assist future users of the plan.

- **Recommendation : 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.”**

51. A number of the maps and figures in the plan did not reproduce well on the online version of the NP which I used for the examination and I thank Mid Devon District Council for supplying updated versions of Figure 2 (Crediton Town Centre) and the Mill Street Industrial and Commercial Area. These should now be added to the NP.

- **Recommendation : Add updated mapping and figures to the NP, as supplied by MDDC**

52. All of the policies relate to the development and use of land and none cover excluded development, such as minerals and waste, so the statutory requirements and guidance set out in Planning Practice Guidance¹⁰ are met.

I Introduction to the Plan

53. This section introduces the Neighbourhood Plan, explains why a NP is being prepared and the planning context in which it is being prepared. It also summarises the community consultation activities that have informed the preparation of the plan and the vision, aim and objectives of the plan.

54. Section 1.3 entitled District Planning Policy outlines the local planning context. It is, however substantially out of date as the Mid Devon District Plan Review was adopted in July 2020. Also, the reference to the first Local Plan being adopted in 2010 is incorrect. Some minor rewording of the final paragraph has also been suggested by Mid Devon District Council.

- **Recommendation : 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**

¹⁰ Planning Practice Guidance PPG para 004

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.”

II The draft policy sections

Section 1 New Development

Policy D1 Development principles

55. I have no comments on this policy.

Policy D2 Sites allocated in the Mid Devon Local Plan as shown in the Adopted Policies Map for Crediton

56. This policy requires some fine tuning, to reflect the fact that only full planning applications/reserved matter applications will require the level of detail set out in the bullet points below the opening sentence.

57. There are situations where it would be reasonable to expect commercial sites, including industrial and business developments, to contribute towards community infrastructure so it should be deleted from the list of exclusions in the final sentence of the policy.

- **Recommendation: 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:”**

58. In the first bullet point reference is made to a Design Guide. In response to my query, the Steering Group explained that they had produced a document called a Design Statement. In order to provide clarity for future users of the NP, I suggest that this document is retitled “Crediton Design Guide” and placed in a more prominent position under the NP entry on the District Council and Town Council websites.

- **Recommendation : 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

Policy D3 Affordable Housing

59. This policy aligns with the guidance in the adopted Local Plan and I have no comments to make.

Policy D4 Custom and Self-Build Housing

60. Mid Devon District Council has suggested some minor rewording of this policy to make clear that Custom and Self Build Housing can provide a more affordable housing solution, but not in all cases. It also suggests that it would be useful to make reference to supporting evidence from the Local Plan Review in the supporting text to the policy.

- **Recommendation : 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).”**

Policy D5 Design

61. Mid Devon District Council has stated that the design of any sustainable urban drainage system (SUDS), referred to in the last bullet point of policy D5, would need to be compatible with the relevant Devon County Council guidance. The policy should be amended accordingly. It has also commented that the Green Infrastructure Plan referred to in the fifth bullet point should be a more generic reference to policy En4.

- **Recommendation : 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”

Section 2 Community and facilities

Policy CF1 Community Hub

62. I have no comments on this policy.

Policy CF2 Young People’s facilities

63. I have no comments on this policy.

Policy CF3 Queen Elizabeth Academy School

64. I have no comments on this policy.

Section 3 The town centre

Policy TC1 Town centre development

65. This policy is not clear whether it applies solely to the primary shopping area or to the wider town centre boundary as shown in Figure 2.

- **Recommendation: 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:”**

Policy TC2 Town centre living

66. This policy seeks to encourage the re use of buildings above ground floor level for residential use, but does not specify where the policy applies. To provide clarity, the policy needs to be amended.

- **Recommendation : 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’”**

Policy TC3 Public realm

67. I have no comments on this policy.

Policy TC4 High Street to St Saviour's Way car park access route

68. The reference to the local plan policy in policy TC4 is rather obscure and needs to be clarified.

- **Recommendation: In second paragraph of Policy TC4, delete “cf LPR DM19” and replace with “Mid Devon District Plan Review Policy DM19”**

Policy TC5 Shop fronts

69. I have no comments on this policy.

Section 4 Transport

Policy T1 Footpaths and cycle routes

70. I have no comments on this policy.

Policy T2 Crediton to Exeter Cycle path

71. In response to my query, the District Council has confirmed that consultants are undertaking an outline feasibility study for the Crediton/Exeter Cycle Path, so no exact route is available. Policy T2 therefore reflects the current situation so no changes are needed.

Policy T3 Development on principal routes

72. I have no comments on this policy.

Policy T4 Off street parking

73. I have no comments on this policy.

Section 5 Sustainability

Policy S1 Renewable energy excluding wind turbines

74. There is some superfluous text under the heading “5.1 Renewable energy” which needs to be deleted. Mid Devon District Council has also suggested some minor rewording to make clear that any renewable energy proposals should be small in scale.

- **Recommendation : 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.**

Policy S2 Energy diversification

75. There are some minor typos in this policy which need to be corrected.

- **Recommendation : 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"**

Policy S3 Community scale renewable energy

76. I have no comments on this policy.

Section 6 Employment

Policy E1 Mobile phone coverage

77. I have no comments on this policy.

Policy E2 Change of use of allocated employment land

78. This policy seeks to protect allocated employment sites, but does not make clear that these are the sites allocated in the adopted Local Plan under policy DM19. To ensure clarity for future users of the NP, the supporting text needs to be amended.

- **Recommendation : 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."**

Policy E3 Re-development and expansion of existing town centre employment sites

79. I have no comments on this policy.

Policy E4 Re-development of the Mill Street industrial and commercial area

80. I have no comments on this policy.

Section 7 Heritage

Policy H1 Historic character

81. I have no comments on this policy.

Policy H2 Historic landscape character

82. I have no comments on this policy.

Policy H3 Development within the Crediton Conservation Area

83. I have no comments on this policy.

Policy H4 Crediton Station

84. The Steering Group has confirmed that both the station buildings and the signal box are all listed buildings, so the policy requires some amendment.

- **Recommendation : Reword first sentence of Policy H4 to read “Crediton station buildings and signal box form an important part of the heritage of Crediton Neighbourhood Plan area”. Change “thy” to “they” in second sentence.**

Policy H5 Retrofitting energy measures

85. I have no comments on this policy.

Section 8 Environment

Policy En1 Open spaces

86. I have no comments on this policy.

Policy En2 Trees

87. This is a long and complex policy and is presented in a different format to other policies in the NP. It therefore requires some fine tuning to ensure consistency with the rest of the plan, to provide a more logical structure and to ensure it complies with the NPPF.

88. The objective of increasing tree cover is understood, but it is unclear how the objective of 20% tree cover will be monitored or, indeed, how this target had been set. A more generic reference to an overall increase in tree cover would therefore be more appropriate.

89. The reference to “will only be supported” in the first paragraph of principle 1 is not consistent with the guidance in the NPPF at para 180 and needs to be amended.

90. Decisions regarding compensation are a matter for the local planning authority when considering planning proposals, so the last paragraph of the policy under principle 4 requires some fine tuning.

- **Recommendation : 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:”**
- **Move Principle 1 to become Principle 2 and vice versa.**
- **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:”**
- **Amend formatting of second paragraph under Principle 3 Enhance, so that it is consistent with Principle 1 Avoid harm.**
- **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.”**

Policy En3 Flood plains

91. This policy deals with flood risk and is consistent with national and local planning policy. However, not all development proposals will need to be supported by the detailed information set out in the policy. Some minor rewording is therefore required.

- **Recommendation: Reword second sentence of policy En3 to read “In addition, any proposals for development within the floodplain should, where appropriate, be supported by....”**

Policy En4 Green infrastructure

92. In response to my query, the Town Council has clarified that the map references in this policy are incorrect.

- **Recommendation : 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”**

Policy En5 Views and vistas

93. I note that there is only one view - that from Downeshead - shown in Map 6 . The policy needs to be clarified accordingly.

- **Recommendation : Delete “views shows” and substitute “view from Downeshead shown” after in the second line of Policy En5.**

94. The plan also includes a list of Plan Statements (Appendix 2) and a Community Action Plan (Appendix 3). Although I have not looked at these in any detail, they provide a clear sense of how the community will take the proposals in the NP forward into the future and, as such, are a very welcome addition to the plan.

9. Conclusions and Recommendations

95. I have examined the Crediton Draft Neighbourhood Plan and I have concluded that, subject to the modifications set out in my report, it meets the basic conditions and other statutory requirements.

96. I am therefore pleased to recommend to Mid Devon District Council that, subject to the modifications set out in my report, the Crediton Neighbourhood Plan should proceed to referendum.

97. I am also required to consider whether the referendum area should be extended beyond the Crediton Parish Council area. I see no reason why it would be necessary to alter or extend the plan area for the purposes of holding a referendum, nor have I received any representations to that effect. I therefore conclude that the plan should proceed to referendum based on the neighbourhood area approved by Mid Devon District Council in July 2014.

APPENDIX 1: Background Documents

In undertaking this examination, I have considered the following documents:

- Crediton Draft Neighbourhood Plan 2018-2033 (September 2021)
- Crediton NP Statement of Community Consultation
- Crediton Neighbourhood Development Plan 2018-2033 Basic Conditions Statement
- Crediton Neighbourhood Plan - Strategic Environmental Assessment & Habitats Regulation Assessment Screening Report Prepared on behalf of Crediton Town Council by the Planning Department of Mid Devon District Council September 2019
- Crediton Neighbourhood Plan Design statement
- Crediton Neighbourhood Plan
- Report on responses at Regulation 14 – Pre-submission consultation
- Mid Devon Local Plan 2013 - 2033: Adopted July 2020
- National Planning Policy Framework (NPPF) July 2021
- Planning Practice Guidance March 2014 and subsequent updates

Crediton Neighbourhood Plan Examination

Request for further information and questions from the Examiner to Mid Devon District Council and Crediton Town Council

I have carried out a preliminary review of the Neighbourhood Plan and the evidence submitted in support of it and there are a few points where I need some clarification or further information. I would therefore be grateful if both Councils could assist me, as appropriate, in answering the following questions.

Public consultation

The Statement of Community Consultation briefly lists all the activities that were undertaken by the Steering Group to engage with the local community during the course of preparing the NP. However, there appears to be no assessment of the outcomes of the consultation and the changes that were made to the plan as a result. Please can the Steering Group provide a note setting out the number of responses received to the Reg 14 consultation and a short summary of the changes that were made to the plan in relation to these responses? This may already have been done as I note that the Statement of Community Consultation, under the heading of 2019, says “prepare a report on responses to Reg 14 and changes made”. It would be also helpful to have the exact dates for the Reg 14 consultation.

Design Guide

In the first bullet point under the opening sentence on policy D2, reference is made to a Design Guide. Can the councils confirm which Design Guide this is and whether it is specific to Crediton or a district wide document? I notice that Policy D5 refers to the Crediton Design Guide.

Green Infrastructure Plan

Policy D5 refers to a Green Infrastructure Plan for Crediton – please can details be provided?

Crediton Exeter Cycle Path

Policy T2 refers to the proposed Crediton Exeter cycle path. Is there a map of this route which could be included in the Neighbourhood Plan?

Renewable Energy

In the supporting text to Policy S1, there seems to be some text missing from the last sentence under the heading 5.1 Renewable energy – the issues. Please can the Steering Group supply some suitable wording?

Crediton Station

In Policy H4 Crediton Station, there is a reference to Map(0), which seems to be missing from the plan. Please can a copy be supplied?

Thank you for your assistance with these questions. Once I have received your responses, I may need to ask for further clarification or further queries may arise as the examination progresses.

Please note that these questions and requests for information is a public document and the answers and any associated documents will also be in the public domain. Both my questions and the responses should be placed on the Councils' websites as appropriate.

Barbara Maksymiw

24 March 2022