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**Date:** 14 January 2022

**Contact:** Tristan Peat  
Forward Planning Team Leader

Dear Cllr Liz Brooks-Hocking

### **Response to the Submission consultation on the Crediton Neighbourhood Plan**

Mid Devon District Council fully supports Crediton 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 Review which was at that time subject to examination. This Local Plan has since been adopted by the Council, following the examination process with the inclusion of main modifications recommended by the

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Inspector. We have reviewed our previous comments in relation to the adopted Mid Devon Local Plan and confirm the policies of the submission Neighbourhood Plan are in conformity with those of the adopted Mid Devon Local Plan. However, we have made some 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

Tristan Peat

Forward Planning Team Leader

Crediton Neighbourhood Plan submission consultation: MDDC response

Submission Crediton NP Policies Options	Relevant adopted Mid Devon Local Plan Policies	Conformity between Crediton Neighbourhood Plan (NP) and adopted Mid Devon Local Plan policy/ies
Policy D1 Development principles	S1; S3; S9; S12; DM1; DM3; DM25; DM26	In general conformity with adopted LPR strategic policies and complements LPR development management policies. We note the final paragraph of this policy has now been amended in light of the comments previously provided by the Council to the NP group at the Regulation 14 pre-submission stage.
Policy D2 Allocated sites	S1; S8; DM1; DM26;	<p>No conformity issues.</p> <p>However, it would be helpful to recognise the difference between the level of detail needed in outline and reserved matter / full planning applications. The current wording of the opening sentence would seemingly imply that detailed plans and proposals would be required for outline planning applications.</p> <p>We query why community infrastructure is specifically excluded from planning applications for commercial sites, including industrial and business developments, and suggest this specific exclusion is not necessary in the policy.</p>
Policy D3 Affordable Housing	S3	No conformity issues; aligns with affordable housing target set out in adopted LPR policy S3.

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Crediton Neighbourhood Plan submission consultation: MDDC response

Policy D4 Custom and Self-Build Housing	S3	<p>In general conformity with adopted LP policy S3.</p> <p>However, the Council has provided the following advice to the NP group at the Regulation 14 pre-submission stage, which does not appear to have been included in the submission version of the NP:</p> <p>It would be more appropriate to state that custom and self-build <i>can</i> provide a more affordable housing solution. It may be helpful to make reference in the supporting text to additional evidence of demand from the Local Plan Review evidence base, such as the Custom and Self Build Demand Assessment Framework (Three Dragons, July 2018). In addition any locally specific evidence would give added weight to this policy; this could include reference to a local housing needs survey or secondary data from external sources such as Buildstore (<a href="http://www.buildstore.co.uk">www.buildstore.co.uk</a>). We welcome the inclusion of a policy to support custom and self-build in the Crediton NP and will offer advice and support going forward to help ensure the delivery of custom and self-build developments.</p>
Policy D5 Design	S1; DM1; DM25; DM26	<p>No LP conformity issues.</p> <p>We note this policy has not been amended for the submission stage. The Council has previously advised at the Regulation 14 pre-submission stage it would be worth checking how this policy aligns with Devon County Council guidance on SUDS – e.g. use of porous materials. Policy requirements over and above DCC standards would need to be supported by proportionate and robust evidence.</p>
Policy CF1 Community Hub	S1; S12; DM23	No conformity issues.
Policy CF2 Young people’s facilities	S1; S5; S12; DM23;	No conformity issues.
Policy CF3 Queen Elizabeth Academy School	S1; S12	No conformity issues.
Policy TC1 Town centre development	S1; S7; S9; S12; DM1; DM14	No conformity issues. Complements LP policies.
Policy TC2 Town Centre Living	S1; S7; S12; DM14	No conformity issues.
Policy TC3 Public realm	S1; S7; S12; DM1; DM14	No conformity issues.

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Policy TC4 High Street to St Saviour's Way car park access route	S1; S7; S12; DM14; DM19.	In general conformity with adopted LP strategic policies.  We note the policy now includes reference to LP policy DM19.
Policy TC5 Shop fronts	S7; S9; DM16	No conformity issues.
Policy T1 Footpaths and cycle routes	S1; DM1; DM3	In general conformity with LP strategic policies and complements LP policies aimed at promoting sustainable travel.
Policy T2 Crediton to Exeter Cycle path	S1; DM3; DM22	No conformity issues. Complements adopted LP policies aimed at promoting sustainable travel.
Policy T3 Development on principal routes	S1; DM3	In general conformity with adopted LP strategic policies.
Policy T4 Off street parking	DM5	No conformity issues.
Policy S1 Renewable energy excluding wind turbines	S1; S9; DM1; DM2	No conformity issues.  We note that the policy has not been amended in light of the Council's previous advice provided to the NP group at the Regulation 14 pre-submission stage 'It might be beneficial to be more explicit about the scale of developments such proposals would be intended to serve, e.g. add 'small' to 'groups of properties'? Add 's' to 'existing building'?
Policy S2 Energy diversification	S1; S9 DM1; DM2	No conformity issues.  Promotes sustainable development in line with NPPF and the adopted LP.
Policy S3 Community scale renewable energy	S1; S9 DM1; DM2	No conformity issues.
Policy E1 Mobile phone coverage	S1	No conformity issues.
Policy E2 Change of use of allocated employment land	S1; S6; DM19	We note this policy has been amended in light of the Council's previous advice provided to the NP group at the Regulation 14 pre-submission stage.  The policy is now in conformity with the adopted LP policy DM19.

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Policy E3 Re-development and expansion of existing town centre employment sites	S1; S6; S7; S12; DM1; DM3; DM14	No conformity issues. Responds to specific local context in relation to town centre employment sites.
Policy E4 Re-development of the Mill Street industrial and commercial area	S1; S6; DM1	No conformity issues. Responds to specific local context by identifying specific area for regeneration.  We note the policy has been amended from the Regulation 14 pre-submission stage to include reference to mixed use purposes, which follows the Council's advice previously provided to the NP group.
Policy H1 Historic character	S1; S9; DM1; DM25	No conformity issues.  We note the policy has been amended from the Regulation 14 pre-submission stage to include reference to the Crediton Design Guide, which follows the Council's advice previously provided to the NP group.
Policy H2 Historic landscape character	S1; S9; DM1; DM25	No conformity issues with the adopted LP policy DM25.  We note the Regulation 14 pre-submission stage version of the policy has been amended following the Council's advice previously provided to the NP group.
Policy H3 Development within the Crediton Conservation area	S1; S9; DM1; DM25	No conformity issues.
Policy H4 Crediton Station	S1; S9; DM1; DM25	No conformity issues.
Policy H5 Retrofitting energy measures	S1; S9; DM1; DM25	No conformity issues.  Impact on heritage assets must be carefully assessed but has potential sustainability benefits by promoting energy efficiency.
Policy En1 Open spaces	S1; S9; DM1; DM24	In general conformity with adopted LP strategic policies.  We note the Regulation 14 pre-submission stage version of the policy has been amended following the Council's advice previously provided to the NP group and broadly now follows the adopted LP policy DM24.

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Policy En2 Trees	S1; S9; DM1; DM26	<p>No conformity issues.</p> <p>We note that the policy has been substantially amended in light of the Council’s previous advice provided to the NP group at the Regulation 14 pre-submission stage.</p> <p>However, we have the following observations:</p> <p>How will the % of tree canopy be monitored for the purpose of this policy?</p> <p>How will the policy be used once a 20% tree canopy is achieved?</p> <p>Principle 1 Avoid Harm is consistent with the NPPF paragraph 180 criterion C. But, the use of the words “will only be supported” differ from the words “should be refused” used in the NPPF and could frustrate the decision making process.</p> <p>The policy is very long and the bullets might be better placed as supporting text instead.</p> <p>The last paragraph requires financial contributions to off-site tree planting. While the principle of off-site provision of tree planting may be acceptable depending on the circumstances of the proposed development, the use of financial contributions specifically for this purpose will be a matter for the Council to decide as the local planning authority.</p>
Policy En3 Flood plains	S1; S9; DM1	<p>No conformity issues.</p> <p>We note the policy has been reworded and now makes reference to national and local flood risk policy and guidance.</p> <p>The use of the words ‘any proposals for development’ would imply all development proposals for development. We query whether certain forms of development may not need to be supported by detailed information described in the policy.</p>
Policy En4 Green infrastructure	S1; S9; DM1; DM26	<p>In general conformity with adopted LP strategic policies and complements LP policy DM26.</p> <p>The Map 5 (Appendix 1, p 53) provides specific local information/evidence to help inform implementation of GI policies.</p>

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Policy En5 Views and vistas	S1; S9; DM1	<p>No conformity issues.</p> <p>Policy references Map 6 but this is labelled Map 5 in Appendix 1 (page 54). Map 5/6 only shows only one view – is this correct?</p>
Page 7, paragraph 2	n/a	<p>We note that submission version of the NP does not appear to have been amended in light of the Council’s previous advice provided to the NP group at the Regulation 14 pre-submission stage in relation to page 7, paragraph 2 which was as follows:</p> <p>A minor point but some re-jigging of this paragraph could help it read more clearly; e.g. moving text box to end of paragraph. Make clear that NPPF emphasises sustainable development goals and the NP must show how it contributes to these goals.</p>
Page 8, section 1.3, paragraph 1	n/a	<p>We note that submission version of the NP does not appear to have been amended in light of the Council’s previous advice provided to the NP group at the Regulation 14 pre-submission stage in relation to page 8, section 1.3, paragraph 1 which was as follows:</p> <p>Another minor point but not accurate to say that MDDC’s first Local Plan was adopted in 2010. Various national planning regimes over the years have required Councils to produce ‘Local Plans’ in some form or other. The AIDPD adopted in 2011 sets out proposed allocations and formed part of the Local Development Framework (LDF) alongside the 2007 Core Strategy. These subsequently became part of the adopted Local Plan when the 2012 NPPF reintroduced Local Plans in place of LDFs.</p> <p>Also probably more accurate to say the LP ‘identifies’ suitable sites rather than ‘brings forward sites’.</p>
Page 8, section 1.3, paragraph 3	n/a	<p>We note that submission version of the NP does not appear to have been amended in light of the Council’s previous advice provided to the NP group at the Regulation 14 pre-submission stage in relation to page 8, section 1.3, paragraph 3 which was as follows:</p> <p>For clarity, may want to amend slightly: ‘Because of its topography <i>and other environmental constraints</i>, Crediton is expected to have less development and fewer <i>new</i> houses than Tiverton or Cullompton.’</p>

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