

Responses to Consultation Reg 16 Consultees

Consultee	Ref	Policy Section	Consultee Comment	Answer
102 Devon & Cornwall Police	389	Built Environment	It may be that some future developments within these areas will not receive a response [to planning proposals] from the Police, so reference to designing out crime and crime prevention per se should be embedded at the most appropriate and relevant place of the Neighbourhood Plan (NP), in this case may I suggest, Policies for the Built Environment, in order to support the wider adopted Mid Devon Local Plan and comply with the requirements of the following: - Paragraphs 92, 97 and 130 of the National Planning Policy Framework (adopted July 2021) require crime and disorder and fear of crime to be considered in the design stage of a development. Other paragraphs such as 8, 106,108,110, 112 and 119 (also require the creation of safe environments within the context of the appropriate section)	It is assumed that the comments in the Devon & Cornwall Police letter will be incorporated within the Mid Devon Local Plan, but we will also add aspects of these into our NP and the supporting Design Statement.
110 Environment Agency	404	Built Environment	Chapter 9 - Built Environment Either this section or the housing and employment section should carry something stating that new buildings will be expected to incorporate water efficiency measures. Water usage in Devon is an increasing issue as water is becoming scarce and we are still in a declared period of drought and this pattern and issue is expected to continue as a result of changing weather due to climate change. Increased water efficiency and grey water rain water recycling on newbuilds not only reduces demand for drinkable water but also reduces the amount of water being treated and put into sewer systems.	We will add a policy under the Housing section (see response 405).
100 MDDC	413	Built Environment	BE01 - No conformity issues	No comment required.
100 MDDC	368	Built Environment	BE02 (Local Heritage): Mid Devon District Council understands the requirement for proposals to demonstrate how they will 'positively conserve and enhance the unique characteristics of its location'. However, currently we can only look to preserve as a minimum. It should also be noted that where development proposals lead to less than substantial harm, that harm will be weighed against any public benefits.	Revise wording from 'conserve and enhance' to 'conserve and, if possible, enhance'.

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100 MDDC	373	Built Environment	BE02 - Reference back to Reg 14 submission. The Policy requires proposals to demonstrate how they will 'positively conserve and enhance the unique characteristics of its location' as identified in the conservation area appraisal. Whilst we would agree with the sentiment, currently we can only look to preserve as a minimum. With regard to all heritage assets there will be a requirement to submit heritage statements which identify the assets, provide an assessment of significance and impact on the affected assets and to justify the design approach taken. This is broadly in line with the Statutory position, the Local Plan and the NPPF. It should be noted that where development proposals lead to less than substantial harm, that harm will be weighed against any public benefits.	See response to Ref 368 above.
100 MDDC	409	Built Environment	EN01 - No conformity issues.	No comment required.
100 MDDC	418	Business and Jobs	BJ01 - No conformity issues.	No comment required.
100 MDDC	383	Community Spaces & Activities	CS03 - No conformity issues. However please see comments in relation to Policy HS03 below.  (HS03 - Not in conformity with MDDC's Policy S1; other issues in relation to basic conditions test. Please refer to comments from MDDC conservation officer in Appendix 2.)	It is stated that there are no conformity issues with CS03. However, the comment that HS03 is not in conformity with policy MDDC's Local Plan policy S1 does have an impact on CS03 as both relate to The Glebe site, and if HS03 is not approved, then the community space of the Community Orchard will not be possible.
100 MDDC	382	Community Spaces & Activities	CS01 - No conformity issues but unclear on policy intent. We suggest that criterion 2. of the policy should state 'proposals for community facilities are encouraged to undertake a carbon impact assessment to advise on how they can reduce their carbon emissions' to make the policy clearer.	We agree and will make this change.
100 MDDC	417	Community Spaces & Activities	CS02 - No conformity issues	No comment required.
110 Environment Agency	402	Natural Environment	EN03 on greenspaces. Given some of these are within or adjacent to the flood zone it may be worth considering including a suggestion that where possible these sites be enhanced to accommodate 'blue infrastructure' i.e. wet areas which can aid in alleviating flood issues and help with future flood resilience should the opportunity arise.	Regarding EN03, we do not believe that adding wet areas to the green spaces identified in this policy would be of benefit to the parish, or are likely to alleviate flood risk.
110 Environment Agency	403	Natural Environment	EN04 - We applaud the inclusion of policy EN04 and its inclusion of both fluvial flood risk and surface water flooding issues. However the explanation and justification could be clearer on also not supporting new development within the floodzone which at present neither the policy nor explanation are explicit on but perhaps should be.	We will add the following wording to the policy: "Furthermore, no new development shall take place in the floodzone." We will also revise the paragraph 'c' of the justification to read ".... development (which must not take place in the floodzone) to ..."

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110 Environment Agency	399	Natural Environment	Flooding is mentioned in the NE objectives on page 18, but not on page 12. Page 12 table carries only 7 objectives for NE but page 18 has 8 objectives?	We will add this missing objective.
110 Environment Agency	398	Natural Environment	Aims & Objectives -The Theme of Natural Environment (NE) would be better represented by 'enjoying, respecting and enhancing nature, the countryside and the rural setting' and similarly NE point 7 in the table to follow on page 12 could perhaps better promote wildlife and biodiversity enhancement rather than just suggesting that future development doesn't compromise it.	We will amend as suggested.
110 Environment Agency	421	Natural Environment	<p>Chapter 6 - Vision Aim and Objectives</p> <p>The Theme of Natural Environment (NE) would be better represented by 'enjoying, respecting and enhancing nature, the countryside and the rural setting' and similarly NE point 7 in the table to follow on page 12 could perhaps better promote wildlife and biodiversity enhancement rather than just suggesting that future development doesn't compromise it.</p> <p>We welcome the embedded theme of net zero and carbon reduction in the aims of the Plan.</p> <p>P13 There is no mention of flood resilience in the Housing Aims. There is a flood zone cutting through Silverton and we would strongly advocate that a bullet point is included to ensure any new development is out of the floodplain and existing housing and wider community looks to become more resilient and adaptive to future flood events and the impact of climate change.</p> <p>Flooding is mentioned in the NE objectives on page 18, but not on page 12. Page 12 table carries only 7 objectives for NE but page 18 has 8 objectives?</p>	<p>NE Objectives discrepancy. As pointed out, there are discrepancies between the NE objectives on Pages 12 and 18. We propose to use the objectives on Page 12 across both, but to make the following changes:</p> <ol style="list-style-type: none"> <li>1. Add in para 4 from Page 18 after para 3 on page 12 and re-number subsequent paras. This para will go against the "Enhance access ...." aim.</li> <li>2. Re-word the final NE Objective on Page 12 to accord with the final NE objective on page 18 (i.e. include the flooding element).</li> </ol>

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Consultee	Ref	Policy Section	Consultee Comment	Answer
110 Environment Agency	420	Natural Environment	<p>Chapter 8 – Natural Environment</p> <p>Given the huge decline in UK biodiversity and the emergence of Biodiversity Net Gain and its agenda, we consider that policy EN01 could be stronger, suggestions below (alterations in yellow):</p> <p>1. Development proposals will only be supported where they have demonstrated that there are minimal impacts on the natural environment (landscape and biodiversity) and they satisfactorily mitigate these impacts and enhance the natural environment. (last caveat deleted as enhancement is rarely unachievable)</p> <p>2. Where mitigating measures are unavoidably required for development to be acceptable within its landscape setting, appropriate landscaping should be employed to mitigate the impact of the development, and such measures should include the use of native species of trees and hedges where planting is required.</p> <p>3. Where change to existing traditional Devon banks is unavoidable, proposals for development which affect traditional Devon hedges will only be supported where they have demonstrated that options have been assessed and, as a result, have proposed the least damaging option (to the hedgerow / bank, setting in the landscape, biodiversity and habitats). Such hedge loss shall be mitigated for.</p>	<p>We accept comments in paras 8.1 and 8.3 and will remove the final caveat in 8.1 and add the wording 'Such hedge loss shall be mitigated for' to 8.3.</p>
110 Environment Agency	401	Natural Environment	<p>Chapter 6 - Vision Aim and Objectives</p> <p>The Theme of Natural Environment (NE) would be better represented by 'enjoying, respecting and enhancing nature, the countryside and the rural setting' and similarly NE point 7 in the table to follow on page 12 could perhaps better promote wildlife and biodiversity enhancement rather than just suggesting that future development doesn't compromise it.</p>	<p>Chap 6 Vision &amp; Aims - Revise "enjoying and respecting the countryside and rural setting" to "enjoying and respecting and enhancing nature, the countryside and rural setting" as proposed by the consultee</p> <p>P13 - Housing Objectives - Add a new Objective against the "Ensure new housing ..." immediately following Objective 9 stating "Any new development is built away from the floodzone."</p> <p>We do not propose to change the Housing Aims and Objectives to deal with the following comment "and existing housing and wider community looks to become more resilient and adaptive to future flood events and the impact of climate change" because we feel this is too unfocused to have a practical impact on planning decisions or else has been addressed elsewhere in the Plan.</p>
100 MDDC	410	Natural Environment	EN02 -No conformity issues.	No comment required.

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Consultee	Ref	Policy Section	Consultee Comment	Answer	
100	MDDC	411	Natural Environment	EN03 - No conformity issues. In line with national policy (NPPF para 100), further evidence and analysis may be required to justify the inclusion of these areas.	We are happy to provide further justification but would be grateful for advice from the Examiner on what evidence/analysis might be required.
100	MDDC	412	Natural Environment	EN04 - No conformity issues. SUDS may not be appropriate in all cases.	Propose to revise Policy EN04 to replace "maintenance in order" with "maintenance (or explain why SUDS is inapplicable) in order".
109	Bradninch Town Council	397	General	Through Duty to Cooperate we acknowledge the consultation, but as the plan relates to the area of Silverton we will not be commenting on this occasion.	No comment required.
109	Bradninch Town Council	419	General	Through Duty to Cooperate we acknowledge the consultation, but as the plan relates to the area of Silverton we will not be commenting on this occasion.	No comment required.
108	Bradninch Town Council	396	General	I have been asked to report that Bradninch Town Council has no comment to make with regards to the document.	No comment required.
50	Delwyn Matthews	385	General	<p>2. Aims and Objectives</p> <p>p.12.statement:“Any new development should be only as an extension of Silverton Village or Ellerhayes, other than the conversion of existing farm buildings”</p> <p>Ellerhayes, as a small hamlet, is not a recognised settlement for future development within the Local Plan (Policy S14) and as such any proposed extension of the hamlet into surrounding countryside would not comply with established policies (although note is taken of possible ‘exception sites’ within the Local Plan).Given that the hamlet is mostly surrounded by National Trust land (‘inalienable’) it is difficult to see what future ‘extension’ of the hamlet could in any event occur. The hamlet is also close to the Killerton Park, listed as Grade II*on the Register of Parks and Gardens of Historic Interest. The special qualities of this Park have been accepted as extending well beyond its importance as a designed landscape – including views to and from the Park. Indeed the village has appeared in National Trust publicity photos. taken from the Park, looking towards Ellerhayes, to emphasise this special visual relationship. It is unacceptable therefore to suggest that Ellerhayes would be appropriate for any such new development and this specific reference to the hamlet should here be amended or deleted.</p>	Suggest we amend as requested.

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50 Delwyn Matthews	386	General	<p>Para. 2.9 – Re Ellerhayes</p> <p>Just for accuracy: there is an inconsistency with para.10.3 concerning the information given about the growth of Ellerhayes.</p> <p>Factually, para.10.3 is more correct. In fact it seems that Mill workers houses (in what is termed ‘Lower Ellerhayes’ by the villagers) may have been constructed just before 1900 in the late Victorian period (the post box located there is certainly Victorian) and they also appear on the Revised 1” OS map, published in 1898. The next phase of development was inter-war, when further workers houses were built around the (now) childrens’ play area in so-called ‘Upper Ellerhayes’ (these appear on the 1933 published 1” OS map). A third phase was post WW2 (c. 1948 on), when further Mill houses were built fronting on to the road at Upper Ellerhayes. Final – more recent – phases then involved private housing (initially by Ambrose Development Co.) in the 1970s, and with 4 more new private build houses being built in the 1990s – again all at Upper Ellerhayes</p>	We will amend as requested.
50 Delwyn Matthews	387	General	<p>1. Introduction section</p> <p>Paras 1.1 -1.2</p> <p>Paras 3.1 to 3.4</p> <p>It would be helpful to have clarification of the exact intended Neighbourhood Plan period; nowhere is this explicitly stated, although given the strategic context as outlined (paras 3.1 to 3.4), the relationship with the Mid Devon Local Plan is noted. This latter Local plan, adopted in 2020, has a lifespan to 2033. It is assumed therefore that the Silverton Neighbourhood Plan (SNP) is intended to cover the next 10 years, i.e. also to 2033?</p> <p>Given that work is already underway in preparing a new Local Plan for Mid Devon (to 2043), and with likely revised housing and other targets, it is likely that further revisions may need to be made to the SNP also. It is welcomed that the SNP will be reviewed after 5 years (para.14.5). But again, it would be helpful if it could be made more explicit how –or whether- the SNP may need, or could be, revised in the light of e.g. either increased – or even decreased – housing target numbers in any Revised Local Plan.</p>	<p>The period is stated on the title page. See no reason to add elsewhere. However, does the Examiner suggest that we change the period of the Plan to 2023-2033?</p> <p>Also what happens if our Plan expires in 2033 but the MDDC Local Plan for 2033 onwards is not in place early enough for us to our 2033-2053 in place prior to 2034?</p> <p>Second Para - Add that it will be reviewed when MDDC review their Plan.</p>
104 National Grid	392	General	National Grid has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.	No comment required.

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103	National Highways	391	General	Following a review of the submission draft we remain satisfied that the proposed policies within the plan are unlikely to result in development which will adversely impact the SRN and we therefore have no specific comments to make. This does not however prejudice any future responses National Highways may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the prevailing policy at the time.	No comment required.
106	Natural England	394	General	Natural England does not have any specific comments on the Silverton Neighbourhood Plan.	No comment required.
107	The Coal Authority	395	General	The Coal Authority is only a statutory consultee for coalfield Local Authorities. As Mid Devon District Council lies outside the coalfield, there is no requirement for you to consult us and / or notify us of any emerging neighbourhood plans.	No comment required.
84	Beth Hale	388	Housing	HS03 - I do not support policy no. HS03 within the Silverton neighbourhood plan as the criteria listed do not go far enough to mitigate the impact of the proposed development. This proposed development is in the countryside and this is undesirable sprawl. There will be increased traffic on a very quiet country lane. I see that the criteria state that there must be no detrimental impact on the skyline but the view from St Mary's Church and the Bury is of pure open countryside, towards Killerton. I do not believe that this should be interrupted at all as probably the most important historic site in the village.	Respondee commented on the same topic in Reg 14 consultation. It would appear that there are no further mitigations that could be proposed that would be acceptable to this consultee. Therefore we do not propose to amend the Plan.
110	Environment Agency	407	Housing	HS06 and TR04 – it may be advisable that the supporting text or policy encourages these spaces to be of a permeable material in order to ensure surface water run off issues are minimised	Add sentence to encourage developers to use permeable materials.
110	Environment Agency	400	Housing	P13 There is no mention of flood resilience in the Housing Aims. There is a flood zone cutting through Silverton and we would strongly advocate that a bullet point is included to ensure any new development is out of the floodplain and existing housing and wider community looks to become more resilient and adaptive to future flood events and the impact of climate change.	Add a new Objective against the "Ensure new housing ..." immediately following Objective 9 stating "Any new development is built away from the floodzone." We do not propose to change the Housing Aims and Objectives to deal with the following comment "and existing housing and wider community looks to become more resilient and adaptive to future flood events and the impact of climate change" because we feel this is too unfocused to have a practical impact on planning decisions or else has been addressed elsewhere in the Plan.

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110 Environment Agency	405	Housing	Chapter 9 - Either this section or the housing and employment section should carry something stating that new buildings will be expected to incorporate water efficiency measures. Water usage in Devon is as increasing issue as water is becoming scarce and we are still in a declared period of drought and this pattern and issue is expected to continue as a result of changing weather due to climate change. Increased water efficiency and grey water rain water recycling on newbuilds not only reduces demand for drinkable water but also reduces the amount of water being treated and put into sewer systems.	Chapter 9 - Water conservation - WE will add the following bullet point to the Design Statement within the "Design Elements" section on page 15: "All new buildings will be expected to incorporate water efficiency measures."
110 Environment Agency	406	Housing	Chapter 10 – Housing Suggested that 'water efficiency' is added to point 10 next to energy efficiency 'energy and water efficiency'.  We welcome the inclusion of Biodiversity Net Gain within the allocated housing site policies.	Chapter 10 - Housing Objectives - Re-word Objective 10 from "Encourage energy efficiency for existing housing" to "Encourage energy and water efficiency for existing housing" and also repeat on Page 13.
100 MDDC	377	Housing	HS06 -Not consistent with LPR policy DM5 and Parking SPD which set a minimum parking standard of 1.7 spaces per dwelling and one charging point per ten units. Need for empirical evidence to justify policy. Should also be noted that MDDC does not count garages against the parking requirement. This is due to a low percentage of them actually being used for the storage of vehicles. Instead they tend to be used for general storage or are converted into extra living accommodation.	We thought we had provided empirical evidence in the photos from Summer 2022. What more can we do?  Given that by 2030 all new cars will be electric, we consider that the MDDC policy is insufficient, especially given that there is currently no public charging available in the Parish and no likelihood that significant of public charging will be available by that time.  We also intend to specify that any new developments of 1 or 2 houses must have 2 parking spaces located with them as this echoes the MDDC Local Plan policy in para 4.19a on Page 125.
100 MDDC	371	Housing	HS06 - (Parking Spaces on Housing Developments) Policy not in conformity with the Local Plan Review and Parking SPD. There is a need for empirical evidence to justify the policy.	Our photographs are empirical evidence, e.g. not hearsay. What is the MDDC expecting of us?
100 MDDC	370	Housing	HS03 (Glebe Housing): Policy not in conformity with the Local Plan Review as developments on the edge of the village would be outside of the settlement limits and sites of 5 or fewer dwellings would not deliver affordable housing in line with exceptions policy.	See response to Ref 369.



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100	MDDC	375	Housing	HS01 - Not in conformity with Policy S14: edge of village sites would be outside of settlement limits and sites of 5 or fewer dwellings would not deliver affordable housing in line with the exceptions policy. However we note that the NP is providing its own exception site policy via HS05.	Need to clarify with the Examiner whether we need to make any changes given the exception in HS05.
100	MDDC	416	Housing	HS05 - No conformity issues.	No comment required.
100	MDDC	415	Housing	HS04 - No conformity issues	No comment required.
100	MDDC	414	Housing	HS02 - No conformity issues.	No comment required.
100	MDDC	369	Housing	HS01 (Scale of Development): Policy not in conformity with the Local Plan Review as developments on the edge of the village would be outside of the settlement limits and sites of 5 or fewer dwellings would not deliver affordable housing in line with exceptions policy.	<p>Guidance will be appreciated from the Examiner on what the "edge of the Village" constitutes. If the Examiner confirms that this is a hard and fast rule, then we will remove this site from the NP. It should be noted that this limitation would drive the Parish to either having almost no development at all, or else having much larger development such as the proposed Silverdale development which is extremely unpopular within the Village for reasons of practicality, as well as sentiment.</p> <p>Need to clarify with the Examiner whether we need to make any changes given the exception in HS05 relating to Community Housing Initiative.</p>
100	MDDC	376	Housing	HS03 - Not in conformity with Policy S1; other issues in relation to basic conditions test. Please refer to comments from MDDC conservation officer in Appendix 2.	Maps will be aligned. See also comment on response 369.
50	Delwyn Matthews	384	Traffic and Travel	<p>P.13 statement :( 'Traffic and Travel'): "Explore possibility of foot and cycle link between the Village and A396".</p> <p>This should be expanded to also include reference for the need for similar links between Ellerhayes and Silverton. At present the only FP link to Silverton is not direct and is some distance from the village and involves a very dangerous crossing over a high speed railway. Proposals for a safer and more convenient permissive FP link have been put to the National Trust but at present still await the agreement of the local farmer. Scope also exists for a possible future cycle link.</p> <p>This is in fact accepted later on in the SNP (see p.47 and also Policy TR04): the statement on p.13 should therefore be amended to similarly read: "Explore possibility of foot and cycle link between the Village and A396 and the Village and Ellerhayes."</p>	Suggest we amend as requested.

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110 Environment Agency	408	Traffic and Travel	HS06 and TR04 – it may be advisable that the supporting text or policy encourages these spaces to be of a permeable material in order to ensure surface water run off issues are minimised	<p>Policy HS06.1 - Add wording "Any outdoor parking spaces and driveways must be constructed of permeable material to minimise sudden water run-off."</p> <p>Policy TR04.2 - Add bullet VI stating "it is constructed of permeable material to minimise water run-off issues".</p>
100 MDDC	372	Traffic and Travel	TR05 (Vehicle Sharing) This policy is not a land use policy and can therefore not be included in the neighbourhood plan.	Accept reluctantly and add to new Annex as suggested by the Examiner, Bring up again in the Silverton Parish Green Action Group forum, should it be set up.
100 MDDC	378	Traffic and Travel	TR01 - No conformity issues. Seems to duplicate elements of policy EN02.	These policies are similar but TR01 looks at the road and lane point of view and the EN02 comes from the point of view of the footpaths and bridleways.
100 MDDC	379	Traffic and Travel	TR02 - No conformity issues. May want to consider potential delivery mechanisms.	We will consider methods for delivery if/when NP is adopted and we can show we have backing of the village to put together such proposals.
100 MDDC	381	Traffic and Travel	TR04 - Criterion 4. is not a land use issue, and cannot be included in the plan.	<p>We disagree. Criterion 4 is driveway sharing. Driveways are land.</p> <p>MDDC Local Plan Policy S1 para J 'encourage the effective use of land' to deal with climate change issues is exactly what criterion 4 is about. We are therefore confused why MDDC thinks that this is inadmissible.</p> <p>MDDC Local Plan policy DM5 (second para) says that we must 'encourage the maximum use of sustainable modes of transport, including .... low emission vehicles'</p> <p>We also propose to change the wording to require a covenant committing new housing to partake in such schemes be a requirement before planning is approved.</p>

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100 MDDC	380	Traffic and Travel	TR03 - Criterion 4 [20 mph speed limit], and 5 [ban lorries over 7.5T] are not land use policies and therefore cannot be included in the plan.	What are the rules to say it cannot be included in the Plan given that they are clearly traffic management and safety. E.g. MDDC Local Plan Policy S7 includes sustainable travel opportunities, Policy S12 includes redirecting HGVs away from the town centre. Policy S11 Item (a) mentions highway safety and item (b) mentions public transport improvement. Policy DM3 refers to safety and other non-land-use issues such as car sharing low emission vehicles, car clubs and local working practices. We propose, at minimum, to apply criterion 4 and 5 to any new development.
103 National Highways	390	Traffic and Travel	Following a review of the submission draft we remain satisfied that the proposed policies within the plan are unlikely to result in development which will adversely impact the SRN and we therefore have no specific comments to make. This does not however prejudice any future responses National Highways may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the prevailing policy at the time.	No comment required.
105 Network Rail	393	Traffic and Travel	Network Rail has a strong policy to guide and improve its management of level crossings, which aims to; reduce risk at level crossings, reduce the number and types of level crossings, ensure level crossings are fit for purpose, ensure Network Rail works with users / stakeholders and supports enforcement initiatives. Without significant consultation with Network Rail and if proved as required, approved mitigation measures, Network Rail would be extremely concerned if any future development impacts on the safety and operation of any of the level crossings listed above. The safety of the operational railway and of those crossing it is of the highest importance to Network Rail.	The railway line does not pass closely enough to the parish boundary for this response to be directly relevant to the NP.