

Appendix 2: Topic-based scoping tables for partial update to local plan

Topic: Housing	Information
<p>The issue to be considered.</p>	<p>Increasing opportunities to meet the housing needs of our communities, beyond existing requirements in the Local Plan:</p> <ul style="list-style-type: none"> • the additional requirement for First Homes as an element of affordable housing delivery. • the need to accommodate key worker housing. • extending affordable housing delivery. <p>The approach to be taken if a 5-year housing land supply is not re-established in the short term.</p>
<p>Where the issue was identified.</p>	<p>A consideration in the Councils 2020 decision to undertake a comprehensive review of the Local Plan included the challenges of maintaining a five-year housing land supply and the delivery of affordable housing having regard to policy targets.</p> <p>The finalised PAS Toolkit identified the omission of First Homes as an affordable housing product and that 10% of affordable housing should be for home ownership, as required by current national planning policy. It was recognised that the requirements provided through a Written Ministerial Statement and revised National Planning Policy were introduced following the adoption of the Local Plan.</p> <p>Key drivers to undertake a local plan update from the PAS review related to:</p> <ul style="list-style-type: none"> • the Councils inability to demonstrate a five-year supply of deliverable land for housing, meaning that the tilted balance or presumption in favour of sustainable development is being applied to the determination of development proposals; and • Viability issues and the need to secure an adequate five-year supply is enabling development proposals to obtain planning permission without demonstrating compliance with all local plan policies. <p>Advice from PAS indicated that the Councils must seek as a priority to ensure that the “tilted balance” no longer needs to be applied to decision making and to do this the Councils must ensure that they can demonstrate that a five-year supply of deliverable land for housing exists at the earliest opportunity and can be sustained into the future. It was recognised that an updated policy position could not be undertaken in the short term to improve</p>

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	<p>the five-year land supply position, but that the Councils could utilise other mechanisms to secure an adequate five-year housing land supply position.</p> <p>Member visioning workshop (feedback report 2022), in response to questions relating to how well the Local Plan works in respect of the location and amount of housing and the mix of housing (types and tenure, including affordability), the majority of participants (24 responses) indicated that the Local Plan could be improved, with more indicating the “Local Plan doesn’t work well” than “works well”. The focus of Members concerns around this topic related to the consequences of the absence of a five-year housing land supply and the need to appropriately accommodate northern Devon’s housing needs both locationally and by type and tenure.</p>
<p>Summary of existing national planning policy (including framework and guidance).</p>	<p>National Planning Policy Framework (NPPF) requires local planning authorities to determine the minimum number of homes needed with strategic policies informed by a local housing needs assessment; the delivery of which should be expressed through a trajectory of deliverable and developable sites. Within this context policies are required to set requirements in respect of the size, type and tenure of housing needed for different groups within the community.</p> <p>Where a need for affordable housing is identified, policies are required to specify the type of affordable housing required and how such should be delivered. Requirements are also in place to support the delivery of housing on exception sites both for first time buyers and in support of affordable housing in the rural area.</p> <p>The NPPF supports the delivery of small and medium sized sites through a variety of mechanisms, including a sought provision that 10% of the housing requirement would be on sites of less than one hectare.</p> <p>Specific provision is provided for the rural area, in that planning policies should be responsive to local circumstances and support housing developments that reflect local needs. The need to enable the delivery of affordable housing is recognised through the required support for rural exception sites. The NPPF promotes sustainable development in rural areas, providing that housing should be located where it will enhance or maintain the viability of rural communities. It is also made clear that development of isolated homes should be avoided.</p> <p>In respect of developer contributions, the NPPF sets out that Local Plans should set out expected contributions from development including levels and types of affordable housing provision along with other infrastructure, but significantly such should not undermine the deliverability of the plan. More detailed guidance is provided in</p>

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	<p>National Planning Practice Guidance (NPPG) with regard to how viability considerations should be taken into account both in plan making and decision taking level. It is clear that robust evidence is required to be provided by an applicant, which will be subject to independent scrutiny for any proposal that is not policy compliant in respect of meeting affordable housing and infrastructure requirements as set out in the development plan. The Written Ministerial Statement (WMS) HLWS48 introduced an affordable housing product directed at new entrants to the housing market directed at homeownership. The WMS requires that a minimum of 25% of all affordable housing secured through developer contributions should be First Homes. The WMS sets minimum qualification criteria for qualifying households, in relation to annual income with the indication of how additional local criteria could be applied in relation to a locally relevant income cap, the prioritisation of key workers and /or local connections. Further guidance is provided in NPPG on the scope of local determined qualifying criteria, with an indication that proposals should be appropriately evidenced and established through the plan making process.</p>
<p>Relevant NDTLP Strategic Policies.</p>	<p>Policies: ST06: Spatial Development Strategy for Northern Devon’s Sub-Regional, Strategic and Main Centres, ST07: Spatial Development Strategy for Northern Devon’s Rural Area and ST08: Scale and Distribution of New Development in Northern Devon, define the hierarchy of settlements, the distribution of planned growth and the enabled parameters of other development opportunities – in Rural Settlements and the Countryside.</p> <p>Policy ST17: A Balanced Local Housing Market, requires development proposals, in respect of type size and tenure to reflect identified need subject to considerations of site character/context and development viability.</p> <p>Policy ST18: Affordable Housing on Development Sites, sets the delivery requirements for affordable housing, including site thresholds, the mix of affordable housing (social rented/intermediate accommodation), delivery progression in step with market housing, the starting point of on-site provision and the mechanisms to be applied to secure in perpetuity benefit of secured affordable housing relating to qualifying occupants.</p> <p>Policy ST19: Affordable Housing on Exception Sites, provides for the release of sites beyond planned development, subject to qualifying criteria, including demonstrated affordable housing need, proportionality to</p>

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	<p>the subject settlement and that the site is well related to a settlement defined in Policy ST07, or a Rural Settlement.</p> <p>Policy ST19A: Starter Homes Exception Sites, provides an opportunity in ST06 and ST07 defined settlements to release underused or unviable commercial/industrial sites for young first-time buyers. Note, the guidance associated with this policy was withdrawn in February 2020.</p> <p>The above policies are supported by the following more detailed development management policies: Policy DM23: Residential Development in defined Settlements without Development Boundaries Policy DM24: Rural Settlements.</p> <p>Note that the implementation of the Local Plans affordable housing policies is supported by the North Devon and Torrige Affordable Housing Supplementary Planning Document (adopted July 2022).</p>
<p>In scope of a partial review.</p>	<p>It is considered that none of the matters subject to consideration could be taken forward as an element of a partial review.</p> <p>Note recommendations from PAS suggested a range of mechanism outside the scope of plan making that could be introduced to support an improved five-year housing land supply position and development outcomes in the short term, which were:</p> <ul style="list-style-type: none"> • Working proactively with relevant landowners / developers of appropriate smaller sites to bring forward schemes which can deliver to meet Council aspirations in the short term; • Ensuring that appropriate mechanisms are in place corporately to work proactively with relevant landowners and developers of sites allocated in the Local Plan to bring forward and front-load high quality schemes together with the necessary infrastructure, such as a developer forum, use of planning performance agreements, use of a quality review panel, promotion of design guides / codes, and use of masterplans to guide development proposals across multiple sites; and

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	<ul style="list-style-type: none"> Ensuring that Officers and Members are taking a robust approach to decision-making and negotiation to secure Local Plan policy requirements as far as possible. <p>Note – the matter of Design Guides is dealt with more directly in a separate document.</p> <p>First Homes -The Councils stated position, as set out in the North Devon and Torridge Local Affordable Housing SPD in respect of First Homes is: "Having considered the national First Homes provisions, the Councils have determined that the most legitimate way to consider the routine implementation of First Homes for northern Devon is as part of the review of the North Devon and Torridge Local Plan which was formally instigated by resolution of the Councils in late 2020. This approach recognises the need to robustly consider the wider policy implications of introducing First Homes and to legitimise the formal introduction of the additional local requirements necessary in order for the product to meet identified local needs".</p> <p>However, it is considered that partial review could introduce a new Development Management policy which would identify First Homes as an affordable housing product as an element of Intermediate Housing. The policy could add to/alter national qualifying criteria, which could relate to income levels, locational qualifications, essential/key workers, and discounts applied to property values.</p> <p>New small site allocations – if required by the continuing absence of a five-year supply of deliverable housing sites, additional small sites could be allocated, subject to the conclusion of the Housing and Economic Land Availability Assessment HELAA). Any allocations would need to add value to the five-year land supply position and be in general conformity with the Local Plan's distribution and spatial strategies.</p>
Out of the scope of a partial review:	Concerns have been raised in respect the impact of viability considerations, with regard to developments not achieving affordable housing targets on qualifying sites and fully complying with development generated infrastructure requirements. A revaluation of matters associated with viability that would impact on scheme viability would be wide ranging across the Local plan and would have to be considered through a plan wide review.
Evidence required	First Homes – The Councils maintain updated evidence to support the application of Discounted Homes, which subject to review could be utilised in support of a new First Homes policy with regard to income qualification and property value discounts. New needs-based evidence would be required to be commissioned

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	<p>to identify households which would fall within qualifying criteria and to consider the scope (if considered necessary) of essential/key workers.</p> <p>New small site allocations – Work is ongoing to determine the Councils five-year housing land supply position. The determined position is anticipated to be supported by a statement in April 2023. At this time, it is not possible to provide any consideration of the likely supply of deliverable sites. Completion of the HELAA is planned towards the end of 2023.</p> <p>Note, the principal technical evidence used to support the Local Plan in respect of the housing requirement, distribution strategy and housing mix (type, size, and tenure) is provided by the North Devon and Torrige Housing and Economic Needs Assessment (GL Hearn 2016) and in respect of viability considerations, at the strategic level, by the Update of the Economic Viability Assessment of Housing Developments in North Devon and Torrige (Adams Integra 2015). The Strategic Housing Land Availability Assessment (2016) was prepared to support decision making in respect of housing allocations; this will be superseded by a Housing and Economic Land Availability Assessment (HELAA).</p>
Who will undertake the work?	Consultants would need to be engaged to provide updated housing needs evidence, in support of a new First Homes Policy. Officers will continue with an established work programme to establish a five-year land supply position and conclude the HELAA.
Estimate of how long it would take to prepare the evidence	<p>First Homes – estimated consultants time 6-8 weeks.</p> <p>New small site allocations – estimated 6 months as set out above five-year housing supply/HELAA.</p>
Estimate of the cost	Estimate of £10k-15K, although the market would have to be tested to determine consultants' costs.
Added value of the work stream to the Councils	<p>First Homes – inclusion of a further form of affordable home ownership, which could include key/essential workers, for which there is no current Local Plan policy provision.</p> <p>New small site allocations – potential to minimise the timeframe over which the Councils land supply position is considered out of date, allowing for a return to a plan-led system and for development to be better aligned to the visions and objectives set out for northern Devon.</p>
Associated risks of proceeding/not pursuing	It is considered that the matters subject to consideration could be subject to a partial review. As highlighted in the PAS report, the Councils position in respect of the Local Plan would be significantly improved by securing a

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this issue with a partial review.	<p>five-year supply of deliverable sites. Further the allocation of additional sites could not be achieved in the short term to address a five-year supply deficit.</p> <p>While it is considered that the addition of small sites could be included as part of a partial review, question the value of doing so given the likely limitations of sites that may qualify for allocation, in respect of size and non-prejudicial impact on the distribution strategy and plan wide and local spatial strategies. Additionally, in allocating additional housing sites there is no certainty that the five year supply position will be enhanced, only that the overall supply is further increased.</p>
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	The proposed new and updated evidence could be utilised in a new local plan.
Officer recommendation.	<p>First Homes and the allocation of small sites (except in relation to viability) could form part of a partial review. Clearly the allocation of additional sites would not be required if the five year supply of deliverable sites is re-established.</p>

Topic: Retail and Town Centres	Information
The issue to be considered.	<p>How to accommodate the changing nature of our town centres, including a review of:</p> <ul style="list-style-type: none"> • the town centre hierarchy. • Town Centre boundaries and Primary Frontage Shopping Areas. • the consequences of changes to the use class order. • allocations to support town centre expansion and regeneration.
Where the issue was identified.	<p>A consideration in the Councils 2020 decision to undertake a comprehensive review of the Local Plan included changing patterns of the use of town centres and retail habits.</p> <p>The PAS Toolkit recognised that there is a need to respond to the consequences of changes to the Use Class Order, which enabled a range of town centre uses to change without the need for planning permission, increasing flexibly beyond the protected limits of A1 uses in the Local Plan.</p> <p>Member visioning workshop (feedback report 2022) in response to the question of how well the Local Plan works in respect of Retail, Leisure and Town Centres, the majority of participants (24 responses) indicated that the Local Plan could be improved. The issues raised on this matter were focused on how to maintain town centre viability and vitality as retail habits change and the relationship of centres within the retail hierarchy.</p>
Summary of existing national planning policy (including framework and guidance).	<p>National Planning Policy Framework (NPPF) requires local planning authorities to define a network and hierarchy of town centres, define the extent of Primary Shopping Areas, retain, and enhance existing markets, and allocate a range of suitable sites in town centres to meet the scale and type of development likely to be needed, looking at least ten years ahead. It further provides for the application of a sequential test to main town centres uses and covers the requirement for an impact assessment to support applications for retail and leisure outside of town centres.</p> <p>The NPPF also sets out how local plan policies should aim to achieve healthy, inclusive and safe places; including the need to plan positively for the provision and use of shared spaces, mixed use developments, strong neighbourhood centres, community facilities (such as local shops, public houses) and other local services to enhance the sustainability of communities and residential environments.</p>

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	<p>National Planning Practice Guidance (NPPG) sets out the recommended content of town centre strategies, the indicators which are useful for planning for town centres, the permitted development rights which are available in relation to main town centre uses and how local authorities should approach the application of the sequential test and impact tests of both plan making and development management issues. The NPPG also provides guidance on setting a locally appropriate impact assessment threshold.</p>
<p>Relevant NDTLP Strategic Policies.</p>	<p>Policy ST12 Town and District Centres is the main strategic policy dealing with retailing and town centres. The policy sets out the “town centre” hierarchy across the plan area, along with the approach to maintaining and enhancing the health of existing town and district centres. Policy ST12 also outlines the general approach to the assessment of proposals within the defined centres and the protections of existing and support for new retail and other community services and facilities in other locations.</p> <p>Policy ST12 is supported by the following more detailed development management policies: Policy DM19: Town and District Centres Policy DM20: Development Outside Town and District Centres Policy DM21 Local and Rural Shops.</p> <p>The above policies are supported by a policies map which defines the extent of town and district centres and primary shopping frontages.</p>
<p>In scope of a partial review.</p>	<p>Revision to Policy DM19 in response to the changes to the Use Class Order and a reconsideration of the extent of Primary Shopping Frontages.</p> <p>Note the intent of the revised approach was to promote the vitality and viability of town centres by allowing more diversification in a way that can respond to rapid changes in the retail and leisure sectors.</p>
<p>Out of the scope of a partial review:</p>	<p>The town centre hierarchy is defined at a strategic level, which is further reflected in settlement specific strategic policies that provide spatial visions and development strategies. This is not a matter that it is considered could be addressed through a partial review.</p> <p>Local Plan allocations for retail and other town centre uses are significant components of the spatial visions and development strategies which are established in strategic policies. Adjustments through the deletion or alteration of allocations is not a matter that it is considered could be addressed through a partial review.</p>

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Evidence required.	<p>Note, the principal technical evidence used to support the Local Plan is dated 2012 (North Devon and Torrige Retail and Leisure Assessment; Peter Brett Associates). Any revision to policy at a strategic level would be required to be supported by updated evidence, having regard not only to the historic nature of the referenced assessment, but the significant changes which have occurred within the retail and leisure sectors in recent years, including the functionality of town centres.</p> <p>Partial review – updated assessment of town and district centre uses on which basis a revised policy approach could be established to reflect the current Use Classes Order and Permitted Developments.</p> <p>Changes to the Use Class Order introduced greater flexibility to change uses within town centres without the need to obtain planning permission. The Local Plan currently seeks to resist the decline of A1 retail uses in town centres by restricting use changes from this use below defined thresholds, with greater protections applied within Primary Shopping Frontages.</p>
Who will undertake the work?	Partial review – officers could undertake the work associated with a narrowly focused policy review.
Estimate of how long it would take to prepare the evidence.	Partial review – to review town and district centre uses would require survey work/data entry and technical analysis of the findings. The estimated timeframe for this task is 4 weeks.
Estimate of the cost.	Assuming work undertaken by Officers, no additional project costs.
Added value of the work stream to the Councils.	<p>Reviewing the policy approach would assist with the monitoring of town centre uses and provide an update to vacancy rates which is required as a component of the Councils Authority Monitoring Report.</p> <p>Enable the opportunity to review the potential application of article 4 designations, which could, if considered necessary restrict the scope of permitted development rights. The designation of article 4 areas could be undertaken outside the plan preparation process.</p>
Associated risks of proceeding/not pursuing this issue with a partial review.	Changes to the Use Class Order in September 2020 and Permitted Development Rights in March 2021 resulted in the current policy provisions which apply protections to the former A1 Use Class being out of date.

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	<p>The referenced changes form part of the decision-making process, undertaking a narrowly focused revision to Policy DM19 would not alter outcomes in respect of proposals that seek to change town centre uses, but it would update policy terminology to be consistent with national planning guidance.</p>
<p>Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?</p>	<p>The evidence could be utilised by consultants that would undertake a new retail, town centre and leisure assessment, the purpose of which would be to provide recommendations for future local plan policy on key issues such as: retail hierarchy, the extent of town centre boundaries, suitable sites for accommodating any forecast retail and leisure capacity (if necessary) and future strategies for retail, town centre and leisure development.</p> <p>The prepared evidence would provide an updated position from that which is currently available, however updated survey work and analysis would have to be undertaken at the time of newly commissioned work to inform the wider body of work to inform strategic policy.</p>
<p>Officer recommendation.</p>	<p>Policy DM19 could be updated to bring it in line with national planning policy, however on balance, there is considered to be limited value in undertaking a targeted review in response to changes to the Use Class Order and enabled Permitted Development, which already guides decisions, where required. For decision making an updated policy would have limited value.</p>

Topic: Rural Economy	Information
The issue to be considered.	<p>How best to support an expansion of the rural economy, including a review of:</p> <ul style="list-style-type: none"> • enabled employment related development in/adjoining and beyond defined and Rural Settlements. • support that can be provided to the agriculture sector.
Where the issue was identified.	<p>Considerations in the Councils 2020 decision to undertake a comprehensive review of the Local Plan included: evolving thinking on rural sustainability and significant structural reforms to the agricultural sector. The changing nature of the tourism sector was additionally referenced, which is significant for the rural economy (this matter is dealt with more directly in a separate document).</p> <p>The PAS Toolkit recognised that “discussions at the recent Member Workshops appeared to indicate that there is discontent about what is being seen on the ground following the adoption of the Local Plan in 2018”. In addition, the PAS Toolkit recognised that “the quality and type of development that is coming forward regularly does not meet the aspirations of elected Members or the local community”. It noted that “where policies themselves are considered to be ineffective, for instance because they are vague or ambiguous, it may be prudent to update them.”</p> <p>Member visioning workshop (feedback report 2022) in response to the question of how well the Local Plan delivers for communities in respect of location(s), amounts and types of proposed employment (as well as regeneration proposals/opportunities), the majority of participants (there was a total of 24 responses) indicated that the Local Plan could be improved. Significantly, more members indicated that the existing Local Plan does not work well at all in terms of development in the countryside and in terms of the delivery of infrastructure provision for communities. Of note there was a range of opinions with regard to the appropriate scale and locations for enabling development in the rural area.</p> <p>Concerns were raised about low skill and wage levels. Members recognised that housing development is more lucrative than the delivery of employment sites; but jobs need to be delivered alongside new homes. The lack of employment land in rural areas was raised as a concern in relation to supporting the vitality and prosperity of</p>

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	<p>smaller settlements. Additionally, diversification, the encouragement of and support for rural based businesses, including agriculture was identified as areas where there could be greater and/or clearer Local Plan support. Note that a range of matters have been raised by Members in relation to the agriculture sector in relation to land management and funding schemes, which are not within the scope of the planning system.</p>
<p>Summary of existing national planning policy (including framework and guidance).</p>	<p>The National Planning Policy Framework is clear in that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt.</p> <p>The NPPF (paragraphs 84 and 85) provides specific guidance to support a prosperous rural economy. The NPPF that planning policies and decisions should enable “the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”</p> <p>Additionally the NPPF provides that planning policies and decisions “should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable. The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”</p>
<p>Relevant NDTLP Strategic Policies.</p>	<p>Policy ST07: Spatial Development Strategy for Northern Devon’s Rural Area establishes the parameters of enabled development within the rural area, which embraces defined settlements (Local Centres and Villages), Rural Settlements (which are subject to qualifying criteria) and the Countryside. The policy sets out the “settlement” hierarchy across the plan’s rural area, along with the approach to supporting development “to achieve an economically resilient and active rural area”. Development within Schedule A (Local Centres) and B (Villages)</p>

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	<p>settlements is enabled within development boundaries and on allocated sites. In addition, development is enabled within the principal-built form of settlements without development boundaries.</p> <p>Development in Rural Settlements is enabled where it is appropriately located development of a modest scale to meet locally generated needs. Further, in the Countryside, development is limited to that which is enabled to meet local economic and social needs, rural building re-use and development which is necessarily restricted to a Countryside location.</p> <p>The policy intent is to support the growth of rural communities, including its economy, whilst safeguarding and where possible enhancing the natural and built environment.</p> <p>Policy ST11: Delivering Employment and Economic Development supports the delivery of quantitative and qualitative improvement in job opportunities throughout northern Devon, through:</p> <ul style="list-style-type: none"> • Employment generating opportunities to meet identified needs and locally determined growth aspirations. A requirement for a minimum of 84.9 hectares of land for employments purposes is identified and will be in part met by the retention and reuse of employment sites. • A flexible approach to employment land release in response to relocation or expansion proposals that will contribute positively to northern Devon. • Maintenance and enhancement of a diverse local economy, encouraging investment, whilst safeguarding the environment and fostering links between environment and economy. • Active pursuit of opportunities for new business formations, and encouragement of long-term business survival (through home working and expansion of ICT). Through work with partners, the Councils will encourage education and skills development. • Encouragement of high value jobs in business, education, research, low carbon and other key growth sectors in sustainable locations. Developers will need to demonstrate how they will work with local economic partnerships to maximise opportunities to employ local people and develop skills. • Support to existing sectors so that they continue to flourish and grow sustainably. Modernisation encouraged.

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	<ul style="list-style-type: none"> • Support for proposals for economic development and diversification of rural economy where there is no conflict with other Local Plan policies. <p>Policies ST07 and ST11 are supported by the following more detailed development management policies:</p> <ul style="list-style-type: none"> • Policy DM12: Employment at Towns, Local Centres and Villages • Policy DM13: Safeguarding Employment Land • Policy DM14: Rural Economy • Policy DM15: Farm Diversification • Policy DM16: Equine Development • Policy DM27: Re-use of Disused and Redundant Rural Buildings. <p>Note there are a range of other Development Management Policies which are relevant to the rural area but are not specific to the rural economy.</p> <p>The above policies are supported by a policies map which defines the extent of settlement boundaries and employment land allocations.</p>
In scope of a partial review.	<p>Through Policy DM14: Rural Economy, consideration of the scope of enabled development, across the wider rural area, could be investigated to potentially extend the allowed location of development that would support the rural economy; subject to continuing consistency with policy ST07.</p> <p>Potential addition of a policy to provide clarity as to the acceptability of proposals for new agricultural buildings, which is a recognised omission from the Local Plan. The policy could provide guidance on where planning permission is required the considerations that will be taken into account to enable permission to be granted.</p>
Out of the scope of a partial review:	Range of matters relating to the agricultural sector that are not impacted by development plans.
Evidence required:	Engagement with Members and stakeholders to further understand barriers to and aspirations for growth in the rural area.

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Who will undertake the work?	Officers.
Estimate of how long it would take to prepare the evidence	Proposed engagement could form part of the body of work required in support of early-stage plan preparation.
Estimate of the cost	Assuming work undertaken by Officers, no additional project costs.
Added value of the work stream to the Councils	Potential additional economic benefit to the rural areas, having regard to the expansion of existing business and new enterprise.
Associated risks of proceeding/not pursuing this issue with a partial review.	<p>Care will be required not to overstep the limitations of the related strategic policy and that the caveats provided in national planning policy, relating to enabling development in less sustainable locations are incorporated into any revised policy provisions.</p> <p>A review of the policy would enable criteria to be established to guide consistent decision making that could further assist the rural economy, within the framework of the wider Local Plan objectives for the rural area.</p>
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	The evidence could be used in the consideration of future policy, in the context of wider considerations of the economy of northern Devon.
Officer recommendation.	A revision of Policy DM14 could be undertaken as part of a partial review; need to consider the scope of expanding economic opportunities to meet local needs within the rural area and the criteria that would be applied. Additionally, a new policy could be considered to guide agricultural development.

Topic: Tourism	Information
The issue to be considered.	<p>Opportunities to increase the capacity of sustainable tourism, including a review of:</p> <ul style="list-style-type: none"> • tourism in the rural areas, having regard to the existing scope of enabled development by type and location. • the promotion of green tourism
Where the issue was identified.	<p>Paragraph 4.13 of the feedback report notes that: 'There was some general agreement that the current Local Plan was generally weak on its policies around tourism' In addition, paragraph 6.19 states 'In regards to rural tourism it can be unclear what the policy actually is around this'</p> <p>Paragraphs 6.20 to 6.25 of the Feedback Report give a range of issues raised members including: that tourism policies are not delivering and are too constrained so they should and could go further without necessarily allowing tourism accommodation everywhere as this does not support the housing crisis.</p> <p>Future tourism policy should provide a more flexible approach to deliver tourism development and be more proactive around tourism to allow for this to be developed locally without harming surroundings and while supporting the local economy as much as possible.</p> <p>whether an area of search should be considered as opposed to a criterion based one.</p> <p>Need to consider the scope for quality tourism alongside a need to recognise that there has been an increase in demand for glamping and other high-quality accommodation which has been especially popular in rural areas across the UK.</p>
Summary of existing national planning policy (including framework and guidance).	<p>Paragraph 84 of the NPPF includes 'sustainable rural tourism and leisure developments which respect the character of the countryside' as a criterion planning policies should enable as part of supporting a prosperous rural economy.</p> <p>Paragraph 85 states: 'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by</p>

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	<p>cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'</p> <p>The glossary of the NPPF includes tourism in the definition of 'main town centre uses.</p>
<p>Relevant NDTLP Strategic Policies.</p>	<p>Policies ST06: Spatial Development Strategy for Northern Devon's Sub-regional, strategic and Main Centre and ST07: Spatial Development Strategy for Northern Devon's Rural Area set out the spatial development strategy for the Local Plan area.</p> <p>Policy ST13: Sustainable Tourism: High quality tourism development that promotes a year-round industry will be supported. Tourism growth should be sustainable and should not damage the natural or historic assets of northern Devon</p>
<p>In scope of a partial review.</p>	<p>Review of Development Management policies, including policies DM17 and DM18</p>
<p>Out of the scope of a partial review:</p>	<p>A change of approach which affects the spatial development strategy for the Local Plan area.</p>
<p>Evidence required:</p>	<p>To fully understand the issues raised by members, it is necessary to:</p> <ul style="list-style-type: none"> • Provide a monitoring report of the performance of the local plan policies including ST13 and DM17 and DM18. The report should set out what applications have been allowed since the adoption of the local plan (including at appeal) and what has been refused, including a summary of the proposals and the reasons for the decisions. • Establish with members how they would wish to change the outcomes of these decisions, including if the concerns relate to tourism both within existing settlements and/or the rural areas and any potential policy gaps. • Undertake stakeholder engagement both with internal council services and other organisations involved in the sector
<p>Who will undertake the work?</p>	<p>Officers</p>

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Estimate of how long it would take to prepare the evidence	12 weeks (dependent on officer resource)
Estimate of the cost	Assuming work undertaken by Officers, no additional project costs.
Added value of the work stream to the Councils	As tourism makes an important contribution to the northern Devon economy, this work would provide an opportunity to 'sense check' how the local plan is performing and, if appropriate, the ability to alter the development management policies
Associated risks of proceeding/not pursuing this issue with a partial review.	No risks are identified in either proceeding or not pursuing this issue.
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	Yes, the evidence could be utilised as part of a new local plan.
Officer recommendation.	On balance, this is considered to be a limited piece of work that could add value to the local plan but further work needs to be undertaken to explore the concerns of members and the performance of policies DM17 and DM18 and establish whether any amendments could be made through a Partial review.

Topic: Coastal Change Management Areas	Information
The issue to be considered.	Identification of Coastal Change Management Areas and setting out the types of the development that will be appropriate within these areas.
Where the issue was identified.	<p>Part 2 of the PAS Toolkit notes:</p> <p>“Paragraph 20 of the NPPF provides that strategic policies should set out an overall strategy for coastal change management. The Local Plan contains a range of strategy and policy provisions (in particular Policy ST03 and ST09 and place-based strategies) to ensure that regard is had to current and future coastal erosion, inundation and flood risk. The Plan does not however incorporate Coastal Change Management Areas as a mechanism for managing these matters.”</p>
Summary of existing national planning policy (including framework and guidance).	<p>The NPPF definition of a CCMA is: “an area identified in plans as likely to be affected by physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion”.</p> <p>Paragraphs 171 to 173 relate to the identifying of a Coastal Change Management Area:</p> <p>171. Plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:</p> <ul style="list-style-type: none"> (a) be clear as to what development will be appropriate in such areas and in what circumstances; and (b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas. <p>172. Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:</p> <ul style="list-style-type: none"> (a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change; (b) the character of the coast including designations is not compromised; (c) the development provides wider sustainability benefits; and (d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast.

Topic: Coastal Change Management Areas	Information
	173. Local planning authorities should limit the planned lifetime of development in a Coastal Change Management Area through temporary permission and restoration conditions, where this is necessary to reduce a potentially unacceptable level of future risk to people and the development.
Relevant NDTLP Strategic Policies.	Policy ST03 (e) relates to locating development to avoid risk from current and future coastal erosion. Policy ST04 (4) sets out that settlements and resorts will be defended against marine inundation, coastal erosion and tidal flooding without transferring risks elsewhere. Opportunities to manage coastal realignment and re-establish functional flood plans will be supported in accordance with the Shoreline Management Plan
In scope of a partial review.	Defining a Coastal Change Management Area and associated policies to: a) establish what development will be appropriate in the CCMA's and in what circumstances; and b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.
Out of the scope of a partial review:	When defining the CCMA care will need to be taken to not impact on the NDTLP place-based strategies.
Evidence required:	The preparation of the evidence required is at an advanced stage. It is prepared in two stages with the first study (completed in 2020) focus on the Taw/Torrige estuary and the wider coastal area is near completion, with the Councils awaiting receipt of the final report.
Who will undertake the work?	Consultants have undertaken the CCMA studies.
Estimate of how long it would take to prepare the evidence	The technical evidence to be finalised by the end of April 2023 Following the receipt of the evidence, officers would need to translate this into designated CCMA and prepare the associated policies.
Estimate of the cost	The commissioned studies have a combined cost of approximately £16,700 which has been settled
Added value of the work stream to the Councils	The evidence has been gathered for this policy area and given the nature of the results e.g, the forecasting of flooding and cliff erosion preparing appropriate policies to address these matters in relation to properties potentially affected will be of value to all concerned, including infrastructure providers who may need to for alternative locations in the long term.

Topic: Coastal Change Management Areas	Information
Associated risks of proceeding/not pursuing this issue with a partial review.	<p>Preparing a new policy would address the policy gap in the Local Plan, which cannot be addressed on a case-by-case basis through the development management process.</p> <p>As the study is near completion, the information will have implications for some communities including residents' commercial businesses and infrastructure providers. However, the unknown at this stage is whether any necessary policies would impact on the place-based strategies of the Local Plan, which would need to be addressed through a comprehensive review, therefore there is a risk that work undertaken for the partial review may need to be paused and included in a comprehensive update to the Local Plan.</p>
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	Defining the extent and developing policy relating to a CCMA could be undertaken as part of a new local plan.
Officer recommendation.	On balance, given the advanced stage of preparing the evidence for the CCMA designation and associated policies this can be included in a partial review (whilst recognising that the outcomes may need to be addressed in a comprehensive review of the Local Plan).

Topic: Design Codes	Information
The issue to be considered.	The development plan is silent on design codes as it predates the introduction of Design Codes in national planning policy.
Where the issue was identified.	This matter was identified in the PAS Toolkit. The development plan is silent on design codes as it predates the introduction of Design Codes in national planning policy.
Summary of existing national planning policy (including framework and guidance).	<p>Paragraph 127 of the NPPF states:</p> <p>Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.</p> <p>Paragraph 128 of the NPPF (2021) states:</p> <p>To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place and should allow a suitable degree of variety.</p> <p>Paragraph 129 of the NPPF (2021) promotes the use of area-wide, neighbourhood or sites specific scale, and states that to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.</p> <p>The government have also published the National Model Design Code and National Design Guide which form part of the Planning Practice Guidance.</p>

Topic: Design Codes	Information
	<p>The Levelling Up and Regeneration Bill includes the requirement for each local plan to be accompanied by an area wide design code with this to be adopted as part of the local plan or as a supplementary plan. Schedule 7 of the Bill states:</p> <p>15F Design code for whole area</p> <p>(1) A local planning authority must ensure that, for every part of their area, the development plan includes requirements with respect to design that relate to development, or development of a particular description, which the authority consider should be met for planning permission for the development to be granted. (2) Subsection (1) does not require the local planning authority to ensure— (a) that there are requirements for every description of development for every part of their area, or (b) that there are requirements in relation to every aspect of design.</p> <p>The Bill also includes the requirement LPAs to prepare a ‘Local Plan timetable’ which must set out how the authority propose to comply with the requirement in section 15F(1).</p>
Relevant NDTLP Strategic Policies.	Policy ST04 Development will achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in policy DM04.
In scope of a partial review.	<p>This is a new area of work for the Councils. The scale of design codes will need to be considered in detail; the options are:</p> <ul style="list-style-type: none"> • at the plan wide area, • area-based (e.g. at the neighbourhood scale) to capture multiple smaller sites with an area of uniform character that can benefit from a shared set of design parameters and • site-specific design coding is used to optimise the responsiveness of development to local conditions and character. <p>A plan wide design code, will need to be referenced back to a policy in the local plan which should set out the design vision (para 127)</p>
Out of the scope of a partial review:	Any design code prepared will need to have regard to the strategic policies of the local plan.

Topic: Design Codes	Information
Evidence required:	Best practice for preparing design codes is set out in part 1 of the National Design Code and includes analysis, visioning and the preparation of the code.
Who will undertake the work?	Design Codes are a new and specialised and will need to be prepared by consultants or through the training of officers.
Estimate of how long it would take to prepare the evidence	This will depend on the type(s) of design codes prepared. The report 'National Model Design Code (NMDC) Pilot Programme Phase One, Monitoring & Evaluation' (March 2022) indicates a 12-month period is required.
Estimate of the cost	There are a limited number of design codes which have been prepared (through a pilot scheme). These have cost £100,000 plus.
Added value of the work stream to the Councils	Design is a key component of what is considered good development and the completion of local design codes would have a positive impact. However, given the estimated cost and time needed to prepare design codes there would be limited value of doing so through a partial review given that a national model design code has been published.
Associated risks of proceeding/not pursuing this issue with a partial review.	The National Planning Policy Framework sets out that the National Design Guide and National Model Design Code should be used to guide decisions on applications in the absence of locally produced guides or codes.
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	Yes, this work could be undertaken as part of a new local plan.
Officer recommendation.	On balance, there is value in undertaking design coding work, however, given the significant amount of resources that will be needed, and the cost and the limited best practice available it would be preferable to not include design codes in the partial update, rather this work could be undertaken alongside the Local Plan, the form of which would need to be confirmed. If the decision is made to undertake a partial update, then there would be

Topic: Design Codes	Information
	value in adding a reference to design codes in policy DM04 (this would not require any additional work to be undertaken).

Topic: Fluvial Change Management Areas	Information
The issue to be considered.	Identification of Fluvial Change Management Areas and setting out the types of the development that will be appropriate within these areas.
Where the issue was identified.	This issue has been highlighted by Officers as funding was secured to undertake the work as part of a comprehensive review of the Local Plan.
Summary of existing national planning policy (including framework and guidance).	NPPF paragraph 153: Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.
Relevant NDTLP Strategic Policies.	<p>Policy ST03: Adapting to Climate Change and Strengthening Resilience, Criterion (a)(1) provides that development should be designed and constructed to take account of the impacts of climate change and minimise the risk to and vulnerability of people, land, infrastructure and property by managing and reducing flood risk for development, where that has wider sustainability or regeneration benefits to the community, or where there are no reasonable alternative sites.</p> <p>Criterion (I) of Policy ST14: Enhancing Environmental Assets seeks to conserve and enhance the robustness of northern Devon's ecosystems and the range of ecosystem services they provide.</p>
In scope of a partial review.	<p>Developing and testing the concept of Fluvial Change Management Areas (FCMAs) with the aim of better managing, adapting to and mitigating the impacts of future flood risk on communities, property, infrastructure and development.</p> <p>The notion of a FCMA is intended to build upon the established approach of Coastal Change Management Areas (CCMAs) that are utilised to manage development within coastal areas that are likely to be affected by physical change brought about through coastal processes.</p> <p>Using case study areas based around identified watercourses and associated communities, the project will establish robust methods which can be used to identify those areas that could be subject to fluvial (and potentially</p>

Topic: Fluvial Change Management Areas	Information
	<p>pluvial) flood risk when taking account of the implications of climate change, including consideration of changing patterns and intensity of rainfall, likely future watercourse flow rates and associated erosion activity.</p> <p>The project will develop planning-based tools that can be applied to manage and mitigate the risks to existing development and the consideration of development proposals within the identified FCMA(s). It will help determine the acceptability of new development whilst informing the need to plan for the relocation of existing development and infrastructure. The FCMA and associated policy is intended to be used as a means to inform decision making that helps deliver sustainable communities that are resilient and adapting to future flood risk. It is intended to derive a more strategically planned, innovative and flexible approach to flood risk management for communities influenced by watercourses than that previously adopted. The project also has the opportunity to maximise the benefits arising from investment in flood risk management by considering the adoption of creative solutions, strategic thinking, natural flood management practices and ecosystem services approaches.</p>
Out of the scope of a partial review:	N/a
Evidence required:	Technical research to provide the base data for the FCMA
Who will undertake the work?	The work is a collaboration between the Environment Agency, North Devon Council and Torrige District council. Funding has been secured to appoint consultants.
Estimate of how long it would take to prepare the evidence	7 months
Estimate of the cost	The project is estimated at £57,500, with £50,000 secured through the Flood and Coastal Resilience Innovation Programme with a contribution of £3,500 from both NDC and TDC, plus £1,500 from the Environment Agency.
Added value of the work stream to the Councils	This pilot scheme is an innovative workstream. The outcomes will have the potential to influence the nature, location and extent of planned future development along with investment decisions on infrastructure and existing development
Associated risks of proceeding/not pursuing	This is an innovative project and although not considered necessary to comply with the NPPF it would be of benefit to the Councils' to retain the grant funding, and to do so, the Councils need to demonstrate that the evidence can be incorporated into adopted planning policies by 2027.

Topic: Fluvial Change Management Areas	Information
this issue with a partial review.	
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	Yes, the project could be included as part of the evidence base, on the condition that it can be demonstrated the Local Plan will be adopted by 2027.
Officer recommendation.	It is recommended to continue with this project and if the evidence gathering can take place within the timeframe needed to prepare and submit the partial review to the Planning Inspectorate by June 2025 then it should be included in this process. As with the CCMA a partial review would need to be careful not to impact on Local Plan place-based strategies.

Topic: Traveller Accommodation	Information
The issue to be considered.	<p>The Local Plan identifies a requirement for 15 permanent Traveller pitches and 2 transit sites, based on a 2014 assessment of need. The identification of sites to meet the evidenced need was to be addressed by a Traveller Site Allocations Development Plan Document, as set out in the 2016 Local Development Scheme (LDS).</p> <p>The DPD has not been prepared and it is not subject to a delivery programme within the current LDS (2022). To date a total of 6 permanent pitches have been delivered between April 2011 and December 2022. Transit sites have not been brought forward. NDC have a temporary toleration site at Seven Brethren, however the council wish to find a long-term solution for the provision of gypsy and travellers in a different location.</p>
Where the issue was identified.	<p>The PAS Toolkit part 2 notes that in relation to paragraph 62 of the NPPF: ‘The requirement for Traveller pitches and plots is established through Policy ST20: Providing Homes for Traveller Communities. Due to establishing this need late in the later stages of plan preparation, the intention has been to prepare a separate Travellers Development Plan Document to allocate sites to meet the identified need. The Regulation 18 consultation occurred in September 2016, alongside a call for sites. Sufficient sites were not identified to meet the identified need at that point in time. The Councils have indicated an intention to deal with this matter as part of a comprehensive plan update, as agreed by the Councils in December 2020.’</p>
Summary of existing national planning policy (including framework and guidance).	<p>The government’s ‘Planning Policy for Traveller Sites’ document provides that local planning authorities should, in producing their Local Plan: a) identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets; b) identify a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15 c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries) d) relate the number of pitches or plots to the circumstances of the specific size and location of the site and the surrounding population’s size and density e) protect local amenity and environment.</p> <p>In relation to development management, paragraph 27 states: If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant</p>

Topic: Traveller Accommodation	Information
	of temporary planning permission. The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).
Relevant NDTLP Strategic Policies.	<p>Policy ST20: Providing Homes for Traveller Communities</p> <p>(1) Delivery will be pro-actively pursued to provide adequate and appropriate accommodation to meet the identified needs and demands of traveller communities in northern Devon whilst recognising their traditional and nomadic way of life and respecting the interests of the settled community.</p> <p>(2) During the period 2011-2031, provision to meet identified needs in northern Devon will be made to deliver:</p> <p>(a) at least 15 pitches for permanent traveller accommodation; and</p> <p>(b) at least 2 transit sites or emergency stopping places each providing for the accommodation of 4 or 5 pitches.</p> <p>(3) Where allocation offers the most appropriate mechanism for delivery, sites will be allocated through a Development Plan Document to provide an appropriate range of accommodation to meet the identified accommodation needs and demands of travellers across northern Devon.</p> <p>(4) Proposals for traveller accommodation will be supported where they will meet an identified need whilst respecting the principles of sustainable development and having regard to the interests of the settled community.</p> <p>(5) Existing authorised sites providing traveller accommodation will be safeguarded unless it is demonstrated that they are no longer required to meet identified need.</p> <p>Policy DM30 supports sites for traveller accommodation where they meet certain criteria.</p>
In scope of a partial review.	The scope of this document is to identify suitable and available sites for the delivery of permanent accommodation and transit accommodation/or emergency stopping sites that meet the requirements of policy ST20 over the plan period.
Out of the scope of a partial review:	It is not possible to update the baseline requirement as shown in Policy ST20 through an update to the Gypsy and Traveller Accommodation Assessment as this will need to be established through a comprehensive update to the local plan.
Evidence required:	An assessment to identify suitable and available sites for the delivery of permanent accommodation and transit accommodation/or emergency stopping sites that meet the requirements of northern Devon over the plan period. This can be informed by the Traveller Site Assessment Study (2019).

Topic: Traveller Accommodation	Information
Who will undertake the work?	The assessment of sites could either be undertaken by officers or if necessary, consultants.
Estimate of how long it would take to prepare the evidence	Approximately 20 weeks for a Traveller Accommodation Site Appraisal (based on the timetable for the last assessment undertaken by consultants)
Estimate of the cost	If undertaken by consultants, the search for appropriate sites is anticipated to cost approximately £30,000.
Added value of the work stream to the Councils	<p>As the Councils cannot demonstrate a five-year supply of traveller sites as set out in NPPF, applications are currently being approved for temporary planning permissions for travellers in locations which do not meet the criterion of Policy DM30.</p> <p>In relation to the delivery of transit sites, no sites have been identified. Currently NDC have a temporary toleration site at Severn Brethern, however this is only a temporary provision (including the proposed re-located site) and NDC members have resolved to find an alternative provision.</p> <p>The Equality Act 2010 means that the Councils have the duty to seek to eliminate discrimination, promote equality of opportunity and promote good relations. The Housing and Planning Act 2016 (section 124) places a legal duty on the Council to assess the needs with respect to the provision of sites for caravans and houseboats. In addition, there are practicable implications for not doing so. In particular, if either Council decides to take possession proceedings when an unauthorised encampment occurs, it must give due consideration to the duties under the Equality Act. Without some kind of transit site provision there is the potential for a finding that constitutes a breach of that Equality duty.</p>
Associated risks of proceeding/not pursuing this issue with a partial review.	Currently the Councils are managing the provision of permanent pitches through the development management process and the number of pitches required to be delivered by Policy ST20 is relatively low and therefore not a significant issue to manage if a decision is made not to pursue the allocation of sites through a partial review.
Would the evidence be able to be carried forward to be used as	A new local plan would need to include a refresh of the Gypsy and Travellers Accommodation Assessment (GTAA). The work undertaken for a partial review to allocate new sites would be able to be taken forward as evidence to inform future work.

Topic: Traveller Accommodation	Information
part of a new local plan if the decision is taken not to proceed with a partial update?	
Officer recommendation.	On balance, given the estimated timetable for the completion of this workstream it is recommended to take it forward as part of a partial review. This will provide the Councils with the opportunity to establish authorised sites across the plan area and ensure that the relevant statutory duties can be met.

Topic: Climate Change	Information
The issue to be considered.	<p>The potential to increase sustainable energy sources, considering:</p> <ul style="list-style-type: none"> • enabling onshore wind turbines/farms at different scales/locations. • Opportunities /considerations to determine solar PV proposals.
Where the issue was identified.	<p>At the Member visioning workshops several issues related to renewable energy were raised, including concern that policy ST16 doesn't currently allow areas to be designated for wind turbines however rural communities support doing so on a small scale as they could contribute to the rural economy. In addition, the local plan does not differentiate between small scale Photo-Voltaic (PV) and large-scale PV; some are too big for the area.</p>
Summary of existing national planning policy (including framework and guidance).	<p>Local planning authorities are responsible for renewable and low carbon energy development of 50 megawatts or less installed capacity (under the Town and Country Planning Act 1990). Renewable and low carbon development over 50 megawatts capacity are currently considered by the Secretary of State for Energy under the Planning Act 2008, and the local planning authority is a statutory consultee. It is the government's intention to amend legislation so that all applications for onshore wind energy development are handled by local planning authorities. Microgeneration is often permitted development and may not require an application for planning permission.</p> <p>Chapter 14 of the NPPF 'Meeting the challenge of climate change, flooding and coastal change' is of particular relevance. Paragraphs 152 – 155 of the NPPF state:</p> <p>153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures⁵³. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.</p> <p>154. New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its</p>

Topic: Climate Change	Information
	<p>location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.</p> <p>155. To help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co locating potential heat customers and suppliers.</p> <p>It should be noted that a planning reform consultation closed on 2nd March and this included changing the onshore wind policy in the NPPF. The outcomes of the consultation should be available in the spring.</p>
<p>Relevant NDTLP Strategic Policies.</p>	<p>Policy ST16: Delivering Renewable Energy and Heat</p> <p>(1) Proposals for development incorporating on-site provision of renewable energy (other than wind energy) or renewable heat and/or low carbon technologies will be supported and encouraged where appropriate.</p> <p>(2) Proposals by community-led enterprises and schemes that meet the needs of local communities to offset their energy and heat demand from renewable and low carbon sources (other than wind energy) will be supported where appropriate.</p> <p>(3) Renewable and low carbon energy and heat generating development (other than wind energy) will be supported in the landscape character types where:</p> <p>(a) landscape sensitivity is best able to accommodate them, assessed in accordance with the Councils' Landscape Sensitivity Assessments and by the landscape's sensitivity to accommodate the scale of development;</p> <p>(b) there is no significant impact on local amenities; and</p> <p>(c) the special qualities of nationally important landscape, biodiversity and heritage designations and their settings are conserved or enhanced.</p> <p>(4) Renewable and low carbon energy development (other than wind energy) will be supported where it can demonstrate that the cumulative impact of operational, consented and proposed development on landscape character does not become a significant or defining characteristic of the wider fabric, character and quality of the landscape.</p>

Topic: Climate Change	Information
	Policy DM08A: Landscape and Seascape Character provides detailed policy on how an application should relate to the appropriate scale, mass and design of the landscape setting.
In scope of a partial review.	Amendment to policy ST16 to remove the references to 'other than wind energy' It is considered possible to amend this strategic policy as there would be no impacts on either viability or the visions, objectives and other policies in the Local Plan. Amendment to Policy DM08A: Landscape and Seascape Character – potentially limit large scale PV, through a revised landscape character assessment.
Out of the scope of a partial review:	Any amendments to ST16 which would affect the viability of proposals.
Evidence required:	Updated landscape character assessment (in preparation)
Who will undertake the work?	The landscape character assessment is being prepared by consultants. Following receipt of the report, officers will need to consider whether the outcomes of the LCA will merit a review of the Landscape Sensitivity Appraisal.
Estimate of how long it would take to prepare the evidence	The landscape character assessment should be published in the spring, if an update to the landscape sensitivity appraisal is required this may take several months.
Estimate of the cost	Approximately £41,000 for the landscape character assessment (spend already committed). It is anticipated that an update to the landscape sensitivity assessment would cost up to £20,000.
Added value of the work stream to the Councils	Given the climate emergency, strengthening the support for renewable energy in the local plan will be of value to the councils. In relation to wind energy, this work would provide added value to the councils, given the energy issues facing the local communities at the present time. Undertaking further work on the impact of solar PV on the landscape would also be of value to the councils.
Associated risks of proceeding/not pursuing this issue with a partial review.	At the present time, in relation to the soundness of the plan, there are no risks to not taking this work forward (notwithstanding the overall climate emergency agenda which needs to be addressed). However, there is an element of risk in proceeding as this is a topic which the government have recently undertaken a public consultation and as such it is not clear what the outcomes of the consultation will be (the government have indicated a revised NPPF will be published in the spring).
Would the evidence be able to be carried	Yes, this work could be undertaken as part of a new local plan.

Topic: Climate Change	Information
forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	
Officer recommendation.	On balance, this work can be undertaken as part of a partial review without undermining the strategic policies of the adopted Local Plan.

Topic: Active Travel	Information
The issue to be considered.	Opportunities to increase travel by sustainable modes.
Where the issue was identified.	This topic has been raised by Members visioning workshops. Issues raised included: We should ensure that there is provision on new developments for safe walking and cycling routes with connections to town centres. Include the Local Cycling and Walking Infrastructure Plan (LCWIP) within the Local Plan, with further comment that not all towns and villages are included in the Local Cycling and Walking Infrastructure Plans (LCWIP).
Summary of existing national planning policy (including framework and guidance).	<p>The NPPF does not directly refer to active travel, however Chapter 9 of the NPPF relates to promoting sustainable transport.</p> <p>Of particular note are the following paragraphs:</p> <p>Paragraph 104: Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p> <p>Paragraph 105 of the NPPF states: The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.</p> <p>Paragraph 106 (d) provides that planning policies should: provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans);</p>

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	<p>Paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112 goes further and states: Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use; b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;</p> <p>c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;...</p> <p>The Department for Transport have produced an Active Travel: +local authority toolkit, although this is more focused on the work Devon County Council can undertake as the highways authority.</p>
<p>Relevant NDTLP Strategic Policies.</p>	<p>Policy ST10: Transport Strategy</p> <p>The Transport Strategy for northern Devon will:</p> <p>(1) Provide good strategic connectivity by:</p> <p>(a) ensuring the operational effectiveness of the strategic road network (A361 and A30) and other strategic routes including the A39, linking the area to the national road network (M5 and A30) and to Exeter, Plymouth and Cornwall;</p> <p>(b) maintaining the function of the wider strategic road network serving northern Devon;</p> <p>(c) improving journey times and service quality on the Barnstaple-Exeter rail line linking northern Devon to Exeter and the wider rail network;</p> <p>(d) improving the strategic routes towards Ilfracombe along the A399 from Aller Cross and the B3230 from Barnstaple;</p> <p>(e) maintaining the function of Bideford as a commercial port and developing enhanced harbour facilities, including at Ilfracombe to support any future ferry service and operational hub for any future off-shore renewable energy schemes;</p> <p>(f) safeguarding routes and exploring opportunities for the reuse and reinstatement of former railway lines;</p>

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	<p>(g) maintaining and enhancing the function and connectivity of the public rights of way network within northern Devon including the completion of the gap in the Tarka Trail between Willingcott and Knowle; and</p> <p>(h) locating freight generating development and local freight handling facilities close to the strategic road / rail network or Bideford port.</p> <p>(2) Meet the needs of local communities and visitors to the area by:</p> <p>(a) providing transport infrastructure that facilitates the delivery of proposed strategic extensions for housing and employment development and facilitates economic regeneration;</p> <p>(b) developing quality public and community transport networks (and supporting infrastructure) within and between Barnstaple and Bideford and the networks linking these centres to northern Devon's main towns and rural communities where viable;</p> <p>(c) improving overall accessibility of northern Devon by providing a wide range of integrated practical and attractive travel options and improving interchanges for transfer between modes of travel;</p> <p>(d) developing quality strategic recreational routes and local pedestrian, cycle and bridleway networks and further integration and enhancement of the public rights of way network;</p> <p>(e) protecting and enhancing the function and safety of the road network; and</p> <p>(f) recognising transport impacts from the seasonal nature of traffic in northern Devon.</p> <p>(3) Reduce the environmental and social impacts of transport by:</p> <p>(a) reducing the need to travel by car and enabling alternative sustainable travel options as supported by the Local Transport Plan;</p> <p>(b) improving transport connectivity between rural communities and the main towns where viable;</p> <p>(c) requiring a Transport Assessment or a Transport Statement and a Travel Plan for developments that generate significant traffic movements;</p> <p>(d) actively managing car parking provision through type, capacity and charging to influence demand patterns;</p> <p>(e) developing traffic management schemes in the main towns;</p> <p>(f) maximising safety on transport networks through improvements to physical infrastructure design whilst conserving historic environment assets;</p> <p>(g) ensuring that access to new development is safe and appropriate; and</p> <p>(h) protecting the landscape character and ecological interest along the main and minor route(s).</p>

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	<p>Policy DM05: Highways</p> <p>(1) All development must ensure safe and well designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.</p> <p>(2) All development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.</p> <p>Policy DM04: Design Principles 1 ((h) provide safe and appropriate highway access and incorporate adequate well-integrated car parking, pedestrian and cycle routes and facilities.</p> <p>In addition, individual allocations include criteria related to active travel and sustainable (where appropriate) including</p>
In scope of a partial review.	It is now not considered that this area of work could be undertaken as part of a partial review.
Out of the scope of a partial review:	It is not considered that this area of work can be taken forwards through a partial review. The LCWIPs are technical documents and as such, cannot form part of the development plan. Rather, they will be a material consideration when determining planning applications. Further LCWIP work will be undertaken by DCC. The policies ST10, DM05 and DM04, along with individual allocation policies do enable sustainable transport to be incorporated into developments,
Evidence required:	N/A
Who will undertake the work?	N/A
Estimate of how long it would take to prepare the evidence	N/A
Estimate of the cost	N/A
Added value of the work stream to the Councils	Given the detailed policies in the local plan in relation to in relation walking and cycling, it is not considered that further policies would add value.
Associated risks of proceeding/not pursuing	Given the detailed policies in the local plan in relation to in relation walking and cycling, it is not considered that there are risks with not proceeding with this work.

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this issue with a partial review.	
Would the evidence be able to be carried forward to be used as part of a new local plan if the decision is taken not to proceed with a partial update?	Yes, any work undertaken could be used to inform a new local plan (noting that there may be changes to the strategic development strategy in the new plan)
Officer recommendation.	Not to proceed with this matter through a partial review.