

## Appendix A:

### PAS LOCAL PLAN ROUTE MAPPER TOOLKIT PART 1: LOCAL PLAN REVIEW ASSESSMENT

#### Why you should use this part of the toolkit

The following matrix will assist you in undertaking a review of policies within your plan to assess whether they need updating.

The matrix is intended to supplement the [National Planning Policy Framework](#) (NPPF) (paragraph 33 in particular) and the associated [National Planning Practice Guidance](#) on the review of policies within the plan. Completing the matrix will help you understand which policies may be out of date for the purposes of decision making or where circumstances may have changed and whether or not the policy / policies in the plan continue to be effective in addressing the specific local issues that are identified the plan. This in turn will then help you to focus on whether and to what extent, an update of your policies is required. We would recommend that you undertake this assessment even if your adopted local plan already contains a trigger for review which has already resulted in you knowing that it needs to be updated. This is because there may be other policies within the plan which should be, or would benefit from, being updated.

This part of the toolkit deals only with local plan review. Part 2 of the toolkit sets out the content requirements for a local plan as set out in the NPPF. Part 3 of the toolkit outlines the process requirements for plan preparation set out in legislation and the NPPF. Soundness and Plan Quality issues are dealt with in Part 4 of the toolkit.

#### How to use this part of the toolkit

Before using this assessment tool it is important that you first consider your existing plan against the key requirements for the content of local plans which are included in the [Planning and Compulsory Purchase Act 2004 \(as amended\)](#); [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) and the most up to date [NPPF](#), [PPG](#), Written Ministerial Statements and the [National Model Design Code](#). To help you with this **Part 2 of the toolkit** provides a checklist which sets out the principal requirements for the content and form of local plans against the relevant paragraphs of the [NPPF](#). Completing **Part 2 of the toolkit** will help you determine the extent to which your current plan does or does not accord with relevant key requirements in national policy. This will assist you in completing question 1 in the assessment matrix provided below, and in deciding whether or not you need to update policies in your plan, and to what extent.

To use the matrix, consider each of the statements listed in the “requirements to consider” column against the content of your current plan. You will need to take into consideration policies in all development plan documents that make up your development plan, including any ‘made’ neighbourhood plans and/ or any adopted or emerging Strategic Development Strategy. For each statement decide whether you:

- Disagree (on the basis that your plan does not meet the requirement at all);
- Agree (on the basis that you are confident that your current plan will meet the requirement)

Some prompts are included to help you think through the issues and support your assessment. You may wish to add to these reflecting on your own context.

Complete all sections of the matrix as objectively and fully as possible. Provide justification for your conclusions with reference to relevant sources of evidence where appropriate. You will need an up to date Authority Monitoring Report, your latest Housing Delivery Test results, 5 year housing land supply position, any local design guides or codes and the latest standard methodology housing needs information. You may also need to rely on or update other sources of evidence but take a proportionate approach to this. It should be noted that any decision not to update any policies in your local plan will need to be clearly evidenced and justified.

## How to use the results of this part of the toolkit

The completed assessment can also be used as the basis for, or as evidence to support, any formal decision of the council in accordance with its constitution or in the case of, for example, Joint Planning Committees, the relevant Terms of Reference in relation to the approach to formal decision-making, as to why an update to the local plan is or is not being pursued. This accords with national guidance and supports the principle of openness and transparency of decision making by public bodies.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A	PLAN REVIEW FACTORS		
A1.	<p><b>The plan policies still reflect current national planning policy requirements.</b></p> <p><b>PROMPT:</b> As set out above in the introductory text, in providing your answer to this statement consider if the policies in your plan still meet the ‘content’ requirements of the current NPPF, PPG, Written Ministerial Statements and the National Model Design Code (completing Part 2 of the toolkit will help you determine the extent to which the policies in your plan accord with relevant key requirements in national policy).</p>	<p>Broadly reflects national policy, excluding post 2012 requirements introduced by revisions to the Framework. Reference Toolkit Part 2</p>	<p><b>Reason (with reference to plan policies, sections, and relevant evidence):</b></p> <p>The North Devon and Torridge Local Plan (adopted 2018) (“the Local Plan”) broadly reflects national planning policy as detailed in the PAS Toolkit Part 2.</p> <p>The Local Plan was prepared and examined against the 2012 National Planning Policy Framework (NPPF). The NPPF was subsequently subject to three sets of revisions, which has resulted in some points of variance between national planning policy and the Local Plan.</p> <p>The following policy areas are those where there is principally variance between the Local Plan and national policy; with these mostly relating to policy gaps arising from updates to national policy, subsequent to the preparation of the plan.</p> <ul style="list-style-type: none"> <li>• Traveller Accommodation– the Local Plan identifies a requirement for permanent Traveller pitches and transit sites, based on a 2014 assessment of need. The identification of sites to meet the evidenced need was to be determined by a Traveller Site Allocations DPD, as set out in the 2016 Local Development Scheme. The DPD has not been delivered and is not subject to a delivery programme within the current Local Development Scheme (2022). The intention being that this matter would be addressed as part of a comprehensive review of the Local Plan.</li> <li>• Design Codes – the need for the preparation of design guides and codes post-dates the adoption of the Local Plan, on which basis there is no provision or reference to such in included in the Local Plan.</li> <li>• First homes - post-dates the adoption of the Local Plan, on which basis there is no provision or reference to such in included in the Local Plan</li> <li>• 10% Affordable home ownership - post-dates the adoption of the Local Plan, on which basis there is no provision or reference to such in included in the Local Plan. The matter was considered on introduction and the Councils have taken the view to not apply the 10% requirement having</li> </ul>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>regard to NPPF paragraph 65 in that its application would result in significant prejudice to meeting identified affordable housing needs.</p> <ul style="list-style-type: none"> <li>• Town centres – increased flexibility is required to town centre policies to reflect the consequences of changes to the Use Class Order.</li> <li>• Identification of a Coastal Change Management Area.</li> </ul> <p>Note the above only relates to current national policy requirements and no consideration is given to proposed planning reforms/ changes to the planning systems most recently set out by the Secretary of State for Levelling up Housing &amp; Communities to MPs in correspondence dated 5<sup>th</sup> December 2022, through Ministerial Statements <a href="#">HCWS415</a> and <a href="#">HCWS416</a> dated 6<sup>th</sup> December 2022 and the <a href="#">Plan-making reforms: consultation on implementation</a> which is taking place between 25 July and 18 October 2023.</p>
A2.	<p><b>There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting there will be some degree of flux).</b></p> <p><b>PROMPT:</b> Look at whether your local housing need figure, using the standard methodology as a starting point, has gone up significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan).</p> <p>Consider whether your local housing need figure has gone down significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). You will need to consider if there is robust evidence to demonstrate that your current housing requirement is deliverable in terms of market capacity or if it supports, for example, growth strategies such as Housing Deals, new strategic infrastructure investment or formal agreements to meet unmet need from neighbouring authority areas.</p>	Agree	<p><b>Reason (with reference to plan policies, sections, and relevant evidence sources):</b></p> <p>The standard method indicates a minimum local housing need (for the joint plan area including Exmoor NP) of 759 dwellings per year (as per NPPG April 2022). This is less than the adopted local plan annual target of 861 (Policy ST08) which was derived using an approach that pre-dates the introduction of the standard method. The change in the local housing need figure represents a 12% decrease, from the Local Plan annual requirement, which could be considered a 'significant' decrease.</p> <p>Following a decrease in the local housing need figure it may be appropriate to consider whether the adopted housing requirement remains deliverable. Of note the Local Plan housing requirement includes a significant uplift from the baseline demographic-based need, to accommodate enhanced levels of net inward migration generated from ambitious planned economic growth. In considering the deliverability of the housing requirement, it is appropriate to consider the continuing validity of assumed economic growth, as such is a key component of the housing requirement, reflecting on achieved and anticipated development. It will be appropriate to review whether the housing requirement remains realistic in the medium to long term given the changing</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>economic circumstances identified in A6 (e.g., economic impacts of Brexit and coronavirus).</p> <p>As per NPPG, there may be circumstances where it is appropriate to apply some form of economic ‘uplift’ to plan for more homes than the housing need figure indicated by the standard method would indicate (2a-010-20201216). There should however be clarity and confidence that the uplift is achievable. As set out in A5, economic delivery rates to date on sites allocated for employment development has fallen short of the annualised target of 4.25 hectares, although this does not seem to have impacted on recent delivery rates (reference Housing Delivery Test results A4).</p> <p>Delivery of the very modest level of housing for Exmoor is not considered to be a constraint or burden that would be a driver for review.</p> <p>The change in the housing need figure would not on its own be a reason to review the Local Plan. However, any plan review would need to start with the minimum local housing need derived from the standard method and consider whether any uplift on this figure would be appropriate, having regard to economic ambition and how such could be met.</p> <p>Of note NPPG only refers to ‘significant change’ in relation to an <u>increase</u> in the need figure: ‘...Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method...’ (61-062-20190315). Accordingly, based on national guidance, the reduction in need would not constitute a significant change.</p> <p><b>Having regard to NPPG, it is considered that there has not been a significant change in housing numbers with reference to the Local Plan housing requirement and the current Housing Delivery Test numbers.</b></p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A3.	<p><b>You have a 5-year supply of housing land</b></p> <p><b>PROMPT:</b> Review your 5-year housing land supply in accordance with national guidance including planning practice guidance and the Housing Delivery Test measurement rule book</p>	Agree	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>The Councils' published a Five Year Housing Land Supply Position Statement on 28<sup>th</sup> April 2023. It demonstrates that as at 1<sup>st</sup> April 2022, the Local Planning authorities could demonstrate 5.9 years supply of deliverable housing sites. The Position Statement was challenged at appeal (ref: APP/X/1118/W/23/3318751) The planning inspector concluded a five year supply of between 5.09 and 5.16 could be demonstrated. This decision was published on 11<sup>th</sup> September 2023.</p> <p><b>A joint five-year land supply can currently be demonstrated for the plan area.</b></p>

<p>A4.</p>	<p><b>You are meeting housing delivery targets</b></p> <p><b>PROMPT:</b> Use the results of your most recent Housing Delivery Test, and if possible, try and forecast the outcome of future Housing Delivery Test findings. Consider whether these have/are likely to trigger the requirement for the development of an action plan or trigger the presumption in favour of sustainable development. Consider the reasons for this and whether you need to review the site allocations that your plan is reliant upon. In doing so you need to make a judgement as to whether updating your local plan will support delivery or whether there are other actions needed which are not dependent on changes to the local plan.</p>	<p>Agree</p>	<p><b>The adopted NDTP plans for 17,220 new homes between 2011 – 2031</b></p> <p>The housing delivery test (HDT) results for the joint plan area, since its introduction are:</p> <ol style="list-style-type: none"> <li>1. 2018 – 128%.</li> <li>2. 2019 – 133%.</li> <li>3. 2020 – 141%</li> <li>4. 2021 – 142%</li> </ol> <p>The 2022 HDT results have not yet been published. It is anticipated that based on the Councils' housing completions data for 2021/22, that the 2022 HDT result will (in due course) be around 135%.</p> <p>To date the Councils have significantly exceeded HDT targets and there is no evidence to suggest ongoing delivery to the required level will not be achieved.</p> <p>Against this specific test, the Local Plan is fully meeting the HDT requirements and therefore there is no requirement for an action plan to be prepared or to specifically trigger the presumption in favour of development in response to the HDT results. It is apparent that the Councils position in respect of the HDT is secure.</p> <p>Policy ST08 sets a housing requirement of 17,220, (861 dwellings per annum), which at the point of adoption was supported by a housing supply of 20,189, dwellings.</p> <p>As of 1st April 2023, 8,834 dwellings have been completed, as set out in Table 1, representing an under-delivery of 1,498 dwellings, which equates to 14.5% of the requirement over the period 2011-2023.</p> <p>As of 1<sup>st</sup> April 2023, planning permissions provided a capacity for the further delivery of 9,613 dwellings (dwellings on unimplemented sites, non-started dwellings on implemented sites and dwellings under construction). This permitted yield will be added to by sites that will be consented subject to the resolution of S106 agreements and Local Plan allocations which in whole or part have not been developed or granted consent and windfall sites (rate and timeframe accepted through the Local Plan examination).</p> <p>The housing land supply for the plan period (as of 1st April 2022) was approximately 22,000 dwellings taking account the above sources: further</p>
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increasing the opportunity for new homes beyond the housing requirement. The enhanced supply has been generated from both developed and consented proposals on unplanned sites and developments at density levels exceeding Local Plan assumptions.

**Based on the adequacy of the housing supply, it is considered that the Local Plan does not present an obstacle to the development industry in bringing forward an appropriate supply of housing in a timely manner.**

The table below presents annualised housing completions 2011-2023. It is apparent that there have been significant fluctuations in delivery rates during the plan period. The most significant shortfalls being in the early years of the plan period, during which time development rates were reflective of lesser housing requirements and the limited balance of opportunities, as provided for in the separate North Devon and Torrington Local Plans.

Development rates subsequently increased with the transition from single authority development plans, adopted in 2004 (TDC) and 2006 (NDC) to the emerging provisions of the North Devon and Torrington Local Plan because of increasing weight being given to draft allocations and until adoption the absence of a confirmed five-year housing land supply.

It is apparent that delivery targets can be achieved and exceeded, with completions exceeding the annualised Local Plan requirement from 2017/2018 to 2019/2020, with certainly being provided by a recently adopted Local Plan and an active housing market.

Post 2020, it could reasonably be assumed that delivery rates were impacted by COVID related restrictions and subsequent uncertainty from the development industry. The most recent monitoring period (2022/23) has also exceeded the annualised requirement.

Table 1 housing delivery - northern Devon 2011/2023

Year	NDC	TDC	NDT	Requirement	Difference	Cumulative Difference
2011/12	177	278	455	861	-406	-406
2012/13	269	172	441	861	-420	-826



2013/14	246	129	375	861	-486	-1,312
2014/15	283	451	734	861	-127	-1,439
2015/16	264	377	641	861	-220	-1,659
2016/17	480	336	816	861	-45	-1,704
2017/18	634	238	872	861	+11	-1,693
2018/19	693	258	951	861	+90	-1,603
2019/20	884	280	1,164	861	+303	-1,300
2020/21	552	130	682	861	-179	-1,479
2021/22	609	191	800	861	-61	-1,540
2022/23	579	324	903	861	+42	-1,498
<b>Total</b>	5,670	3,164	8,834	10,332		

It is evident from the above that there have been fluctuations in delivery rates across the Council areas, which is reflected in the Local Plan housing trajectory. Across the plan area there is anticipation of an equalisation of delivery over the plan period. This is evident by number of dwellings subject to extant planning permissions: 19,613 outstanding dwellings with planning permission across the plan area, of which 4,763 are located in North Devon and 4,850 in Torridge at 31<sup>st</sup> March 2023.

**Given the recent significant over achievement of delivery rates against the HDT and the potential for delivery provided by current commitments/ sites consented subject to s106, it can be reasonably assumed that this measurement will continue to be met.**

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement																				
A5.	<p><b>Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets including requirements for First Homes; and (ii) commercial floorspace/jobs targets over the remaining plan period.</b></p> <p><b>PROMPT:</b> Use (or update) your Authority Monitoring Report to assess delivery.</p>	Disagree	<p>The most recently published AMR is for the period <a href="#">2019/2020</a>, which was prepared on a joint basis.</p> <p><b>Affordable Housing</b></p> <p>The Local Plan (Policy ST18) provides an expectation that 30% of houses on qualifying sites should provide affordable homes. The thresholds for qualifying sites, as currently applied varies from the stated units in Policy ST18 (a) and (b) to reflect NPPF para 64. The adjusted position, as enable by Policy ST18(1) is clarified in an <a href="#">Affordable Housing SPD</a>.</p> <p>The Local Plan HEDNA (<a href="#">CE21- May 2016</a>) sets out an estimated annual level of affordable housing need of 345 dwellings per annum (northern Devon). In setting the 30% target, it was recognised that given the scale of need, such could not be delivered by the planning system alone.</p> <p>Further, in accepting the 30% target for affordable housing on qualifying sites, the Local Plan Inspector, recognised (<a href="#">Inspector’s Report</a> para 135) that “ There will inevitably be locations in which housing values are lower, or where there are significant levels of development cost in terms of the provision of infrastructure or site remediation, in which residential development would not be viable with a provision of 30% affordable housing.”. On this basis it can be reasonably assumed that it would be difficult to maintain a development average of 30% affordable housing on qualifying sites.</p> <p>The table below (Table 2) sets out achieved affordable housing delivery and the percentage of affordable housing delivered as a component of all completions on an annualised basis 2011/2023.</p> <p>Table 2: Affordable Housing Completions, across northern Devon 2011/2023</p> <table border="1" data-bbox="1249 1141 2107 1374"> <thead> <tr> <th>Year</th> <th>Affordable Housing Completions</th> <th>All Housing Completions</th> <th>% all new homes that were affordable</th> </tr> </thead> <tbody> <tr> <td>2011/2012</td> <td>130</td> <td>455</td> <td>28.6%</td> </tr> <tr> <td>2012/2013</td> <td>70</td> <td>441</td> <td>15.9%</td> </tr> <tr> <td>2013/2014</td> <td>126</td> <td>385</td> <td>33.6%</td> </tr> <tr> <td>2014/2015</td> <td>199</td> <td>734</td> <td>27.1%</td> </tr> </tbody> </table>	Year	Affordable Housing Completions	All Housing Completions	% all new homes that were affordable	2011/2012	130	455	28.6%	2012/2013	70	441	15.9%	2013/2014	126	385	33.6%	2014/2015	199	734	27.1%
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	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement				
			2015/2016	92	641	14.4%	
			2016/2017	151	816	18.5%	
			2017/2018	92	872	10.6%	
			2018/2019	187	951	19.7%	
			2019/2020	214	1,164	18.38%	
			2020/2021	111	682	16.27%	
			2021/2022	154	800	19.25%	
			2022/2023	97	906	10.71%	
			<p>It is important to note that not all housing proposals would be required to deliver affordable housing, by virtue of size and nature and the application of policy thresholds. Further, viability considerations, when arising, must be assessed with regard to all policy requirements.</p>				
			<p>The tables below, 3 (Torrige) and 4 (North Devon) provide an indication of the effective implementation of affordable housing policy, by setting out the consented affordable housing yield on qualifying sites. Note this analysis does not currently include data for the period September 2022 – March 2023.</p>				
			<p>Table 3: Data summary policy compliant development sites for affordable housing (AH) in Torrige August 2016 – September 2021</p>				
				Total AH sites	% Sites with policy compliant AH provision	Average on-site AH provision on non-compliant sites	Average on-site AH provision - all sites
			Permissions on NDTLP allocations	30	47%	15%	19%
			Permissions on unallocated	30	70%	8%	29%

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement					
			qualifying sites.					
			All permitted sites assessed for AH delivery	60	58%	14%	21%	
			<p>Table 4: Data summary policy compliant development sites for affordable housing (AH) in North Devon April 2017 – March 2022</p>					
				Total AH sites	% Sites with policy compliant AH provision	Average on-site AH provision on non-compliant sites	Average on-site AH provision - all sites	
			Permissions on NDTLP allocations	9	45%	17%	25%	
			Permissions on unallocated qualifying sites.	7	29%	17%	17%	
			All permitted sites assessed for AH delivery	16	38%	12%	22%	
			<p>As evidenced, not all sites that qualify to contribute to affordable housing delivery attain the 30% policy target. The average delivery rate across all qualifying sites over the referenced periods does however exceed 20%.</p> <p>Where non-policy compliant schemes are proposed, in respect of affordable housing/other generated infrastructure, viability evidence is required to be</p>					

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>submitted, which is subject to independent scrutiny. The obligation lies with the developer to provide a robust financial to support any proposal that fails to meet identified policy requirements.</p> <p>A review of non-compliant schemes indicates that the general reasons for schemes not achieving the 30% requirement relates to the nature of the site; be that because of their brownfield/regeneration nature and in respect of greenfield sites, through the presence of unforeseen abnormal costs, or, particularly on strategic sites, the need for significant infrastructure.</p> <p><b>Further detailed analysis would be beneficial at the point of undertaking an update to the strategic viability assessment in support of any update to the local plan.</b></p> <p>Of note in Torridge, recent proposals are coming forward that are generally considered to be policy compliant, including on strategic allocations (BID01: Bideford West Urban Extension – 750 dwellings and pt. NOR02: Site West of Buckleigh Road 400 dwellings). On other sites, affordable housing levels have been increased as a result of reappraisal and challenge through independent review.</p> <p>While schemes, continue to be presented with less than 30% affordable housing, there seems to have been an improving trend towards achieving the sought 30% of affordable housing on qualifying sites.</p> <p>Of note the Local Plan (Policy ST19: Affordable Housing on Exceptions Sites) provides for the delivery of affordable housing on an exceptions basis in rural areas, based on affordable housing led schemes. The Councils have not however implemented this policy when a five-year supply cannot be demonstrated. When sites come forward on what would have been an exceptions site, only 30% affordable housing can be sought. Effective implementation of this policy is anticipated at the point of the re-establishment of the five-year housing land supply.</p> <p>The requirement for <a href="#">First Homes</a> introduced by a WMS (24<sup>th</sup> May 2021) post-dates the adoption of the Local Plan, and thus no policy provision on this matter is provided. The Affordable Housing SPD, in commenting on First Homes (paras</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement								
			<p>4.29-4.35) indicates that the implementation of First Homes in northern Devon will be addressed as part of the future review of the NDTLP.</p> <p><b>Economic Development</b></p> <p>The Local Plan, Policy ST08: Scale and Distribution of New Development in Northern Devon, makes provision for the delivery of 84.9 hectares of employment land, with targets by location. Policy ST11: Delivering Employment and Economic Development, additionally provides for the exceptional release of land for employment to meet a defined relocation or expansion need.</p> <p>The 84.9 hectares is made up of allocations, subject to site specific polices and the balance of undeveloped sites within existing employment sites.</p> <p>During the period 2011/2019 17.75 hectares of allocated employment land was developed for economic development. This scale of development fell significantly short of the expected scale of development, which at an annualised rate would equate to 42.5 hectares. At April 2019, there was 67.15 hectares of undeveloped allocated employment sites.</p> <p>In <b>Torridge</b>, development on sites contributing to the 84.9-hectare target have been focused on existing industrial/business estates, which are now predominantly built out. In contrast, in <b>North Devon</b>, most of the employment allocations are on new strategic allocations which have yet to be built out. To date 64.77ha of the employment allocations remains undeveloped. Development opportunities remain on the following basis.</p> <p>Table 5 Undeveloped Local Plan sites allocated for employment development (April 2023)</p> <table border="1" data-bbox="1249 1155 2125 1321"> <thead> <tr> <th data-bbox="1249 1155 1424 1187">Settlement</th> <th data-bbox="1424 1155 1648 1219">Location /Allocation</th> <th data-bbox="1648 1155 1845 1321">Undeveloped area (ha) available for economic development</th> <th data-bbox="1845 1155 2125 1187">status</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Settlement	Location /Allocation	Undeveloped area (ha) available for economic development	status				
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	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement			
			Barnstaple	Westacott Urban Extension (BAR 01)	1.9	The policy allocated 5.0ha for economic development. There is outline permission (65448) for 1.9ha with an alternative use permitted for the remainder of the site.
			Barnstaple	Larkbear Strategic Extension (BAR02)	1.5	No planning history
			Barnstaple	Mount Sandford Green (BAR 04)	2.8	Outline Planning Permission for an Innovation Park (2.8ha). No further formal planning activity
			Barnstaple	Glenwood Farm (BAR09)	0	Planning permission for an alternative use of the site was granted in 2021, resulting in the loss of the allocation for 0.8ha.
			Barnstaple	Roundswell Business Park (BAR10)	8.8	2.7ha of the allocation has been developed. There is a range of planning activity within the undeveloped balance. There is full planning permission (73159) for the erection of 7 industrial units on land east of Liberty Road (south of Atlas

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						<p>Packaging). Atlas Packaging and adjoining land to the west has Full planning permission (55882) for 1 office building which has yet to be constructed. There is no active planning history on land west of Avery House. On land south of Fishleigh Road, Hele Manor Business Park is completed although there is no active planning history on land to the immediate east of Hele Manor. Full planning permission (70730) for a new industrial building (use classes B1, B2 &amp; B8) on land west of Golden Coast and the new foot/cycle bridge over the A361 is currently under construction. Development of land north of Fishleigh Road is completed.</p>
			Bideford	Atlantic Park , (BID01)	2	Wider site allocation developed for a range of commercial uses.



	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement			
						Remaining parcel is undeveloped and un-serviced with no formal planning activity at present.
			Bideford	Alverdiscott Road	2.5	Site is subject to range of planning permissions for employment uses ((B1, B2, B8)), with site owner developing the identified site over time.
			Bideford	Extension to Caddsdwn Business Park, Bideford (BID05)	4.27	Employment component is part of a wider mixed used allocation. Planning permission (1/0656/2020/OUTM) was granted for the extent of the allocation in April 2023 which includes 4.27 hectares of land for employment uses – B2, B8 and E(g). Note this will result in loss of 2.23 hectares of employment capacity compared to specified policy requirement; with remaining 1.5 hectares already developed for leisure use.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement			
			Braunton/ Wrafton	Wrafton South Eastern Extension (BRA01)		Phase I for 13 B1 Business units and Phase II 28 units for use classes e(g), B2 and B8 uses are under constructure.
			Braunton/ Wrafton	Land East and West of Staggers Lane (BRA02A)	0.0	Full planning permission for an alternative land use was permitted in June 2023 and therefore the allocation for 2.0ha will not come forward.
			Great Torrington	East of Hatchmoor (GTT02)	4.0	Part of site historically subject to planning permission (2013) for erection of production factory and offices for relocating local business (1/0009/2013/FULM) who ultimately relocated to existing premises elsewhere. No more recent planning history.
			Holsworthy	Dobles Lane Industrial Estate extension (HOL04)	2.1	Site (plus adjoining land) subject to full planning permission (1/1149/2022/FULM), granted in July 2023, for comprehensive employment development including

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement			
						erection of industrial and commercial buildings.
			Holsworthy	Agri – Business Park (HOL01)	2.5	Site subject to partial implementation for delivery of Agri-Business Centre and Livestock Market. Outstanding balance intended for provision of a business park including agricultural related retail development. No live planning activity on remaining balance.
			Ilfracombe	Southern Extension (ILF 01)	1.0	Site subject to outline planning permission
			Ilfracombe	Mullacott Business Park (ILF04)	3.2	0.8ha built. Land allocated for additional economic uses are confined to the remaining undeveloped pockets within the existing business park that have yet to come forward. Land to the immediate south of St. Austell Brewery is being developed to provide 10 light industrial units (58186), 7 units are built. Land west of

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement			
						<p>Commercial Point has full planning permission (73472) for a caravan storage area. Land to the east of the existing Business Park (approximately 2 ha) is safeguarded for further economic use, if required during the plan period.</p>
			South Molton	Pathfields Business Park (SM03)	12.8ha	<p>Outline planning permission (60780 &amp; 66843) approximately 7.3 hectares for employment use (Phase IV – east of Hacche Lane) (various Reserved Matters applications have been approved for individual plots which are currently under construction (3.4 ha)). There is no active planning history on land west of Hacche Lane other than the outline planning permission (60780) to deliver the road link. An additional area of land to the west of</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement			
						<p>Hacche Lane of approximately 3 ha is safeguarded for economic uses if required during the plan period.</p>
			<p>In Torridge, existing industrial estates (Bideford – Caddsdawn, Clovelly Road and Atlantic Park, Great Torrington – Hatchmoor and Holsworthy – Dobles) have been principally built out. Opportunities for new development, are focused on new sites which require opening up through servicing. In North Devon there are a range of opportunities within existing industrial estates and business parks, and on sites which are being opened for development.</p> <p>While economic development has not met the Local Plan’s annualised target, allocated sites are considered to continue to provide the most suitable sites for this use. The allocated sites were assessed as suitable and the preferred locations for economic development through the preparation of the Local Plan; all are contained within or extend existing employment estates. The sites are considered to currently continue to provide the most appropriate options for economic development. Further, active market interest has been expressed on a number of the above allocations, which if progressed would result in the majority of allocated sites being delivered within the plan period.</p> <p>The plan provides a range of flexible policies that support the wider delivery of economic development on non-allocated sites, supplementing the potential offered through the sites allocated for economic development.</p> <p>The suitability and availability of sites allocated for economic development is not considered to be an obstacle to delivery.</p> <p><b>It is considered that the affordable housing provisions of the Local Plan and opportunities provided in support of economic development remain relevant and effective.</b></p>			

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			It is recognised that the delivery of First Homes is not supported by the Local Plan.
A6.	<p><b>There have been no significant changes in economic conditions which could challenge the delivery of the Plan, including the policy requirements within it.</b></p> <p><b>PROMPT:</b> A key employer has shut down or relocated out of the area.</p> <p>Unforeseen events (for example the Covid-19 Pandemic) are impacting upon the delivery of the plan.</p> <p>Up-to-date evidence suggests that jobs growth is likely to be significantly more or less than is currently being planned for.</p> <p>Consider if there is any evidence suggesting that large employment allocations will no longer be required or are no longer likely to be delivered.</p> <p>You will need to consider whether such events impact on assumptions in your adopted local plan which have led to a higher housing requirement than your local housing need assessment indicates.</p> <p>Consider what the consequences could be for your local plan objectives such as the balance of in and out commuting and the resultant impact on proposed transport infrastructure provision (both capacity and viability), air quality or climate change considerations.</p>	Agree	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>The economic context within which the Local Plan operates has been subject to change since its examination and further since its adoption.</p> <p>The delivery of the Councils ambitious growth plans been impacted both by a period of austerity and more recently COVID-19. However, while such influences may have affected the scope and scale of growth to date it is asserted that the Local Plan continues to enable wide ranging economic development to meet the Councils growth ambitions and provides policy flexibility to respond to a changing economic environment.</p> <p>No significant employers have recently shut down or moved out of the area. Although in Torridge there have been fluctuating fortunes with a significant employer - Appledore Shipyard, but with a recent change of ownership, Government investment and secured defence commissions, expectations are that the shipyard has increased security as a local employer and will continue to make a significant contribution to the local economy.</p> <p>The structure of the local economy, across northern Devon, is very much focused on SMEs. At this scale there have also been no significant employment losses because of closure or relocation and there is a significant demand from local business seeking opportunities for new or expansion opportunities within the plan area.</p> <p>The response to A5, sets out the outstanding employment opportunities on sites allocated for/contributing to the employment land requirement of 84.9 hectares. In recognising that the annualised rate of economic development has not been achieved to date, such is considered not to reflect the suitability of allocated sites or how the Local Plan supports the delivery of economic development, both on allocated and other suitably located sites.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>The policy context provided by the Local Plan is considered to reflect currently established economic ambitions; it is not considered to be an obstacle to associated economic growth. As set out in A5 there is an expectation that the majority of sites allocated for economic development will come forward during the plan period. There is no evidence suggesting that the employment allocations are no longer required or unlikely to be delivered.</p>
A7.	<p><b>There have been no significant changes affecting viability of planned development.</b></p> <p><b>PROMPT:</b> You may wish to look at the Building Cost Information Service (BCIS) All-in Tender Price Index, used for the indexation of Community Infrastructure Levy (CIL), or other relevant indices to get a sense of market changes.</p> <p>Consider evidence from recent planning decisions and appeal decisions to determine whether planning policy requirements, including affordable housing, are generally deliverable.</p> <p>Ongoing consultation and engagement with the development industry may highlight any significant challenges to delivery arising from changes in the economic climate.</p>	Agree	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>The Local Plan viability evidence dates from 2015/2016 (<a href="#">Examination Documents CE24/25</a>). It is recognised that this evidence will be required to be revisited as part of any future plan update, taking account of current economic conditions and market demand.</p> <p>Currently the Councils are not Community Infrastructure charging authorities.</p> <p>Of note BCIS All-in Tender Price Index has seen a 10.9% increase since adoption of the plan (Nov 2018 – Aug 2022), with a 64.1% increase over the wider plan period to date (May 2011 – Aug 2022). In recognising the increasing costs associated with site delivery, it is also apparent that the strength of the local housing market is enabling the majority of qualifying housing sites to deliver fully compliant schemes.</p> <p>Clearly while viability is an important consideration the Local Plan enables the delivery of suitable sites for development having regard to site specific issues and market conditions. The Councils seek to ensure policy requirements to the maximum extent, while enabling delivery on allocated and other appropriate sites.</p> <p>The Local Plan, reflecting planning practice guidance allows for a consideration of site viability to enable housing delivery. In considering proposals which are not policy compliant, the Councils will seek to ensure maximum gains can be achieved, without prejudicing delivery, which will include ensuring viability</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>appraisals are up to date at the point of decision making and where appropriate review mechanism are put in place.</p> <p>Analysis of housing development prepared in summer 2021 identified that from 2016, 58% of sites in Torridge eligible for requiring affordable housing provision secured policy-compliant levels of provision, achieving on average 21% rather than the 30% policy requirement. More recently, there is some evidence to suggest improved development viability on housing schemes, witnessing a shift back towards securing policy-compliant levels of delivery.</p> <p>In North Devon analysis of housing development prepared in spring 2022 identified that from 2017, 38% of sites in North Devon eligible for requiring affordable housing provision secured policy-compliant levels of provision, achieving on average 22% rather than the 30% policy requirement.</p> <p>Whilst viability has had an impact on the levels of affordable housing achieved, there is no evidence to suggest that development viability is constraining or precluding development from being achieved across northern Devon; with key allocations across the plan area being progressed towards delivery and many now on site. As set out in A8 key infrastructure required to support delivery is being achieved in a timely manner, viability consideration have not prevented the key infrastructure projects being delivered with the associated projects.</p> <p>Key infrastructure identified for delivery in association with allocations have and are being delivered as required, either funded directly from development, or with the support of external funding. It is recognised that when considered against the Infrastructure Delivery Plan, some proposed schemes have not come forward against the anticipated timeframe. However, all infrastructure requirements necessary to support site delivery are/have been achieved alongside the associated development.</p> <p>The viability evidence will be required to be updated to support a comprehensive review of the Local Plan, taking account of changing economic conditions (see A6) and the impact on development viability, together with additional infrastructure requirements (such as health), which were not previously considered.</p>



	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>It is considered that the Local Plan continues to work effectively with regard to how viability is assessed to enable its strategic and development objectives to be achieved. The Local Plan continues to work within the parameters of national policy and guidance, which allows for variance against policy requirements to respond to viability considerations in the achievement of sustainable development.</p>

<p>A8.</p>	<p><b>Key site allocations are delivering, or on course to deliver, in accordance the local plan policies meaning that the delivery of the spatial strategy is not at risk.</b></p> <p><b>PROMPT:</b></p> <p>Identify which sites are central to the delivery of your spatial strategy. Consider if there is evidence to suggest that lack of progress on these sites (individually or collectively) may prejudice the delivery of housing numbers, key infrastructure, or other spatial priorities. Sites may be deemed to be key by virtue of their scale, location or type in addition to the role that may have in delivering any associated infrastructure.</p>	<p>Agree</p>	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>It is recognised that the delivery of some strategic residential/ mixed use sites has not reflected the Local Plan’s housing trajectory. As provided in A5 there has been fluctuations in development rates across the plan period to date.</p> <p>However, with increasing confidence in the acceptance of allocated sites, through Local Plan submission (2016) and then adoption (2018), developer interests have progressed on a significant number of key sites.</p> <p>Key sites are now coming forward, with developers/house builders seeking and achieving Full and RM applications on allocated sites, with recently consented sites being implemented. There appears to be a positive step change in delivery over the short to medium term on key sites, which will drive forward the achievement of the Local Plan’s spatial strategy, to achieve local visions in accordance with settlement-based development strategies.</p> <p>It is recognised that a limited number of allocated sites have no current evidence of developer interest and that a number of the larger strategic sites will be finalised beyond the plan period. The extended delivery position is reflected in the Local Plan Housing Trajectory, with further Clarification of site progression for an April 2022 base date included in North Devon and Torridge Five Year Housing Land Supply Statement (April 2023) .</p> <p><b>There is no evidence to indicate that key sites will not be delivered to achieve the Local Plan’s spatial strategy; which is not considered to be at risk.</b></p>
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	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A9.	<p><b>There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies.</b></p> <p><b>PROMPT:</b> You may wish to review the indicators or monitoring associated with your Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA).</p> <p>Identify if there have been any changes in Flood Risk Zones, including as a result of assessing the effects of climate change.</p> <p>Consider whether there have been any changes in air quality which has resulted in the designation of an Air Quality Management Area(s) or which could result in a likely significant effect on a European designated site which could impact on the ability to deliver housing or employment allocations.</p> <p>Consider whether there have been any changes to Zones of Influence / Impact Risk Zones for European sites and Sites of Special Scientific Interest or new issues in relation to, for example, water quality.</p> <p>Consider whether there have been any new environmental or heritage designations which could impact on the delivery of housing or employment / jobs requirements / targets.</p> <p>Consider any relevant concerns being raised by statutory consultees in your area in relation to the determination of individual planning applications or planning appeals which may impact upon your plan - either now or in the future.</p>	Agree	<p><b>Reason (with reference to plan policies, sections, and relevant evidence sources):</b></p> <p>Both North Devon and Torridge signed up to the Devon Climate change declaration in 2019 (post Local Plan adoption) which sets the aim of Devon becoming carbon neutral by 2040. How the Councils will respond to this declaration, in respect of the Local Plan will require further consideration. The Councils are in a similar position with regard to The Devon Carbon Plan, which was adopted post Local Plan adoption.</p> <p>Technical evidence relating to Flood Risk Zones/coastal change is in preparation; the consequences for the Local Plan are therefore not yet defined.</p> <p>The Environment Act will require 10% biodiversity net gain; while the Local Plan does not include this level as a target, it requires all new development to provide a net gain in biodiversity, wherever possible. The absence of a current target is not seen as an obstacle to delivery having regard to existing policy provisions.</p> <p>The local context in respect of environmental/heritage assets has not changed to an extent that would have implications for the current approach/policies of the Local Plan.</p> <p><b>The Local Plan is considered to work within the national framework in respect of environmental/heritage assets. However, moving forward the implications of implementing the Devon Carbon Plan will need to be assessed.</b></p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A10.	<p><b>No new sites have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated.</b></p> <p><b>PROMPT:</b></p> <p>Consider if there have been any new sites that have become available, particularly those within public ownership which, if they were to come forward for development, could have an impact on the spatial strategy or could result in loss of employment and would have a significant effect on the quality of place if no new use were found for them.</p> <p>Consider whether any sites which have now become available within your area or neighbouring areas could contribute towards meeting any previously identified unmet needs.</p>	Agree	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>No new sites have become available which would require a review of the spatial strategy of the Local Plan. However, it is recognised that a number of sites have been granted consent outside the scope of planned development, in the absence of a five-year housing supply, which may impact on the local visions and development strategies, significantly the settlements of Winkleigh (Local Centre) and Parkham (Village) in Torridge and Fremington (Local Centre) and Braunton (Main Centre) in North Devon.</p> <p>Identified need as evidenced by the North Devon and Torridge <a href="#">HENA</a> is fully met by allocations and commitments provided for in the Local Plan and subsequently enabled through planning permissions. As indicated in A4, built sites and opportunities for future development significantly exceed the housing requirement of 17,220 dwellings. Housing needs can be fully accommodated by the combination of built, consented, and allocated sites; along with other flexible policy approaches afforded by the plan.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A11.	<p><b>Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan.</b></p> <p><b>PROMPT:</b> You may wish to review your Infrastructure Delivery Plan / Infrastructure Funding Statement, along with any periodic updates, the Capital and Investment programmes of your authority or infrastructure delivery partners and any other tool used to monitor and prioritise the need and delivery of infrastructure to support development.</p> <p>Check if there have been any delays in the delivery of critical infrastructure as a result of other processes such as for the Compulsory Purchase of necessary land.</p> <p>Identify whether any funding announcements or decisions have been made which materially impact upon the delivery of key planned infrastructure, and if so, will this impact upon the delivery of the Local Plan.</p>	Agree	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>The Infrastructure Delivery Plan (IDP) prepared to support the Local Plan was prepared in 2016. The IDP is kept under review, but it will need to be re-evaluated to ensure maintained relevance.</p> <p>The Councils are agile to changing circumstances regarding infrastructure requirements, such as the introduction of Health Care, changing educational needs and the implications of changes to anticipated funding, such as achieved external funding or the implications of rising costs.</p> <p>The Councils are achieving contributions to, and the direct delivery of infrastructure required to support planned development, in accordance with the IDP. As set out in A7 key infrastructure projects are being delivered in a timely manner to support the delivery of development, but with the recognition that there has been some delay in delivery on allocated sites and consequently the timeframe for the delivery of infrastructure projects.</p> <p><b>The progression of key infrastructure projects is not considered to be prejudicial to the spatial strategy.</b></p>

	<b>Matters to consider</b>	<b>Agree / Disagree</b>	<b>Extent to which the local plan meets this requirement</b>
A12.	<p><b>All policies in the plan are achievable and effective including for the purpose of decision-making.</b></p> <p><b>PROMPT:</b> Consider if these are strategic policies or those, such as Development Management policies, which do not necessarily go to the heart of delivering the Plan’s strategy.</p> <p>Identify if there has been a significant increase in appeals that have been allowed and /or appeals related to a specific policy area that suggest a policy or policies should be reviewed.</p> <p>Consider whether there has been feedback from Development Management colleagues, members of the planning committee, or applicants that policies cannot be effectively applied and / or understood.</p>	Agree	<p><b>Reason (with reference to plan policies, sections, and relevant evidence sources):</b></p> <p>It is important to recognise that while the Local Plan was recently adopted (October 2018), it was determined to be sound when considered against the 2012 version of the National Planning Policy Framework (NPPF). As set out in A1 there are a range of policy matters which are not addressed in the Local Plan, consequent of subsequent updates to the NPPF.</p> <p>It is considered that the Local Plan continues to work effectively to deliver its spatial strategy and to achieve its stated aims and objectives.</p> <p>Having regard to post adoption appeal decisions there are no concerns with the effectiveness of specific Local Plan policies, excepting that housing supply policies have had to be set aside in the absence of a five-year housing land supply in many cases.</p> <p><b>There are no specific policy areas that are regarded as fundamentally ineffective or unachievable.</b></p> <p>From discussions with Members: Local Plan Working Group, member visioning workshops, Joint Planning Policy Committee, and comments at Plans Committees it is clear that there is a range of views as to the effective function of the Local Plan and need and desire for a revision/update across policy areas.</p> <p>The following issues were identified as policy areas that would benefit from consideration in a plan update, when the <a href="#">TDC</a> and <a href="#">NDC</a> agreed to undertake a comprehensive review and update of the North Devon and Local Plan:</p> <ul style="list-style-type: none"> <li>• declarations of Climate and Biodiversity emergencies;</li> <li>• changing patterns for use of town centres and retail habits;</li> <li>• evolving thinking on rural sustainability;</li> <li>• increasing emphasis on environmental considerations and carbon saving;</li> <li>• the challenges of maintaining a housing land supply;</li> <li>• issues of coastal erosion and flooding;</li> <li>• the delivery of affordable housing and wider housing affordability;</li> </ul>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<ul style="list-style-type: none"> <li>• changing work patterns – including increases in home working;</li> <li>• significant structural reforms to the agricultural sector; and</li> <li>• a changing context for the tourism sector.</li> </ul> <p>Local Plan policies, as assessed in Part 2 of the Toolkit, are considered to remain generally compliant with the provisions of national planning policy, and policy matters where the Local Plan is silent due to the NPPF on which it was examined. Members have however expressed a desire to revise and add to exiting Local Plan policies.</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A13.	<p><b>There are no recent or forthcoming changes to another authority’s development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan.</b></p> <p><b>PROMPT:</b> In making this assessment you may wish to:</p> <ol style="list-style-type: none"> <li>1. Review emerging and adopted neighbouring authority development plans and their planning context.</li> <li>2. Review any emerging and adopted higher level strategic plans including, where relevant, mayoral/ combined authority Spatial Development Strategies e.g. The London Plan.</li> <li>3. Review any relevant neighbourhood plans</li> <li>4. Consider whether any of the matters highlighted in statements A1- A12 for their plan may impact on your plan - discuss this with the relevant authorities.</li> <li>5. Consider any key topic areas or requests that have arisen through Duty to Cooperate or strategic planning discussions with your neighbours or stakeholders - particularly relating to meeting future development and /or infrastructure needs.</li> </ol>	Agree	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>Across northern Devon four Neighbourhood Plans have been “made” - <a href="#">Great Torrington</a> (TDC), <a href="#">Winkleigh</a> (TDC), <a href="#">Georgeham</a> (NDC) and <a href="#">Braunton</a> (NDC). It is not considered that there are significant implications for the Local Plan.</p> <p>Mid Devon adopted its Local Plan in July 2020, making provision for a minimum of 7,860 dwellings over the period 2013-2033. In 2022 Mid Devon undertook a Regulation 18 (Issues and Options consultation) for a new Local Plan (2023 – 2043). An updated Local Development Scheme was published in July 2023 and shows a further regulation 18 consultation taking place in the winter of 2023/24 followed by a Regulation 19 (proposed submission) consultation in Winter 2025/26. Therefore, consideration of the impact of development proposals in northern Devon on the A361/Culm Grasslands in conjunction with development proposals in Mid Devon will need to be undertaken. Mid Devon undertook Duty Co-operate discussions in May 2022</p> <p>The Plymouth and South West Devon Joint Local Plan was adopted March 2019. No significant development is proposed that would impact on northern Devon.</p> <p>West Somerset Local Plan was adopted in 2016. An emerging Local Plan Review was published by Somerset West and Taunton in 2020, however, this project has been set aside with Somerset being established as a unitary authority. There is no published timetable for a new local plan.</p> <p>Exmoor (2017) and Cornwall (2016) Local Plans were adopted prior to the adoption of the North Devon and Torridge Local Plan. Exmoor undertook a <a href="#">five-year plan review</a> in 2022, which concluded an update was not required (June 2022).</p> <p>In August 2023 all duty to cooperate partners were asked to complete a survey to ascertain whether the organisations consider the North Devon and Torridge Local Plan:</p> <ul style="list-style-type: none"> <li>• remains relevant and continues to effectively address the needs of the local community</li> </ul>



	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<ul style="list-style-type: none"> <li>• continues to be in general conformity with national planning policy</li> <li>• continues to effectively address any cross-boundary issues (i.e. those that overlap with areas beyond northern Devon) and;</li> </ul> <p>The responses to the survey are summarised in appendix 1. Whilst a variety of issues are raised, none are considered to affect the strategic policies of the Plan.</p>
<p><b>A14.</b></p>	<p><b>There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan.</b></p> <p><b>PROMPT:</b> In making this assessment you may wish to:</p> <ol style="list-style-type: none"> <li>6. Review any manifesto commitments and review the corporate and business plan.</li> <li>7. Engage with your senior management team and undertake appropriate engagement with senior politicians in your authority.</li> <li>8. Consider other plans or strategies being produced across the Council or by partners which may impact on the appropriateness of your current plan and the strategy that underpins it, for instance, Growth Deals, economic growth plans, local industrial</li> </ol>	<p>Agree in part</p>	<p><b>Reason (with reference to plan policies, sections and relevant evidence sources):</b></p> <p>Since the adoption of the Local Plan in 2018, the 2019 local elections returned Torridge District Council to no overall control and this status continued in 2023 Torridge operates a non-executive form of Constitution with a modernised committee structure.</p> <p>The Liberal Democrats took control of North Devon Council in 2019 and remained in control in 2023 winning 22 of 42 seats. Prior to 2019 the Council had previously been under no overall control, with Conservatives forming a coalition with Independents.</p> <p>Torridge District Council’s Strategic Plan 2020-2023 was adopted October 2020. This includes a commitment to ‘Review the North Devon and Torridge Local</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	<p>strategies produced by the Local Economic Partnership, housing/ regeneration strategies and so on.</p>		<p>Plan to ensure that it remains relevant for good development that unlocks investment and opportunity, protects our important natural assets and helps to create strong and resilient communities’.</p> <p>Priorities in the Torridge Strategic Plan relevant to the Local Plan include access to good quality jobs and employment; increase availability of quality homes that meet local needs; reduce eco-footprint of the district.</p> <p>Priorities in the North Devon Corporate Plan relevant to the Local Plan include increase the number of housing units and business space in the area, with minimum damage to the environment; encourage better digital and physical connectivity; drive up housing standards in the area and increase the number of affordable houses; explore ways in which we can bring forward sites for development that are allocated within the Local Plan.</p> <p>The Corporate priorities for the Councils are considered to remain consistent with the aims and objectives of the Local Plan, although it is recognised that the incoming administrations may seek alternative approaches through updates to corporate strategies and policies. Both councils are currently embarking on the process of updating their Strategic Plan which may influence future priorities.</p> <p>Account should be taken of the fact that since the adoption of the Local Plan, both Councils declared a climate emergency.</p> <p><b>Further work will be required to understand how this will impact on the Local Plan and discussions undertaken as to the approach to be taken with regard to how the Councils will “support our communities on a journey to a low carbon, sustainable and resilient future.”.</b></p> <p>Of note as part early Member engagement on the People and Place project, visioning workshops were held to identify priorities in respect of issues and key components of a vision for northern Devon for the period to 2041. With regard to topic areas the following were identified as top priorities;</p> <p>1<sup>st</sup> - addressing the affordability of housing 2<sup>nd</sup> - enabling economic growth</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>3<sup>rd</sup> - increasing resilience to climate change</p> <p>The range of issues to be address by a future vision included:</p> <ul style="list-style-type: none"> <li>• Northern Devon has delivered a relevant mix of affordable housing stock, reflective of the needs of the community, allowing all those in the area who need a house to have a house.</li> <li>• Northern Devon's unique environment has been maintained and protected, allowing an increase in biodiversity.</li> <li>• Northern Devon is now carbon zero and has exceeded climate targets.</li> <li>• Northern Devon has revolutionised transport throughout the area.</li> <li>• Businesses have been successfully encouraged to the area, which has helped to establish a vibrant and sustainable economy that provides skilled and higher paid jobs to the community.</li> <li>• We have listened and delivered what northern Devon wanted and needed, providing healthy and happy communities which are a better place to live and work.</li> <li>• Developed a place and community which supports the younger demographic.</li> <li>• Broadband has been upgraded within northern Devon.</li> </ul> <p>In conclusion, currently articulated corporate priorities, at a strategic level appear to be consistent with the aims and objectives of the Local Plan. However, there has been an expressed intention to review/update the Local Plan in response to a range of external and local issues, as referenced in A12</p>

	ASSESSING WHETHER OR NOT TO UPDATE YOUR PLAN POLICIES	YES/NO (please indicate below)	
A15.	You <b>AGREE</b> with <u>all</u> of the statements above	No	<p><b>If no go to question A16.</b></p> <p><b>If yes, you have come to the end of the assessment. However, you must be confident that you are able to demonstrate and fully justify that your existing plan policies / planning position clearly meets the requirements in the statements above and that you have evidence to support your position.</b></p> <p><b>Based on the answers you have given above please provide clear explanation and justification in section A17 below of why you have concluded that an update is not necessary including references to evidence or data sources that you have referenced above. Remember you are required to publish the decision not to update your local plan policies. In reaching the conclusion that an update is not necessary the explanation and justification for your decision must be clear, intelligible and able to withstand scrutiny.</b></p>
A16.	You <b>DISAGREE</b> with one or more of the statements above and the issue can be addressed by an update of local plan policies	Yes	<p><b>If yes, based on the above provide a summary of the key reasons <u>why</u> an update to plan policies is necessary in section A17 below and complete Section B below.</b></p>
A17.	<p><b><u>Decision:</u> Update plan policies / <del>No need to update plan policies</del> (delete as necessary)</b></p> <p><b>Reasons for decision on whether or not to update plan policies (clear evidence and justification will be required where a decision not to update has been reached):</b></p> <ul style="list-style-type: none"> <li>• Non-compliance through omission and inconsistency of some policies with 2021 NPPF (see Part 2 of the PAS Toolkit). In particular Establishing a policy approach towards delivery of First Homes.and Identifying sites to meet needs for traveller provision</li> <li>• Changes in environmental context – including the introduction of the Environment Act, and the need to respond to the Devon Carbon Plan etc.</li> <li>• Evolving member/corporate priorities – rural growth, tourism, affordable housing, town centres and addressing the climate emergency</li> <li>• Commitment to plan review as part of latest corporate strategy (Torridge DC).</li> </ul>		

	<b>Other actions that may be required in addition to or in place of an update of plan policies</b> <ul style="list-style-type: none"> <li>• Clarification of policies – e.g. in light of changes to Permitted Development rights.</li> <li>•</li> </ul>		
	<b>B. POLICY UPDATE FACTORS</b>	<b>YES/NO (please indicate below)</b>	<b>Provide details explaining your answer in the context of your plan / local authority area</b>
<b>B1</b>	<b>Your policies update is likely to lead to a material change in the housing requirement which in turn has implications for other plan requirements / the overall evidence base.</b>	<b>No</b>	No significant change in the housing requirement based on the standard method. The HDT is being met and anticipated to be continually achieved based on consented development and the wider land supply.
<b>B2</b>	<b>The growth strategy and / or spatial distribution of growth set out in the current plan is not fit for purpose and your policies update is likely to involve a change to this.</b>	<b>No</b>	The overall spatial strategy is considered fit for purpose regarding the hierarchy of settlements and the distribution of development.
<b>B3</b>	<b>Your policies update is likely to affect more than a single strategic site or one or more strategic policies that will have consequential impacts on other policies of the plan.</b>	<b>No</b>	The strategic policies of the Local Plan are reflective of national planning policy and continue to be effective in delivering its aims and objectives.
	<b>You have answered yes to one or more questions above.</b>	<b>No</b>	<b>You are likely to need to undertake a full update of your spatial strategy and strategic policies (and potentially non-strategic policies). Use your responses above to complete Section B4.</b>
	<b>You have said no to <u>all</u> questions (B1 to B3) above</b>	<b>Yes</b>	<b>If you are confident that the update can be undertaken without impacting on your spatial strategy and other elements of the Plan, you are likely to only need to undertake a partial update of policies. Complete Section B4 to indicate the specific parts / policies of the plan that are likely to require updating based on the answers you have given above.</b>
<b>B4</b>	<b>Decision: Full Update of Plan Policies/ <u>Partial Update of Plan Policies</u> (delete as necessary)</b> <ol style="list-style-type: none"> <li>1. The policies included in the North Devon and Torridge Local Plan remain up-to-date Additional policies are required to address matters where the Local Plan is silent, namely: First Homes, Coastal Change Management Areas and the provision of traveller sites</li> </ol>		

	<p>2. Further updates could be undertaken to address issues raised in part 2 of the PAS toolkit and are likely to be principally focused on changes to the detail of the development management policies in Part 3 of the Local Plan.</p>
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<b>Date of assessment:</b>	22 <sup>nd</sup> December 2022; updated 11 <sup>th</sup> August 2023 and 29 <sup>th</sup> September 2023
<b>Assessed by:</b>	Dawn Burgess; updated by Elizabeth Dee
<b>Checked by:</b>	Elizabeth Dee / Ian Rowland/Ben Lucas
<b>Comments:</b>	

## Appendix 1: Duty to Cooperate Update September 2023

### Duty to Co-Operate responses to survey September 2023- A summary

- The ‘Duty to Co-operate’ is set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (inserted by Section 10 of the Localism Act 2011). It requires North Devon and Torridge Councils to engage constructively and actively on an ongoing basis with other local authorities and certain prescribed organisations in relation to strategic matters when reviewing their local plan. Strategic matters are broadly the development of land and the provision of infrastructure with cross-boundary implications for one of the prescribed bodies and/or at least one local planning authority beyond North Devon and Torridge District Councils.

### Local Context

- North Devon and Torridge District Councils have been working together on development plan preparation since 2006. In respect of duty to co-operate both Councils have signed a protocol with surrounding districts councils as a firm basis for discussing and understanding strategic issues, evaluating options to address such issues and agreeing shared outcomes where possible. A Devon-wide co-operation protocol includes all local planning authorities with Devon, including the National Park Authorities, Plymouth and Torbay Councils and Devon County Council, as well as Government agencies (Environment Agency, Natural England, Highways Agency), and other public bodies (Heart of the South West Local Enterprise Partnership and Devon Local Nature Partnership).
- A similar protocol has been signed by both Councils in relation to co-operation across the Northern Peninsula housing market area, which includes Exmoor National Park Authority, West Somerset Council and Somerset County Council. Both protocols refer to co-operation as a continuous process of on-going engagement from evidence gathering, policy preparation through to implementation.
- In reviewing the North Devon and Torridge Local Plan 2011-2031 a survey was distributed to those listed on Appendix A- Prescribed Bodies. Appendix B- evidences the responses in full.

### Summary of responses

- Most organisations were in agreement that the local plan remains in conformity with national planning policy apart from the Environment Agency and Natural England. These two organisations note there is no reference to the Climate Change Emergency and the current local plan should offer stronger policies on climate change and biodiversity to reflect national policy.

- Natural England disagrees that the North Devon and Torridge Local Plan remains relevant and continues to effectively address the needs of the local community as they believe there needs to be an increasing emphasis on environmental considerations and carbon saving. Natural England also noted the plan is silent on urban tree canopy cover, tree lined streets and mapping of wider local wildlife-rich habitats and ecological networks.
- In addition Devon County Council and the Marine Management Organisation also noted, along with the Environment Agency and Natural England, that updates would be needed to address the 10% Biodiversity net gain legislation and nature based solutions to flooding. Natural England also requested there was further work completed on Coastal Change Management Areas to review the impact of climate change and coastal flooding with the Marine Management Organisation highlighting the South West Marine Plan was adopted in 2021.
- The organisations which are not subject to artificial boundaries felt the local plan did not continue to address cross boundary issues. The Environment Agency emphasised that upper catchment areas may be outside of Northern Devon and so nature based solutions for flooding maybe outside of the local planning area. The Marine Management Organisation pointed out that as the south west inshore marine plan area covers an area of approximately 2,000 kilometres of coastline stretching from the River Severn border with Wales to the River Dart in Devon, taking in a total of approximately 16,000 square kilometres of sea early engagement on any local plan review would be welcomed. Natural England would welcome more consideration on air and water quality which by their very nature cross boundaries.
- National Highways did not disagree that the current local plan addressed cross boundary issues but highlighted the importance of collaborative working in preparation of any local plan review to ensure the traffic impact is fully understood.
- Both Plymouth and Somerset Council would welcome more proactive polices on climate change and onshore wind in particular.

## Conclusion

- The responses from partner organisations reflected the plan as a whole was effectively addressing the needs of the local community and was in general conformity with national policy.
- The areas in which conformity with national policy was challenged surrounded the issues arising from Climate Change Emergency Declarations and Biodiversity Net Gain legislation. Those organisations protecting the natural environment would welcome stronger policies on environmental considerations including coastal erosion, flood management, biodiversity net gain, urban tree canopy, habitat protection and restoration.



## Appendix A – Prescribed Bodies

- Devon County Council
- Adjoining Authorities
- Cornwall Council
- Exmoor National Park Authority
- Mid Devon District Council
- Somerset County Council
- West Devon Borough Council
- West Somerset District Council

- Prescribed Bodies
- Civil Aviation Authority
- North East West Devon Clinical Commissioning Group
- English Heritage/Historic England
- Environment Agency
- Highways Agency
- Homes and Communities Agency
- Marine Management Organisation
- NHS Commissioning Board/NHS England
- Natural England
- Office of Rail and Road
- Transport for London

- Other Bodies
- Devon Local Nature Partnership
- Heart of the South West Local Enterprise Partnership

Appendix 2- responses to survey

### Cornwall Council

- Agreed that the Local Plan is meeting the needs of the community and commented
- [We] Welcome the thorough analysis of the Local Plan, using the PAS toolkit and agree with the conclusions.

### Devon County Council

The following comments have been provided by various teams (Highways, Education and Flood Risk) in Devon County Council in response to the documents provided.

### Education

- Devon County Council fully agrees with the statement made in relation to school place planning; we work closely with the Districts regarding education and the Local Plan has secured a number of school sites to support our requirements over the plan period. The majority of these sites are now secured in S106 agreements.
- There are several **small rural schools** across the Districts with fewer than 50 pupils on roll, in particular across Torridge. Devon County Council has a presumption not to close schools but these schools are extremely vulnerable with such a small intake of pupils & increased running costs. Timely delivery of local affordable development *can* help support these schools to be viable, but there are wider strategic issues/policy around school sustainability that are outside of DCC direct control.
- Devon County Council would support the need for increased **Affordable Homes** to support the needs of key workers. There are recruitment issues across Children's Services and Schools and a lack of local affordable housing compounds this.

### Highways

- It is noted paragraph 112 of the NPPF looks to minimise the scope of conflicts between pedestrians, cyclists and vehicles, and looks for development to allow for the efficient delivery of goods. Policy DM05 (Highways) does not mention this, however, it is agreed that the NPPF remains a material consideration for the determination of planning applications.

### Flood Risk

- It is mentioned that the Environment Act will require 10% biodiversity net gain, while the Local Plan does not include this level as a target. We are keen to promote Sustainable Drainage Systems (SuDS) and natural flood management as another way of achieving this, both on and off site.

### General

- Whilst not necessarily an issue with the Local Plan policies, viability issues have been raised. Devon County Council would request to be made aware at an early stage, provided with viability documents that show an issue and kept informed so we can understand any

impacts upon contributions. If contributions are not supported, we would want the opportunity to be discussed this prior to any decisions being made.

### Environment Agency

- Disagrees that the Local Plan is in general conformity with National Policy surrounding water efficiency, climate change and biodiversity and advises there should be stronger policies to better reflect national policy and the direction of travel.
- Advises any areas where upper catchment areas affecting North Devon are outside of North[ern] Devon boundary and thus solutions and improvement for North[ern] Devon such as nature based solutions for flooding, carbon etc may be outside of the area.

### Exmoor National Park

- Agreed that the Local Plan is meeting the needs of the community and commented
- We have noted the findings of the PAS toolkit in that whilst the majority of the Local Plan remains up to date and conforms with national policy, there are areas that require updating due to the reasons stated, of which include changes to national policy and legislation.
- The North Devon and Torridge Local Plan accommodates the unmet need arising from the North Devon part of the neighbouring Exmoor National Park Authority. ENPA welcomes and supports this approach and would seek to continue this cross-boundary co-operation.
- We welcome that the Local Plan recognises the relationship between areas in North Devon that are outside and inside of the National Park, and the role that North Devon settlements outside of the Park have for Exmoor communities. We acknowledge the importance of the existing plan approach and its policies in relation to the legal duty on relevant authorities to have regard to National Park purposes. In particular, the setting of the National Park in ensuring that development outside of the Park seeks to conserve and enhance the National Park, in accordance with Policies DM23 and DM08.
- Furthermore there are a number of current policies which reflect the importance of Exmoor's dark night skies and safeguarding this special quality, in particular Policy ST14 which ensures that development conserves and enhances, but also Policies ILF01, ILF04, SM02, BRF01, CMA, CMA01, CMA03, NMO, NMO01, NMO02, EAN, DM02.
- The Plan also incorporates the North Devon and Exmoor Seascape Character Assessments in Policy DM08A and the importance in conserving and enhancing the landscape and seascape character and the setting of Exmoor National Park.
- Finally, we note the content of the SoCG that was prepared in May 2022 as part of Exmoor National Park's Local Plan Five Year Review. If any changes have arisen since its preparation, we would be happy to discuss them.

### Marine Management Organisation

- Disagrees that the local plan continues to effectively addresses cross boundary issues-the South West Marine Plan has now been adopted (2021), this now needs to be considered within the Local Plan.
- We recommend a whole plan approach when considering Marine Plans, however, we would welcome early engagement on any Local Plan review.

### National Highways

- **Relevance and Effectiveness** -National Highways has no comments to make in respect of whether the Local Plan continues to effectively address the needs of the local community.
- **Conformity with National Planning Policy** -DfT Circular 01/2022 (Strategic Road Network and the Delivery of Sustainable Development) makes reference to transport evidence to support plan-making. Paragraph 26 states that transport issues should be considered from the earliest stage of the plan making so that the potential impact of development on transport networks can be addressed. In line with Paragraph 42 of the Circular, all parties preparing plans that could impact the SRN are encouraged to engage with National Highways at the earliest opportunity. We therefore welcome the early engagement on Local Plan Duty to Co-Operate matters.
- The Local Plan Review will need to be supported by a robust and up-to-date evidence base in accordance with paragraph 31 of NPPF. National Highways would also welcome other transport evidence such as accessibility assessments, and/or analysis of likely average vehicle kilometres associated with any new sites being considered for allocation in the Plan Review.
- **Cross Boundary Issues** -The preparation of the Local Plan Review transport evidence will require a collaborative approach between North Devon and Torridge Councils, National Highways as the strategic highways company, Devon County Council as the local highway authority and neighbouring authorities. This collaborative approach will help to ensure the cumulative traffic impact of cross-boundary growth on the operation of the SRN can be considered and infrastructure necessary to accommodate this growth can be identified, in accordance with paragraph 26 of NPPF.
- As set out in NPPF paragraph 27, a SoCG relating to cross-boundary matters including transport should be prepared by the Council in conjunction with the above Authorities. National Highways looks forward to working with the Councils in the development of the necessary transport evidence base and SoCG to ensure the traffic impact of the Local Plan Review is fully understood and any necessary highway mitigation agreed and identified within Plan Policy.

### Natural England

- Disagrees the ND&T local plan remains relevant and effectively address the needs of the local community and advises

- Natural England (NE) would welcome updates including Declarations of Climate and biodiversity emergencies, increasing emphasis on environmental concerns and carbon saving, We would welcome updates including: Declarations of Climate and Biodiversity emergencies, increasing emphasis on environmental considerations and carbon saving, CCMA [Coastal Change Management Areas], issues of coastal erosion and flooding, minimum of 10% BNG [Biodiversity Net Gain], urban tree canopy cover, tree-lined streets, mapping of wider local wildlife-rich habitats and ecological networks, mention of the LNRS [Local Nature Recovery Nature Strategies] and Nature Recovery Network and habitats opportunities, and to the AQ [Air Quality] SPD [Supplementary Planning Document] (notably the agricultural emissions section is out of date since NE's guidance was revised). A stronger policy steer on bird disturbance on the Taw Torridge Estuary and FLL would be welcomed.
- We welcome consideration that environmental issues cross boundaries, for example air and water quality.

### Plymouth City Council

- Agreed that the Local Plan is meeting the needs of the community and commented
- The councils of West Devon, South Hams and Plymouth adopted our Joint Local Plan in March 2019, and support the councils of Torridge and North Devon continuing to work in partnership in order to meet your identified needs. We support your intention to pursue a partial local plan review based upon the assessment work you have undertaken and shared using the local plan review toolkit.
- It is noted that the key triggers and considerations used within the toolkit focus primarily on housing requirement, growth strategy and existing strategic sites/allocations, and that you are content that a partial review of some of your local plan policies will not trigger the need for a full review of your plan.
- Reference is made to changes within the environmental context within which the local plan operates as a justification for considering amending some policies. The Devon Carbon Plan is also cited, along with the prioritisation of 'increasing resilience to climate change' by locally elected members, and the inclusion within the emerging vision for your area for North Devon to be 'carbon zero and has exceeded climate targets.' With this in mind, the JLP councils would support any local plan partial review to include identifying opportunity areas for onshore wind, which will play a significant role in enabling North Devon to make a positive contribution to meeting local and national carbon reduction targets.

### Somerset Council

- Agreed that the Local Plan is meeting the needs of the community and commented

- We note that within the Toolkit Part 1 the answer to Question A2 (page 5) in relation to the housing need of Exmoor National Park “Delivery of the very modest level of housing for Exmoor is not considered to be a constraint or burden that would be a driver for review” Somerset Council would agree with this conclusion. Ongoing, it is important to ensure that methodologies and assumptions of housing need for Exmoor NPA continue to be aligned across North Devon and Somerset Councils.
- Given the assessment process for considering whether a local plan review needs to be full or partial focusses on housing needs and the delivery of housing sites, the inclusion of more proactive policies on climate change in general and onshore wind in particular is considered to be within the scope of a partial review, and will not trigger the need for a full review of your local plan.
- Should the identification of any opportunity sites adjoin the boundary with West Devon, we would work proactively with you to agree a form of policy wording that effectively identifies and considers any future cross-boundary impacts as part of the planning application process.