



The Planning Inspectorate

Report to West Devon Borough Council, South Hams District Council and Plymouth City Council

**by Wendy Burden BA (Hons) DipTP MRTPI and Yvonne Wright BSc (Hons)
DipT&CP DMS MSc MRTPI**

Inspectors appointed by the Secretary of State

Date: 18 March 2019

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Plymouth and South West Devon Joint Local Plan 2014-2034

The Plan was submitted for examination on 31 July 2017

The examination hearings were held between 30 January 2018 and 21 March 2018

File Ref: PINS/N1160/429/16

Abbreviations used in this report

AONB	Area of Outstanding Natural Beauty
AQMA	Air Quality Management Area
CGS	City Green Spaces
DNP	Dartmoor National Park
DNPA	Dartmoor National Park Authority
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
INA	Infrastructure Needs Assessment
LGS	Local Green Space
LPA	Local Planning Authority
MM	Main Modification
NDSS	Nationally Described Space Standards
NPPF	National Planning Policy Framework
NGS	Neighbourhood Green Spaces
OAN	Objectively assessed housing need
PA	Policy Area
POSA	Plymouth Open Space Assessment
PPA	Plymouth Policy Area
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SEA	Strategic Environmental Assessment
SGS	Strategic Green Space
SHLAA	Strategic Housing Land Availability Assessment
SLA	Strategic Landscape Areas
TTVPA	Thriving Towns and Villages Policy Area
WHS	Cornwall and West Devon Mining Landscape World Heritage Site

Non-Technical Summary

This report concludes that the Plymouth and South West Devon Joint Local Plan provides an appropriate basis for the planning of West Devon, South Hams and Plymouth, provided that a number of main modifications [MMs] are made to it. The Councils have specifically requested us to recommend any MMs necessary to enable the Plan to be adopted.

The MMs all concern matters that were discussed at the examination hearings. Following the hearings, the Council prepared schedules of the proposed modifications and carried out sustainability appraisal of them. The MMs were subject to public consultation over a six week period. In some cases we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Ensuring that the components of housing land supply are up to date;
- Amending the list of sustainable villages and the level of housing development required in them;
- Updating the employment land requirement, supply and jobs figures and clarifying the role of Langage as a strategic employment site;
- Deleting site allocations within the Dartington Hall Estate and replacing them with an Estate Framework policy;
- Ensuring that the approach to the historic and natural environments are consistent with national policy and legislation;
- Introducing a rural housing needs policy to provide appropriate flexibility in delivering homes in rural areas to meet identified needs;
- Deleting designations for strategic landscape areas and adding a Plymouth urban fringe policy to cover all countryside in the Plymouth Policy Area;
- Deleting local green space designations and replacing them with City Green Space designations and amending policies on green space to ensure consistency with national policy;
- Making various changes to the site specific policies to ensure that they are justified and effective;
- Deleting housing site allocations that are unsound including some in the Areas of Outstanding Natural Beauty;
- Inserting housing trajectories in to the Plan;
- Amending policies relating to air quality to ensure they are effective; and
- Modifying various other policies and supporting text so that they are justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Plymouth and South West Devon Joint Local Plan (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework 2012 (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework (NPPF) was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the local planning authorities (LPA) have submitted what they consider to be a sound plan. The Plymouth and South West Devon Joint Local Plan submitted in July 2017 is the basis for our examination (SUB1). This is the document which was published for consultation in March 2017. In response to comments received during the consultation, in December 2017 and prior to the hearings the Councils published a schedule of 'minor modifications' which they wished to put forward to improve or provide additional clarification to the wording of the plan. These and other modifications were discussed during the hearing sessions and those necessary for soundness have been recommended as main modifications.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Councils requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2**, **MM3** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Councils prepared a schedule of proposed MMs and carried out a sustainability appraisal and habitats regulations assessment of them. These documents were subject to public consultation for six weeks from Monday 22 October 2018 until Monday 3 December 2018. We have taken account of the consultation responses to them in coming to our conclusions in this report and in this light we have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. However these changes do not undermine the participatory

processes and sustainability appraisal that has been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

6. The Councils must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Councils are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises three plans which cover the Plymouth Policy Area, the Thriving Towns and Villages Policy Area (South Hams) and the Thriving Towns and Villages Policy Area (West Devon) (SUB2-SUB4).
7. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, several of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map.
8. These further changes to the policies map were published for consultation alongside the MMs as a schedule of policies map modifications (Document MM4) and shown in map form in documents MM6-MM8.
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Councils will need to update the adopted policies map to include all the changes proposed in document MM4 (Schedule of Proposed Policies Map Changes) and the further changes published alongside the MMs in document MM3.

Consultation

10. Concern has been expressed about the Councils' pre-submission consultation processes. Whilst considerable changes were made by the Councils between different versions of the Plan, this followed and was in response to comments made through the significant periods of public consultation. The evidence demonstrates that this was carried out in accordance with the Councils' Statements of Community Involvement.
11. Overall, we are satisfied that the Councils have carried out widespread public consultation on the Plan throughout its various stages. This includes consultation on the main modifications which was carried out between 22 October 2018 and 3 December 2018. This has given residents and other interested parties an adequate opportunity to express their views. The Councils' consultation approach has met the legal requirements set out in the Regulations and complies with the Statements of Community Involvement.

Sustainability Appraisal

12. The Councils produced a sustainability appraisal (SA) and strategic environmental assessment (SEA) as part of an Integrated Assessment which also incorporates an equality impact assessment. This was published in July

2017 and brings together into a single framework previous SA and SEA work carried out by each of the three LPAs.

13. The SA uses 17 objectives to test the policies and proposals in the Plan. It has considered three different levels of housing growth and various options for the distribution of development under urban intensification, urban concentration or dispersal of development scenarios. More recent SA work has considered additional alternatives with or without development in the Areas of Outstanding Natural Beauty (AONB) under the urban concentration option.
14. The SA also appraises the site selection methodology, sites considered to be reasonable alternatives for development and alternative policy options.
15. The SA process has found that the majority of the Plan policies are likely to have significant positive effects, particularly with regard to such factors as meeting housing needs, strengthening local communities, protecting natural and historic environments and ensuring that infrastructure delivery matches the pace and level of growth.
16. Whilst the SA identifies some negative effects, largely as a result of the overall cumulative effects of increased housing, employment and associated infrastructure in the Plan area, the process of appraisal has ensured that appropriate mitigation is included in the Plan policies, in terms of both site allocations and general development management policies.
17. An additional SA/SEA to consider the proposed MMs was published in October 2018 which concludes that they do not result in any significant negative effect.
18. Overall the SA has adequately considered reasonable alternatives and is suitably comprehensive and legally compliant.

Habitats Regulations Assessment

19. The Habitats Regulations Assessment (HRA) for the submitted plan presents the results of the screening and appropriate assessment stages of the HRA process.
20. All impacts on European Sites from the policies within the Plan, including the allocations, were identified and screened in at the 'Screening Stage'. All identified impacts and the measures necessary to avoid or reduce those impacts have been considered within the appropriate assessment. Furthermore, changes to policies to incorporate impact avoidance or reduction measures have been identified.
21. On 16 May 2018 the Councils confirmed that they considered the HRA report (as amended) to be legally compliant and consistent with the judgement of the Court of Justice of the European Union issued on 12 April 2018 in relation to the screening stage of the HRA. Furthermore the Councils sought the advice of Natural England in this matter and they have responded to say that they agree with the Councils.
22. In addition the MMs have also been screened through the HRA process to see if they will have any likely significant effect on the designated European sites.

Overall, the HRA reports conclude that there will be no adverse effect on the integrity of European protected sites, either alone or in-combination with other plans or projects, subject to mitigation set out in the Plan policies. Natural England agrees with these conclusions and we have no substantive evidence to counter these findings. The requirement to undertake an appropriate assessment in accordance with the Regulations has therefore been met.

Assessment of Duty to Co-operate

23. Section 20(5)(c) of the 2004 Act requires that we consider whether the Councils complied with any duty imposed on them by section 33A in respect of the Plan's preparation.
24. The three LPAs of Plymouth, South Hams and West Devon were initially progressing individual plans. Their decision in February 2016 to constructively work together to prepare a joint local plan which would address cross boundary issues in one composite plan is evidence of the high level of cooperation which has been achieved between the three Councils.
25. In addition to the fulfilment of the duty to cooperate by the three LPAs as evidenced through the production of the Plan, there has been engagement with other LPAs beyond their own administrative boundaries. These include Devon County Council, Dartmoor National Park Authority and Cornwall Council. Cooperation has been undertaken using the Devon Duty to Cooperate Protocol, and as a result several joint evidence base documents have been produced. These cover strategic matters including the identification of the Plymouth Housing Market Area (HMA), housing needs, employment requirements and impact on sensitive environments.
26. Overall we are satisfied that where necessary the Councils have engaged constructively, actively and on an on-going basis in the preparation of the Plan, and that the duty to co-operate has therefore been met.

Assessment of Soundness

Background

27. The Plan has been prepared to provide a joint local plan for the City of Plymouth, the Borough of West Devon and the District of South Hams. Once adopted, it will supersede all policies within existing development plan documents covering these areas, as identified within the Plan. The Plan has been prepared using a significant amount of joint evidence.
28. The Plan does not include policies for the Dartmoor National Park Authority area (DNPA) which includes parts of the West Devon Borough Council and the South Hams District Council areas. The DNPA is preparing a separate local plan.

Main Issues

29. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings we have identified 8 main issues upon which the soundness of the Plan depends. Under these

headings our report deals with the main matters of soundness rather than responding to every point raised by representors.

Issue 1 – Whether the vision, strategic objectives and spatial strategy in the Plan provide a positive and soundly based framework for delivering sustainable development.

30. The Plan sets out the vision for Plymouth and South West Devon at the end of the Plan period in 2034. This, in combination with the identified strategic objective SO1, presents a clear positive statement for the area from which the spatial strategy and policies within the Plan flow. It is not necessary for this vision or SO1 to address in detail all parts of the Plymouth and South West Devon area or reference every specific issue or opportunity.
31. The Plan divides the area into two policy areas: the Plymouth Policy Area (PPA) which comprises the City of Plymouth together with those parts of South Hams District Council which make up Plymouth's urban fringe; and the Thriving Towns and Villages Policy Area (TTVPA) which includes the rest of South Hams and West Devon.
32. The spatial strategy seeks to focus most growth within the PPA, to promote a step change in the city's economy and housing delivery and to prioritise regeneration and the use of previously developed sites. The Plan achieves this through identifying three substantial Growth Areas within the PPA, delivering significant levels of development including a large urban extension at Woolwell and a new community at Sherford.
33. The spatial strategy also seeks to support development within the TTVPA in the towns and sustainable villages. Policy TTV1 sets out the hierarchy of settlements within the TTVPA. This prioritises growth in the six main towns of Dartmouth, Ivybridge, Kingsbridge, Tavistock, Totnes and Okehampton. Recognising the wide range of services and facilities available within these towns this approach is justified and will strengthen their roles as main centres serving large rural hinterlands.
34. Nevertheless Policy TTV1 states that settlement boundaries will be identified and kept under review through supplementary planning documents. Such documents do not form part of the development plan, cannot form policy and therefore this approach to defining future settlement boundaries needs to be deleted from the policy. **MM21** rectifies this and clarifies that settlement boundaries can be designated in neighbourhood plans. The modification also makes other consequential changes to the supporting text to ensure that the approach is sound.
35. Some growth is also promoted within the smaller towns and key villages to maintain both the range of services available and their function in supporting the smaller villages and hamlets. In relation to sustainable villages the Plan's strategy supports development to meet local needs.
36. Based on the evidence, the settlement hierarchy and overall spatial strategy to focus development in the above locations is justified. This is because it reasonably places most development within or near to the city or other urban

areas, where there is good access to a wide range of employment opportunities, facilities and services.

37. The Plan clearly identifies its strategic policies. Policy SPT1 sets out how the principles of sustainable development will be sought and delivered through the development planning process within the Plan area. However to ensure it is effective and is consistent with national policy **MM1** is necessary to protect strategically important economic assets, promote the effective use of land through optimising the reuse of previously developed sites and ensure there are overall gains in biodiversity within the Plan area by deleting the words 'wherever possible'.
38. Policy SPT2 seeks to support sustainable linked neighbourhoods and communities, setting out principles that are justified and effective. However the supporting text is unclear as to how the measures of sustainable neighbourhoods and communities, set out in figure 3.2 of the Plan, are to be applied to development proposals. As the measures are aspirational rather than absolute requirements they are a consideration when assessing relevant development proposals. Furthermore they do not apply to the sustainable villages within the TTVPA. **MM2** amends the supporting text to make this clear and ensures the policy is effective.
39. The Plan rather confusingly sets out spatial priorities for development in the main towns in the TTVPA as policies. As these contain objectives they do not form effective or consistent policies. **MM22** therefore deletes Policies TTV4, TTV7, TTV12, TTV16, TTV20 and TTV25 from the Plan and sets them out as spatial priority objectives instead. The modification also makes consequential changes to other parts of the Plan.
40. In conclusion, subject to the above main modifications, the vision, strategic objectives and spatial strategy in the Plan provide a positive and soundly based framework for delivering sustainable development.

Issue 2 – Whether the objectively assessed need for housing (OAN) is soundly based and the housing requirement in the Plan has been positively prepared and is justified.

41. The Councils carried out an objective analysis of the relevant evidence to assess the need and demand for housing. The analysis did not include any policy objectives or value judgements and supply side factors were excluded. We consider below the main factors which contributed to the Councils' assessment of housing need which establishes the requirement for the provision of housing land in the Plan.

Defining the Strategic Housing Market Area

42. Paragraph 159 of the NPPF requires housing need to be assessed for each strategic housing market area (HMA). It is recognised in the PPG that development needs are rarely constrained precisely by local authority administrative boundaries. However, in defining the HMA for the Plan, the three local authorities have taken a pragmatic approach and adopted the combined administrative areas of Plymouth, South Hams and West Devon to

form the Plymouth HMA. It includes that part of the Dartmoor National Park (DNP) which is in South Hams District and West Devon Borough.

43. The Councils' definition of the HMA has been robustly tested in accordance with the advice in PPG. The HMA has been assessed against patterns of migration and of housing search, travel to work area boundaries, house prices and rates of change in house prices, together with other contextual data. The analysis of the data indicates that the combined areas almost meet the 70% containment threshold for migration and exceed the 75% threshold for commuting. The results indicate that the chosen HMA is more contained in these respects than are the individual local authority areas.
44. In defining the HMA in accordance with their administrative boundaries, the Councils recognise that there are likely to be some important overlapping cross-boundary functional relationships. For the Plymouth HMA linkages can be identified with the administrative areas of Cornwall Council and Exeter City Council. Such overlaps between housing market areas are recognised within the PPG. Cross boundary issues and linkages with these authority areas will need to be monitored and addressed over time and with each future review of the Plan, and this is accepted by the Councils.
45. In summary, the Councils have followed the advice in the NPPF and in the PPG in defining the Plymouth HMA. We are satisfied that it provides an appropriate geographical area for establishing the OAN.

Establishing the OAN

46. To calculate the OAN, the three Councils have followed Government policy and advice by using the most up to date data, reliable evidence and the latest projections available to them at the time of preparing the Plan. As such the demographic starting point for the assessment uses the 2014 based population and household projections.
47. Using Devon County Council demographic projections based on a 10 year migration trend period from 2005 – 2015, a sensitivity test has been carried out to make an adjustment to the population numbers and to reflect local trends. This has been translated into dwelling numbers using the 2014 household representative rates and together with evidence which includes locally specific vacancy rates and second homes, this is a reasonable approach.
48. To assess the impact of economic performance on dwelling requirements, the Councils have produced a suite of documentary evidence regarding the needs for housing and economic development. This includes employment forecasts prepared by Experian together with a 10 year migration trend for job delivery. Using the available evidence, an independent robust assessment of employment forecasts has been produced (EC8). Using the 10 year trend the forecasts indicate that the HMA is not constrained by a lack of local labour supply, rather there is a potential surplus. As a result we agree that there is no justification for increasing the OAN in response to top down employment forecasts.

49. To assess whether past household representative rates have been suppressed by under supply and worsening affordability, the Councils have followed national policy and the advice in the PPG. An uplift based on market signals is applied to the forecasts for each local authority area, reflecting housing costs which in turn provides an indication of potential past undersupply. The market signals uplifts applied to the OAN are appropriate and are as follows:

25% in South Hams,
20% in West Devon and
10% in Plymouth.

50. We accept that historic under delivery is linked to market signals such as high house prices and rental levels, and that the approach taken by the Councils takes into account the effects of past under supply. The evidence concludes that the total OAN for the Plymouth HMA for the period 2014 to 2034 is for 27,300 new homes (TP3).

51. With the market signals uplift, the OAN for each local authority area in the period 2014-2034 is assessed as follows:

Plymouth City	18,217
South Hams	3,924
West Devon	5,162
TOTAL Plymouth HMA	27,303

52. Of this total OAN, it is calculated that an allowance of 600 dwellings should be made for that part of the HMA which lies within the DNP. This is split equally through deductions of 300 dwellings from the OAN for South Hams and for West Devon. The allowance is based on actual supply trends within the DNP. In the last ten years some 31 dwellings have been built each year within those parts of the DNP within the administrative areas of South Hams and West Devon. This is a reasonable basis on which to assume that some 600 dwellings could be provided within those parts of the DNP within the Plan period. This results in an OAN of some 26,700 dwellings within the Plan area for the period 2014 to 2034.

Conclusion on OAN

53. We find that the objectively assessed need for housing of 26,700 dwellings has been positively prepared and is justified. It is supported by robust and credible evidence and is consistent with national policy.

Housing requirement

54. Policy SPT3 identifies the level of housing provision (housing requirement) for the Plan period of 2014 to 2034. This provides for at least 26,700 dwellings, apportioned between the two policy areas of the Plan. This meets the OAN.
55. In adopting the OAN as the basis for new housing provision, the Councils do not take explicit account of past levels of housing delivery when measured against historic policy targets for the Plan area. However, the targets relating to the provision of housing prior to the preparation of the Plan were not based

on national policy as set out in the 2012 NPPF. Earlier targets were also based on an emerging Regional Spatial Strategy which was abandoned with the repeal of legislation for its preparation. There is no requirement for the Plan to consider historic policy provision targets when assessing the future requirement for housing, and account has been taken of any past undersupply of new homes through the application of market signals uplifts in the calculation of the OAN.

56. The assessment of the need for affordable housing has been robustly calculated and considers the current need less the current supply, together with the future need less the future supply. The annual requirement for some 344 affordable homes is justified by the evidence.
57. The provision of at least 26,700 homes in Policy SPT3 has the potential to provide for at least 6600 affordable homes, with an annual average of 330. The Plan therefore has the potential to meet the majority of the identified affordable housing need. Furthermore market signals uplifts have already been applied to the OAN as set out above. These are already in excess of the demographic and economic need, particularly in South Hams and West Devon. In these circumstances, as the uplifts will improve affordability, there is insufficient justification to uplift the housing requirement even further.
58. The work carried out to assess the impacts of economic performance on housing need indicates that the scale of housing growth which is proposed in the Plan is greater than that which would be required to support the forecast local job demand. As a result the level of housing provision could result in a slightly higher rate of unemployment and a lower economic activity rate when compared to the baseline. Whilst this will need to be monitored over the Plan period, it is not sufficient to justify any change in the overall level of housing requirement proposed in the Plan.

Conclusions on housing requirement

59. The housing requirement proposed in Policy SPT3 would meet the OAN in full, and there is no evidence that the requirement should be increased to provide a higher level of affordable housing, or to provide housing because of an increase in employment levels. There is no evidence to justify accommodating housing need which arises from other LPAs outside the Plan area, and there is no evidence to suggest that the need arising within the Plymouth HMA should be met outside the Plan area. We therefore find that the housing requirement proposed in Policy SPT3 of the Plan has been positively prepared and is justified.

Issue 3 – Whether the spatial distribution of the housing requirement across the Plan area and between the PPA and the TTVPA has been positively prepared and is justified.

Policy Areas

60. The housing requirement is split between the PPA and the TTVPA in accordance with the strategic objectives of the Plan to maximise the growth of Plymouth. Policy SPT3 provides for a minimum of 19,000 new homes to be

developed within the PPA over the Plan period in accordance with this objective.

61. Within the TTVPA, development is focussed on the six main towns of Dartmouth, Ivybridge, Kingsbridge, Tavistock, Totnes and Okehampton, to reinforce the role of these towns as sustainable service centres and positively protect the more sensitive rural locations including the AONBs and National Park. Policy SPT3 provides for at least 7,700 new dwellings to be developed within the TTVPA over the Plan period.

Plymouth Policy Area

62. In order to deliver at least 19,000 new homes in the PPA during the Plan period to meet the strategic objective of reinforcing Plymouth's role in the south west region, an annualised delivery rate of some 950 dwellings is required.
63. Whilst the levels of housing delivery in the early years of the Plan do not provide support for the maintenance of the high rates of provision proposed, the delivery of the policies remains at a relatively early stage and the distribution of housing development in the Plan supports important economic and environmental objectives for the three Council areas. It also reflects the vision and objectives of the Plan to focus growth on the City.
64. In these circumstances the level of housing provision for the PPA is justified. The on-going monitoring of housing completions within the PPA will indicate whether the strategy, in relation to the level of housing provision, will be delivered over the Plan period, or whether some modification may be necessary by the time of the five-year review. This is a pragmatic approach.

Thriving Towns and Villages Policy Area

65. The delivery of a minimum of 7,700 homes within the TTVPA within the Plan period would require an annualised housing provision of some 385 dwellings per year. We deal with the supply and delivery of housing later in the report, but in view of the past and continuing performance in terms of housing delivery within the TTVPA, we are satisfied that this figure is capable of being met.
66. In terms of distribution within the TTVPA, a relatively high proportion of the need for housing which arises within West Devon is to be directed to the PPA and to South Hams rather than being met within the West Devon Borough Council area. The OAN for West Devon, excluding the 300 dwellings expected to be provided within the DNP, is calculated at 4,862 dwellings over the Plan period (TP3Rev2 Table 11b), whereas the Plan makes provision for some 3,561 new dwellings within the West Devon part of the TTVPA. This is some 1,700 dwellings below the forecast need (TP3G Table TTV4).
67. There is no indication in Government policy or advice that a requirement for housing in one local authority area cannot be met outside that area. However, there may be economic and social consequences which arise from the scale of the difference between the level of OAN and the housing provision proposed in the Plan. These include a recognition that the lower provision of housing in

West Devon could have an impact on the availability of workers to fill locally based jobs, with the potential for some impact on the local rural economy. In addition, the provision to meet the needs arising within West Devon partly within the PPA (800 dwellings) and partly within the South Hams part of the TTVPA (900 dwellings) (TP3 Rev2 para 5.80 onwards) may not align with the housing needs of the local population of West Devon.

68. Nevertheless, the distribution of housing within the TTVPA reflects the vision and objectives of the Plan to positively protect the more sensitive rural locations within the Plan area, and there is no evidence to justify a change to the vision and objectives. Furthermore the Plan is seeking to provide a more sustainable pattern of growth by focussing development in and around the City, rather than encouraging commuting to the City from the rural areas. In addition any impacts on the local economy and the housing market within West Devon will be the subject of monitoring as the policies are implemented, and the results may be considered when the Plan is reviewed.
69. However to ensure Policy SPT3 and its monitoring is clear and effective, the apportionment of the housing requirement within the Plan area needs to be clearly identified as being separate and non-transferable between the PPA and TTVPA. This also needs to be set out in the monitoring framework. **MM3** makes these necessary changes.

Conclusions on spatial distribution of housing

70. The distribution of housing between and within the PPA and the TTVPA as proposed accords with and would deliver the vision and objectives which underpin the Plan. The proposed distribution has been positively prepared and is justified.

Issue 4 - Whether the Plan sets out a positively prepared strategy for the supply and delivery of housing development that meets affordable and local housing needs and provides a five year housing land supply and site allocations that are soundly based.

71. The overall housing supply is summarised in figure 3.3 of the Plan. For effectiveness this needs to be amended to reflect updated evidence and supply figures for an April 2017 base date rather than 2016 [**MM3**]. This modification updates the housing supply figures as follows:
- Dwellings completed from April 2014 to April 2017, dwellings under construction at April 2017 and dwellings on sites with planning permission at April 2017.
 - Sites more than 0.25 hectares in size allocated in the Plan.
 - A Sustainable Village allowance for the TTVPA of 550 dwellings.
 - A windfall allowance of 1,398 dwellings (annual average 69.9).
 - An allowance for houses in multiple occupation being released back into general housing of 397 dwellings (annual average 19.85).

- Demolitions to be deducted from total supply is 872 dwellings.

Completions and commitments

72. The level of completions, dwellings under construction and commitments included within figure 3.3 as modified under **MM3** are based on the results of monitoring at April 2017 and we are satisfied as to the level of certainty of the figures. For the PPA these provide some 12,129 dwellings; for the TTVPA these provide some 5,102 dwellings; and for the Plan as a whole these provide some 17,231 dwellings towards the overall housing supply at April 2017.

Allocations

73. With regard to the housing sites which are allocated within the Plan, we are satisfied that those allocated within the PPA have been thoroughly assessed, are soundly based and are likely to be deliverable, though we recognise that market conditions need to be favourable to achieve the necessary rates of delivery. This will need to be effectively monitored and managed.
74. Some changes are necessary to update the housing capacity of individual allocations to accurately reflect the evidence. **MM4** and **MM12** increase or reduce the amount of housing to come forward from several sites in the PPA and the TTVPA. Such changes were discussed at the hearings, are justified by the evidence and are necessary for effectiveness. It is also necessary to ensure that supporting text is consistent with the policy. As such the number of homes proposed within Chillington in paragraph 5.146 of the Plan needs amending so that it is the same as that set out in Policy TTV29.22 [**MM31**].
75. Policy PLY44 allocates land at Woolwell as a mixed use sustainable urban extension including about 1,880 homes within the Plan period. Based on the evidence this figure needs updating as about 1,560 dwellings are now anticipated during the Plan period. The policy also restricts occupation of any dwellings on the site until the A386 Woolwell to the George Junction Transport Scheme has been implemented. This is overly restrictive and not consistent with national policy. A more flexible approach to allow the occupation of some dwellings where it would not result in a severe impact on the operation of the local network is reasonable. Contributions to secondary school provision also needs to be added to the policy. These changes are set out in **MM14** which are necessary for soundness. Whilst it has been suggested that criterion 9 of Policy PLY44 should be deleted, this does not set out a specific requirement but seeks to maximise opportunities for on-site energy generation. As such it is justified.
76. **MM19** is necessary to reduce the amount of housing to be delivered on fields to the north of St Budeaux A38 junction (Policy PLY59.12) to ensure it is consistent with the evidence. In addition the policy does not clearly define how the conservation and enhancement of the significance of the specific heritage assets within the vicinity of the site will be achieved. The modification adds appropriate wording to the policy so that it is sound in this respect.
77. In relation to housing site allocations within the TTVPA, we are satisfied that most have been through a rigorous site selection process and are soundly based. However we do not consider this is the case for all the site allocations

in the Areas of Outstanding Natural Beauty (AONB). Whilst sites located in Dartmouth, Kingsbridge, Bere Alston and Salcombe are justified as they would bring local economic and community benefits to the area, there is insufficient evidence to support the allocation of two sites within the AONB.

78. In the case of site allocations West Alvington Hill (Policy TTV15.1) and land south east of Carehouse Cross, Stokenham (Policy TTV29.23) there is little evidence that the impact of the proposals on the landscape and scenic beauty of the AONB has been given due consideration. Accordingly the allocations are not sufficiently justified, and we recommend their deletion from the Plan [**MM31**]. Although the West Alvington Hill site benefits from a grant of planning permission, its deletion as an allocation will ensure that the principle of development on the site could be reconsidered in the event that the permission is not implemented. Changes to the Policies Map will also need to be made to reflect this modification.
79. Whilst development at the Quayside site in Kingsbridge (Policy TTV13) is justified, we nevertheless recommend a reduction in the number of dwellings from 100 to 60 new homes to ensure that the balance between environmental and economic considerations is met [**MM26**]. It is also necessary to amend the policy so that the design of the site is appropriate to its AONB location including the retention of trees and their canopies, sufficient car parking is retained to support the town's shopping and tourism roles, it does not impact on water quality in the Salcombe to Kingsbridge Site of Special Scientific Interest and gives appropriate consideration to contamination. These changes are also set out in **MM26**.
80. Policy TTV6 needs amending to update the housing figure for the site to reflect the planning permission. It is also necessary to refer to the South Hams Special Area of Conservation Landscape Connectivity Zone, the retention of educational facilities, flood risk and water quality management, measures to avoid loss of inter-tidal habitat and the conservation or enhancement of the Scheduled Monument and its setting. The policy requires high quality design so the addition of wording in the supporting text for development to be guided by a design code is reasonable, particularly as this would only be relevant if a new planning application is submitted. **MM23** sets out these required changes.
81. Policy TTV22 allocates mixed use development on land at Plymouth Road. The housing figure needs increasing to 300 to reflect updated evidence [**MM27**]. The site is bisected by a narrow lane and the policies map allocates the northern part of the site for employment use and the southern part for residential. However this distinction is not set out in the policy. The Councils have put forward changes to the policies map to rectify this. Nevertheless to reflect the northern part's proximity to a commercial area it is necessary for there to be some guidance on the potential locations for the employment and residential elements within the site. Whilst **MM27** adds wording to the supporting text of the policy to explain this it quite rightly does not set it out within the policy as this would be too restrictive.
82. Furthermore, whilst a landscape buffer along the west of the site may be reasonable, the specific requirement for this to be 90 metres is overly restrictive and not supported by evidence and therefore needs to be deleted.

The size of the buffer should be determined through an appropriate landscape and visual assessment. As there is no Dolvin Road air quality management area this reference needs to be removed from the policy. Due to the site's location on the edge of the town a lighting strategy is appropriate. **MM27** makes these necessary changes to Policy TTV22.

83. Policy TTV29.20 allocates mixed use development at Shadycombe in Salcombe. The housing provision is to be reduced to 20 dwellings to reflect up to date evidence [**MM33**]. The modification also makes further changes in relation to design and protects water quality for the Salcombe to Kingsbridge Site of Special Scientific Interest.
84. In relation to Dartington Hall, it is necessary to delete Policies TTV29.4, TTV29.5 and TTV29.10, and instead replace them with a new Estate Framework policy and associated supporting text, to ensure that development within the estate adequately provides for the ongoing conservation, enhancement, and enjoyment of the historic environment. The new policy supports development 'including in the order of 120 dwellings' to be brought forward through the production of an Estate Framework. This is achieved through **MM30**.
85. This new policy was the subject of detailed discussion at the hearings, including between the Dartington Hall Trust, the Councils and Historic England. The inclusion of a housing figure is justified and the term 'in the order of' allows flexibility in the actual amount to be permitted. We consider that the changes will provide a suitable tool through which future development of the Dartington Hall Estate will be planned and against which future planning applications will be determined. A consequential change to Paragraph 5.122 to reduce the amount of employment land to reflect the modifications is also added to **MM30**.
86. **MM28** adds new criteria for open space, landscaping and design to Policies TTV24.1, TTV24.2 and TTV29.15 to ensure these development sites include appropriate guidance on these matters.
87. Policy TTV24.5 (Kelly Preparatory College) seeks development for extra care housing. However the site is not in a sustainable location for this type of accommodation being some distance from local shopping facilities and services. Furthermore, the evidence does not demonstrate that this type of accommodation is needed in this location. Accordingly it is necessary to delete the site from the Plan as it is not justified [**MM29**]. The future use of the now listed building within the site can be determined through the development management policies of the Plan should any planning application come forward for consideration.
88. As a result of the modifications to the allocated sites, the total number of dwellings forecast for completion from the site allocations in the PPA is 8,412 and in the TTVPA it is 2,861. This provides for some 11,273 dwellings in the Plan as a whole. These amended figures are to be included in the Plan as set out in **MM3**.

Sustainable villages allowance

89. Figure 5.8 in the Plan identifies the sustainable villages and indicative levels of housing provision for each village. This includes villages within the AONB. However these are not justified as the evidence does not demonstrate that due consideration has been given to the level of protection AONB has in national policy. These villages are therefore to be deleted from figure 5.8 as set out in **MM35**. However the deletion of villages within the AONB from the list does not necessarily rule out any housing development in these locations over the period of the Plan. Where there is evidence to demonstrate that unacceptable harm will not be caused to the AONB, proposals may continue to be brought forward through neighbourhood plans in accordance with Policy DEV27.
90. The allowance for development in the sustainable villages needs to be reduced to 550 dwellings to reflect the deletion of villages within the AONB from figure 5.8. This needs to be incorporated within Policy TTV30 to ensure that the level of housing provision expected to be delivered and the overall policy intentions are clear [**MM34**]. It also provides consistency with the changes to the housing supply figure 3.3 proposed under **MM3**. Consequential changes to figure 5.1 are also necessary and this requirement has been added to **MM3**.
91. **MM34** and **MM35** also makes some other changes to Policy TTV30 and its supporting text to ensure it is clear that the housing numbers in figure 5.8 are indicative only. Actual provision is to be provided through neighbourhood plans or through meeting identified local needs, subject to being consistent with other relevant Plan policies. It also adds some villages and deletes others within Figure 5.8 to reflect the evidence and ensure the list of sustainable villages is justified. Whilst the amended wording refers to development being 'within' the sustainable villages, the Plan does not define settlement boundaries. It will be up to neighbourhood plans or other development plan documents to determine what sites are 'within' each settlement.

Windfall allowance

92. Robust evidence (TP3 and TP3Rev) supports the supply of non-garden windfall forecasts for the PPA and the TTVPA. To avoid double counting with supply from existing commitments the windfall rate is applied to the calculation of supply from 2020/21 onwards. No allowance is included in the years 2017/18, 2018/19 and 2019/20 to avoid overlap with delivery of dwellings on small site commitments. The total provision for the PPA is forecast to be some 602 dwellings, for the TTVPA it is 796 dwellings with a total of some 1,398 for the Plan area as a whole. This allowance is justified.

Houses in multiple occupation being released back into general housing

93. An allowance is included in the calculation of housing supply for the release of houses in multiple occupation by students primarily because of the development of purpose-built student accommodation within Plymouth. Details of the assumptions and evidence which underpins this allowance is set out within Policy HO16 and the housing topic papers, including TP3 Rev 2. We are satisfied that the figure of 397 dwellings included within the calculation of housing supply for the PPA is reasonable.

Demolitions

94. The assessment of supply considers the demolition of some 857 affordable houses in the PPA, and a total of 872 dwellings for the whole of the Plan area. The evidence submitted within the housing topic papers demonstrates this to be a reasonable assessment of the impact of demolitions on the overall housing supply.

The supply of housing over the plan period

95. The provision made for housing land supply as discussed at the examination hearings is set out in the revised March 2017 housing trajectories appended to TP3(rev). The identification of and forecasts for the delivery of sites included within the trajectories were informed by the Strategic Housing Land Availability Assessment (SHLAA), and through further discussions with landowners and developers following the request set out in our letter to the Councils of September 2017 (EXC2).
96. For some housing sites the originally submitted trajectory needs to be amended to reflect up to date information from developers and landowners. In other cases, in particular if the views of developers or landowners have appeared unduly optimistic, no amendments are made. The basis for the information on lead in times and delivery rates of committed and allocated housing sites are identified in TP3H for the PPA and TP3I for the TTVPA, produced in November 2017.
97. Following the examination hearings, the Councils published updated trajectories to show changes to the Plan allocations' site capacity and forecast delivery as agreed during the hearings. These were published in April 2018 as EXD61A for the Plan area as a whole, EXD61B for the PPA and EXD61C for the TTVPA.
98. A substantial evidence base has been accumulated by the Councils regarding the capacity of sites identified within the trajectories and their likely rates of delivery. This includes information from the developers, landowners and land agents who are involved in and have first-hand knowledge of the sites. We are satisfied that the October 2018 trajectories provide a reasonable forecast of potential housing supply and its availability for delivery over the Plan period.
99. However the Plan does not contain housing trajectories. Consequently **MM4** adds a new Annex to the Plan to include housing trajectories. These are necessary to ensure the Plan is effective and to assist monitoring of housing delivery.
100. With a total potential supply of some 20,668 dwellings in the PPA and some 9,309 dwellings in the TTVPA, the overall provision for the Plan is some 29,977 dwellings. This provides for a surplus of 3,277 dwellings over the Plan period or headroom of 12.3%. We consider that this buffer will provide flexibility in the delivery of the housing required to meet Policy SPT3 and supports our view that the requirement for 26,700 dwellings is capable of being met. The Plan therefore provides an effective and realistic illustration of the expected rate of housing delivery for the plan period, assists in significantly boosting the supply of housing and therefore complies with the NPPF.

The five year housing land supply

101. In addition to the requirement to illustrate the expected rate of housing delivery for the plan period, NPPF paragraph 47 bullet point 4 requires the Plan to set out a housing implementation strategy for the full range of housing describing how the delivery of a five-year supply of housing will be maintained to meet the housing target. In addition, paragraph 49 requires that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing.
102. Figure 3.4 of the Plan as modified by **MM3** estimates the 5 year land supply from the anticipated point of adoption of the Plan for the PPA and for the TTVPA. The October 2018 trajectories, TP3J for the Plan area, TP3K for the PPA and TP3L for the TTVPA, include illustrations of the rolling 5 year land supply for the remainder of the Plan period.
103. It is the intention of the Plan that each policy area will be responsible for the maintenance of the supply of housing required in accordance with the distribution identified in Policy SPT3. The housing requirements are intended to be separate and non-transferable, such that any shortfall in the supply of housing in one policy area must be made up within that area and not remedied in the other policy area. This provision is set out in Policy SPT3 through **MM3**.
104. The requirement for each policy area to maintain its own five year supply of housing land supports the Plan strategy to direct the highest level of residential development to the PPA and support the strategic role of Plymouth as a regional city and economic driver for the south west. If a shortfall in the PPA was to be met through provision in the TTVPA this would have the potential to undermine that strategy.
105. Although the PPG refers to the responsibility for each local planning authority to demonstrate a supply of housing land to meet its own targets for provision, allowance is made for joint local plans to maintain a housing land supply across local authority boundaries. No provision is made in PPG for a joint local plan which divides its area across administrative boundaries to form planning policy areas. However, there is a clear strategic policy reason for the Plan to separate the housing land targets between the two policy areas, and for the Plan to seek to prevent any surplus provision within the TTVPA as a means of compensating for any shortfall in the PPA. In these circumstances we find the approach adopted in Policy SPT3 through **MM3** to be justified.

Five year housing supply: PPA

106. Previously in our report we have referred to the need for effective monitoring and managing of housing delivery within the PPA, in order to achieve the level of provision required. Our concerns do not relate to the availability of the land supply, but to the level of demand in the housing market required to achieve those rates of delivery. In the event that the housing market in the PPA does not deliver the rate of housing required to meet the targets, shortfalls will be highlighted through annual monitoring and the assessment of the five year

housing land supply. In this way the Plan's strategy will be tested and the need for any review will be recognised.

107. The Councils have carried out a thorough review of the 5 year housing land supply within each policy area. TP3K Table PPA1 provides the detailed site by site trajectory for large sites within the PPA. It indicates actual and forecast delivery for each of the large sites with planning permission, and each of the site allocations over the whole of the plan period and provides for a total of 20,196 dwellings.
108. Table PPA2 in TP3K identifies all the supply categories for the PPA to provide the actual and forecast housing supply of 20,668 dwellings from 2014 to 2034. In Table PPA6 the actual and forecast supply is then compared with the overall requirement for a minimum of 19,000 dwellings in the PPA, with an annualised requirement of 950 dwellings.
109. With a shortfall in provision since the start of the Plan period to March 2017 of 273 dwellings, there is a target requirement for 5,023 dwellings within the following 5 years. In accordance with the advice in the NPPF, we consider that a buffer of 20% should be added to that figure to ensure choice and competition in the supply of land and support the prospect of achieving the target.
110. With a 20% buffer the five year target for the PPA is 6,028 dwellings at 1 April 2017. We have indicated that we are satisfied that the work carried out by the Councils both before and during the examination has generally verified the availability of the supply of housing land for the Plan period.
111. The Councils anticipate the adoption of the Plan in 2019. To demonstrate a 5 year supply at the point of adoption, Table PPA6 rolls forward the cumulative completions for the end of each monitoring period and compares them against the cumulative strategic allocation. Table PPA6 anticipates completions to rise above a rate of 1,000 dwellings for the 2 years from 2017 to 2019, then to remain consistently above 1,000 dwellings from 2020 to 2027. In terms of the availability of land for housing, we consider that there is the potential for this level of delivery to be achieved, subject to market conditions.
112. The monitoring position at the end of March 2018 for the PPA (EXD64) indicates that the forecast for the delivery in 2017/18 of 1,230 net new dwellings (EXD61B Table PPA2), has not been met. There were 1,048 completions in the year to end of March 2018, and the Councils attribute this shortfall to the severe weather conditions of the winter. There was a substantial increase in dwelling starts during the year, with a high level of houses under construction at March 2018 with completion stated to be delayed because of poor weather conditions.
113. The shortfall on the forecast for March 2018 does mean that an additional 182 dwellings remain to be completed in the five years from 1 April 2018. Table 1B in EXD64 provides an update to the housing land supply at 1 April 2018. The updated position for 2018 indicates a requirement for 6,246 dwellings (with the 20% buffer) and a supply of some 6,601 dwellings, which provides 5.3 years of supply.

114. Figure 3.4 of the Plan sets out the forecast for the 5 year housing land supply at April 2018. **MM3** updates this so that it shows the supply from April 2019. This indicates that there would be a deliverable supply of 6,050 dwellings in the PPA, equating to 5.4 years of supply. This is based on the April 2017 monitoring figures which include the forecast of 1,230 net completions in the PPA for 2017/18. However, as explained in EXD64, the shortfall on that forecast at March 2018 does not affect the five year supply figures since the dwellings which were not completed in 2017/18 are added to the five year supply in addition to the supply identified in the PPA trajectory.
115. The snapshot of the five year supply at March 2017, and the updated position for April 2018 which is based on the March 2018 monitoring work indicates a supply of land capable of delivering a five year supply of housing for the PPA. Having regard to the detailed work which has been undertaken by the Councils to verify the availability and deliverability of the land supply, we are satisfied that the Plan meets the tests in NPPF paragraph 47 and identifies a five year supply of housing land for the PPA. Whether or not the levels of completion are met in order to deliver the increase in supply which is required in the PPA, will to a large extent depend on the strength of the market within the PPA.

Five year housing supply -TTVPA

116. In TP3L, Table TTV1 provides the detailed site by site trajectory for large sites within the TTVPA and is based on evidence relating to the 2017 monitoring point. It indicates actual and forecast delivery for each of the large sites with planning permission, and each of the Plan allocations over the whole of the plan period, to provide a total of some 6,920 dwellings.
117. Table TTV2 in TP3L identifies all the supply categories for the TTVPA to provide the actual and forecast housing supply of some 9,300 dwellings from 2014 to 2034. The actual and forecast supply is then compared in TTV6 with the overall requirement for a minimum of 7,700 dwellings in the TTVPA, with an annualised requirement of 385 dwellings.
118. There has not been any under delivery in the TTVPA since the start of the Plan period, and therefore we consider that a buffer of 5% would be appropriate in the assessment of the five year housing land supply. With a 5% buffer and taking into account the residual surplus in completions, the target five year supply at April 2017 for the TTVPA is 1,902. The land identified as available for residential development in Table TTV6 at April 2017 provides for 8.7 years of supply, with a 5% buffer.
119. For the anticipated date of adoption of 2019, Table TTV6 rolls forward the cumulative completions for the end of each monitoring period and compares them against the cumulative strategic allocation. In each year for the TTVPA the surplus in completions over the annualised requirement increases. We accept that this level of completions is realistic within the TTVPA where the market demand for housing is relatively strong. In figure 3.4, as modified by **MM3** the calculation for the 5 year housing land supply at April 2019 is set out, which indicates that there would be a deliverable supply of 3416 dwellings, equating to 9.1 years of supply in the TTVPA from the anticipated point of adoption.

120. Results of monitoring at March 2018 indicates that the TTVPA has continued to deliver above the housing land requirement for the year 2017-2018 with the completion of 639 net additional dwellings (EXD63). This is an additional 131 dwellings in excess of the forecast for 2017-18 identified in EXD61C. The difference in performance between the PPA and the TTVPA could be attributed to the difference in market strength. This underlines our concerns regarding the deliverability of the housing strategy for the PPA and the need for effective monitoring and the timing of any review.
121. Figure 3.4 of the Plan as modified [**MM3**] is based on the 2017 monitoring point. Table 2B of EXD63 identifies the five year supply at 1 April 2018 based on the March 2018 monitoring point. This identifies 8.7 years of housing land supply with a 5% buffer. The forecast of supply for the TTVPA is based on evidence which has been thoroughly researched and tested for the Plan, and we are satisfied that the requirement of the NPPF for a five year housing land supply at the time of adoption is met within the TTVPA.

Meeting affordable and local housing needs

122. Policy SPT3 identifies the level of housing required to meet the need for affordable housing in each of the policy areas. The Plan seeks to deliver a mix of housing provision together with a percentage of affordable housing within new housing schemes as identified in Policies DEV7 (for the PPA) and DEV8 (for the TTVPA). These two policies require at least 30% affordable housing, a level that is robustly justified by the evidence.
123. Policy DEV7 sets out requirements for meeting local housing needs within the PPA. It requires affordable housing on sites of above 10 homes and only permits an off-site contribution for sites of between 11 and 14 dwellings. To allow reasonable flexibility **MM40** requires the addition of the words 'or where robustly justified' within the policy and supporting text. It also clarifies that an off-site contribution may mean actual provision off-site or a commuted payment in lieu of this.
124. Policy DEV8 sets out the requirements for meeting local housing needs within the TTVPA. It requires affordable housing on sites of 11 houses or more. However in rural areas with special designations, developments of 6 to 10 dwellings are required to provide an off-site commuted sum to deliver affordable housing to the equivalent value of 30% of the number of dwellings in the scheme. For clarity on what is meant by 'special designation' **MM41** adds reference to section 157 of the Housing Act 1985 within the policy and the Plan's glossary. It also clarifies when off-site provision or commuted payments may be appropriate and deletes reference to areas of high value. Furthermore a reference to Policy DEL1 and viability is added to the supporting text for clarity.
125. To ensure that proposals for housing to meet local needs in the rural areas, including villages within the AONB, can be adequately considered, a new TTV Policy 'Meeting local housing needs in rural areas' is necessary [**MM36**]. This policy enables residential development to take place in locations in which it would not normally be permitted, to meet a proven need for affordable housing for local people. Therefore, the modification also deletes the first

criterion in Policy TTV31 which relates to development in the countryside. This is required for effectiveness and consistency with national policy.

Gypsies, travellers and travelling showpeople

126. The needs for gypsy, traveller and travelling showpeople accommodation has been robustly assessed through the South West Devon Gypsy and Traveller Needs Assessment (2016). This identifies a need for 3 pitches for travellers in South Hams and 1 plot for travelling showpeople in Plymouth for the plan period.
127. No sites are allocated within the Plan as none were put forward as part of the 'call for sites' exercise and the Councils have been unable to identify any other suitable sites. However since the start of the Plan period planning permission for two gypsy and traveller pitches in South Hams has been granted. Accordingly this meets a large proportion of the identified needs and provides a supply of more than five years.
128. Policy DEV13 sets out criteria subject to which accommodation for gypsies, travellers and travelling showpeople will be permitted. This is a pragmatic approach and the policy supports the delivery of suitable sites, allowing gypsy, traveller and travelling showpeople households and communities to bring forward sites that meet their specific needs.
129. However, whilst criterion 1 of Policy DEV13 implies that sites within the countryside may be acceptable if they are not located away from settlements, the way that the policy is negatively worded does not make this explicitly clear. The policy is amended through **MM42**, to state that new sites in the countryside should be located near to existing settlements. This is necessary to ensure that the policy is consistent with national policy and provides flexibility so that there is a realistic prospect of the full identified needs being met during the plan period. Subject to this modification the approach to meeting gypsy, traveller and travelling showpeople accommodation needs is sound. Furthermore we are satisfied that the Plan's approach meets the Equality Act considerations.

Conclusions on housing land supply

130. Having considered the components of land supply, and the rigorous testing of the deliverability of those components of supply by the Councils, we are satisfied that the Plan sets out a positively prepared strategy for the supply and delivery of housing development that meets affordable and local housing needs and provides a five year supply of housing land and site allocations that are soundly based.

Issue 5 - Whether the strategy for employment land and retail, city centre and town centre development has been positively prepared and is justified, effective and consistent with national policy.

Employment land

131. As set out under issue 2, the economic development needs of the Plan area have been assessed in line with the PPG, take account of past trends and a

10-year migration projection, include adjustments for specific local circumstances and reflect the growth agenda for the area. These result in around 20,400 new additional jobs being needed over the plan period. Approximately 13,200 of this will be generated in B-use class employment industries with the remaining 7,200 jobs provided through other uses including retail, education and health care provision. These figures generally align with the household projections, are consistent with past trends and are justified.

132. Nevertheless they need to be clearly set out within the Plan to ensure that monitoring delivery of jobs and the overall economic development strategy is effective. **MM6** rectifies this.
133. The Heart of the South West Local Enterprise Partnership Strategic Economic Plan sets out an ambitious growth agenda for Devon, Plymouth, Somerset and Torbay. However it does not provide specific district and HMA employment growth figures and its use to uplift the jobs requirement within the Plan area is not justified. Nevertheless the Plan's employment provision will contribute to delivering this wider economic growth agenda.
134. An employment floorspace requirement of around 312,700 sq m is identified in the Plan, based on a conversion of the 13,200 jobs requirement. This is set out in Policy SPT4. The policy also states that this equates to a requirement for approximately 82 hectares (ha) of employment land. However, whilst the 82 ha land figure includes a 20% margin to allow for 'churn and choice' in employment sites, as referred to in the evidence, the floorspace figure does not. **MM5** increases the amount of employment floorspace required over the plan period to 375,208 sq m to ensure consistency with the 82 ha land requirement figure.
135. The modification **MM5** also adds the words 'at least' to the policy to ensure there is greater flexibility in provision within the PPA and TTVPA in accordance with national policy. Furthermore it is not necessary to allocate Policies PLY46.2 and PLY59.6 as these are existing commitments. For clarity and consistency within the Plan, **MM5** deletes these allocations. Instead these two sites are to be defined as commitments on the policies map in line with other similar sites.
136. The employment floorspace requirement is divided between the PPA and TTVPA, with most being proposed in the PPA. This approach accords with the Plan strategic objective to maximise growth in the city and is sound.
137. The methodology for assessing and selecting employment sites is reasonable and proportionate and the selected sites within the Plan are justified by the evidence. However several modifications to some of the site allocation policies are necessary to ensure soundness.
138. Whilst Policy TTV6 provides for mixed use development on land at Noss on Dart the inclusion of use class B8 is necessary so that the policy allows sufficient flexibility to deliver the employment provision (**MM23**). **MM24** updates the employment floorspace figure in Policy TTV8 for the mixed use site east of Ivybridge to reflect the planning permission.

139. Policy TTV29.11 is restrictive in the employment uses to be permitted within the site, which is not justified. **MM32** updates the employment floorspace figure and adds additional employment use classes to allow greater flexibility in provision.
140. Policy DEV14 seeks to maintain a flexible supply of employment sites. However it includes a criterion that requires sites allocated in the Plan for employment uses to be protected. To ensure flexibility and consistency with national policy **MM43** is necessary to delete this criterion. This will allow such sites to be regularly reviewed to avoid long term protection of sites which have no reasonable prospect of being used for employment.

Langage

141. Policy PLY51 allocates 247,300 sqm of floorspace at Langage for employment uses, as an extension to the existing strategic employment site. This allocation is separate from and in addition to the Plan employment floorspace requirement. However the Plan does not adequately explain this or clearly set out its regional significance and the need for a long term strategy for delivery. Neither is this clear in the supporting text for Policy SPT4. Modifications **MM16** and **MM5** provide the necessary explanations to make this clear in the Plan. Furthermore **MM16** corrects the floorspace figure in Policy PLY51. These modifications are necessary for soundness.

Retail, city and town centres

142. The Plymouth, South Hams and West Devon retail studies conclude that there is little quantitative need for new net convenience or comparison retail floorspace across the plan area up to 2026 and a relatively modest need for the remainder of the plan period. However it does recognise a qualitative need to meet identified gaps in retail provision within the Plan area, particularly within the PPA. The Plan positively plans for and supports this retail provision through Policies SPT5 and SPT6, site allocations and several criteria based development management policies.
143. Policy SPT6 identifies the retail hierarchy and along with specific site allocations, seeks retail provision within existing and proposed new retail centres. It identifies a centres first approach for retail development and other town centre uses, giving primacy to Plymouth City Centre, then district centres, followed by local and other centres. This approach is justified and the retail hierarchy is based on robust evidence. Nevertheless **MM7** is necessary to amend the policy as it confusingly refers to village centres in relation to towns. This modification amends the policy to refer to 'retail centres' and provides clarity that this only applies to the smaller towns and larger villages in the TTVPA. The modification also removes Lifton and Stokenham/Chillington from the retail hierarchy as these settlements do not have defined retail centres. This modification is necessary for soundness.
144. Policy PLY6 sets out the framework for development in Plymouth city centre, based on the themes and initiatives identified in the 2016 City Centre Masterplan. As it is one of the most complete and important examples of post war planning and rebuilding in the country formed from the Abercrombie Plan

of 1943, it is essential that this is recognised within the policy. To address this **MM10** adds specific reference to the Masterplan and the historic context of the built form along Armada Way to the policy. The modification also highlights the need to reconnect the city centre with neighbouring areas through developing high quality walking and cycling links, explore opportunities for weather protected spaces and include flood management infrastructure where appropriate. These changes are necessary for effectiveness.

145. Policy DEV6 seeks to restrict new hot food takeaway premises within the vicinity of secondary schools in Plymouth, specifically a 400m zone. Childhood obesity is a significant national health issue and the NPPF is clear that planning has an important social role to play in creating healthy communities and supporting well-being. The evidence shows that there are established hot food takeaway premises within the 400m zones. These would not be affected by the policy. Furthermore new premises could be developed outside the zones, subject to being consistent with other relevant Plan policies. Overall we are satisfied that the policy will assist in positively managing the food environment around Plymouth's secondary schools and, based on the available national and local evidence, is justified.
146. As Policy DEV16 seeks to ensure that retail and town centre uses are provided in appropriate locations, it is necessary through **MM44**, to add the Derriford commercial centre, to ensure effectiveness and consistency with other Plan policies. The local thresholds set out within the policy would achieve an acceptable balance between maintaining the retail function of the centres and providing flexibility to accommodate an appropriate range of other uses and are justified by the evidence.
147. Policy DEV18 seeks to protect local shops and services and includes seeking to limit the amount of non-retail units within TTVPA main town primary shopping areas. Whilst this approach is reasonable, the figures in the policy do not correctly reflect the evidence. To ensure the policy is justified and effective **MM45** is necessary to replace the wording in the policy with the correct percentage limit for each town. For reasons of consistency with national policy and to aid clarity, this modification also adds a new criterion, to ensure that development in the centres contributes to the vitality of the area and does not lead to inactive frontages.
148. As proposed by the Councils changes to boundaries need to be made to the policies map at adoption.

Conclusions on employment land, retail, city and town centres

149. In conclusion, subject to the MMs, the Plan sets out a positively prepared strategy for employment land and retail, city centre and town centre development which is justified, effective and consistent with national policy.

Issue 6 – Whether the Plan sets out a positively prepared strategy for transport and other infrastructure which is soundly based.

150. The Infrastructure Needs Assessment (INA) (O9) is a comprehensive document that combines evidence from other studies to identify the strategic

transport and infrastructure measures required to support growth and development set out in the Plan. The Plymouth and South West Devon Plan for Infrastructure and Investment (the Infrastructure Delivery Plan) (IDP) (O10) demonstrates how the key infrastructure will be delivered. The preparation of these documents has been a collaborative process of working with key stakeholders and infrastructure providers and they include estimated timings, costs and funding sources where available.

Transport

151. Strategic connectivity of the Plan area to the wider UK and global economy is identified as a key driver to delivering a strong economy for Plymouth and South West Devon. In support of the planned growth in the Plan the Councils and County Council have taken a comprehensive and co-ordinated approach to transport planning and have co-operated with Highways England on strategic road network issues.
152. The Plan's spatial strategy focusses most growth and new development in the three defined Growth Areas within and adjacent to the city, plus the main towns and other urban areas, where accessibility to services, facilities and public transport networks are greatest.
153. Nevertheless, the comprehensive evidence recognises that even with development being in such accessible locations, the increased population and the associated growth in new housing and employment will still have some impact on traffic levels and existing transport infrastructure within the Plan area. Traffic modelling identifies those locations on the road network which are forecast to become congested in 2034, as a direct result of traffic generated by the proposed development allocations. The results for the PPA indicate that as the scale of growth adds around 14,000 additional vehicle trips per peak period, the PPA road network will experience additional congestion.
154. However, the delivery of essential sustainable transport measures and physical transport infrastructure improvements identified within the evidence are likely to reduce the need to travel, provide sustainable transport choices and promote a modal shift that reduces use of the private car and thereby reduce congestion. In terms of the latter point we note that the City Council's personalised travel planning approach to encouraging modal shift is shown to be an effective tool in reducing traffic levels.
155. The physical transport schemes required to be delivered are set out in the Plan. For the PPA this is set out in Policy PLY61 which includes improvements to the A38 trunk road and its junctions, increasing capacity of the A3064 including through bus priority measures, and improving the Western Corridor cycling and walking network. For the TTVPA transport measures identified include improvements to the A386 trunk road and rail infrastructure and a new link road in Okehampton. These measures are robustly evidenced, are necessary to support growth and are therefore justified. There is no substantive evidence to justify that further strategic transport interventions are essential to support the Plan.
156. We note that Policy PLY61 also sets out the need for a Western Corridor park and ride facility. However, as this is proposed to be delivered in Cornwall,

MM56 is necessary to delete it from the policy to ensure that the Plan is legally compliant as it can only contain policies for the Plan area. Whilst this is a new modification that was not consulted on as part of the MM schedule its deletion does not impact on the Plan area and therefore the participatory process is not prejudiced.

Air quality

157. There are three Air Quality Management Areas (AQMA) within South Hams, all designated due to traffic emissions. Traffic generated by development proposed in the Plan will have an impact on two of these. For the Ivybridge (Western Road) AQMA, the existence of an alternative route to the A38 and other major destinations away from the AQMA means that it is reasonable to consider that a relatively small proportion of the traffic generated by the proposed new developments would pass through the AQMA.
158. Policy TTV9 is a site allocation for housing to the east of Ivybridge. To ensure that the strategy to mitigate any impact on the Western Road AQMA is effective by including appropriate proportionate contributions to any relevant Air Quality Action Plan and traffic management schemes, **MM25** is necessary.
159. The impact on the Totnes AQMA would be greater due to more limited route options for some sites within or adjacent to the AQMA. However traffic generated from sites to the west would have access to other routes and destinations. Accordingly not all traffic generated from local development sites would need to pass through the AQMA.
160. The above factors, together with the projected use of ultra-low emission, hybrid and electric vehicles and improvements to sustainable transport options that support modal shift, are likely to result in the impact on air quality in the AQMAs being negligible.
161. Policy DEV2 is a development management policy that includes seeking mitigation of any impact on an AQMA where development is located within the AQMA. However, development proposals may also impact on AQMA when located outside the area, plus it may be more appropriate to avoid any impact rather than mitigate for it. In the interests of effectiveness and consistency with national policy **MM39** amends the policy wording to make this clear.
162. Concerns have been raised about the impact on air quality of traffic generated by new development in other locations within the Plan area. However, Policy DEV2 seeks to protect the environment and people from air pollution along with water, soil, land and light pollution (refer to issue 8 for more details). Furthermore the Plan requires appropriate modelling and assessments to be undertaken for proposals as part of the development management process. This is an appropriate approach.

Former Plymouth airport site

163. Aviation operations at the former Plymouth airport site ceased in 2011. The Plan identifies the site as a significant strategic infrastructure asset and Policies SPT8 and PLY42 seek to safeguard it for re-use as a general aviation airport, until the five year review of the Plan.

164. The 2014 Plymouth Airport Study (T11) has examined the financial viability and operational feasibility of re-using the site as an airport and has consolidated previous studies. It recognises the challenges facing the deliverability of a successful airport operation on the site, including the restricted size of the runway, the proximity of adjacent non-aviation development and infrastructure, operational and leasehold acquisition costs. It is clear that the main leaseholder, who also owns a small proportion of the land, plans to seek alternative uses for the site.
165. However whilst these are significant concerns the study also highlights that air operations, in compliance with Civil Aviation Authority licencing requirements, are possible. Several different feasibility options have been assessed within the study. It concludes that reinstatement of air services could be a possibility through one of the options, delivering a licenced airport with General Aviation activities. We recognise that this would require enough interest and demand for non-scheduled operations to provide a level of income necessary to cover the required capital and operational investment. It would also require Plymouth City Council as the primary freeholder of most of the site to take a pro-active role in resolving the leasehold acquisition issue, as the Council accepted at the hearings. It is clear that any proposition would need to be set out in a detailed business plan from a potential airport operator. Safeguarding the site for a limited period would allow time for detailed consideration of any such plans should they be brought forward. As the safeguarding policies are for a limited period they are justified.
166. Whilst it has been suggested that the site should be safeguarded for a much longer period, five years is a reasonable timescale for any aviation opportunities to be brought forward. Indeed we heard at the hearings that there is investment interest from a potential local private sector operator. A longer safeguarding period could risk the site being left vacant and unused for much longer than it already has. This would not be appropriate. The Plan identifies an appropriate timescale and pragmatic approach for safeguarding and reviewing the use of the site.

Other Infrastructure

167. The INA clearly identifies the necessary social and community infrastructure (including health, education, green infrastructure, sports and recreation facilities) to support development sought by the Plan. This has involved significant co-operation with a wide range of organisations and infrastructure providers. As with transport, the spatial strategy focusses most development on those locations with good accessibility to existing services and facilities. However, there is still a need for new and improved infrastructure.
168. Based on the evidence, the Plan identifies what infrastructure is necessary and in what location, with detailed requirements set out for each site allocation. This approach is justified and will ensure that suitable and adequate infrastructure is provided to support the delivery of specific developments and the level of growth planned overall in the Plan area.
169. Nevertheless it is necessary to amend some policy wording for several site allocations to ensure the policies are effective and consistent with national policy in delivering the infrastructure required.

170. Whilst Seaton Neighbourhood has planning permission, the provision of open space and landscaping needs to be added to the list of key principles to be applied to the approved scheme should revisions come forward in Policy PLY40 [**MM13**].
171. In relation to Policy PLY46.13 **MM15** adds wording to the policy to seek the retention of the existing playing pitches or provision of an equivalent or higher standard within the site, in order to be consistent with national policy.
172. Policy PLY58.2 allocates Home Park for stadium improvements and ancillary uses. Enabling uses could be acceptable to aid this development provided that they complement and do not prejudice the sporting use of Home Park and wider recreational use of Central Park not being prejudiced. This wording is added to the policy through **MM17** to ensure effectiveness.
173. To ensure that Policy PLY58.18 secures the re-provision and enhancement of sports facilities at Western Mill through the development of a new retail store amendments are made to the wording of the policy [**MM18**].
174. The use of enabling development to facilitate the development of the playing pitch hub and cycling facilities at Boringdon Park is an appropriate and pragmatic addition to Policy PLY60.11, subject to it being in keeping with adjacent development and the local character of the area. **MM20** makes these changes.
175. **MM32** is necessary to amend Policy TTV29.11 to ensure appropriate provision is made for schools to meet requirements.
176. Furthermore, to ensure Policy DEV33 is effective and consistent with national policy, it is necessary to amend the text so that it clearly sets out how major development will be required to support sustainable waste management within the different administrative areas covered by the plan area [**MM53**].

Conclusions on transport and other infrastructure

177. Overall the evidence demonstrates that subject to necessary transport and infrastructure measures, the scale and distribution of growth proposed in the Plan can be satisfactorily accommodated. Accordingly the Plan sets out a positively prepared strategy for transport and other infrastructure which is soundly based.

Issue 7 – Whether the Plan’s strategies and policies for the historic environment, natural environment, mineral resources, climate change, flooding and coastal management are soundly based.

Historic environment

178. The need to conserve and where appropriate enhance the historic environment forms an important part of the Plan’s vision and strategic objectives. Heritage issues have been considered in the site selection process to meet the growth needs of the area, as clearly demonstrated in the comprehensive Heritage Impact Assessment (HIA) (HE4). This includes robust assessments of the likely impact of development proposals on the significance of heritage assets.

Where necessary the HIA also identifies the measures required to avoid or mitigate any harm.

179. The Plan contains two policies (DEV21 and DEV22) relating specifically to the historic environment, though requirements are also identified in a range of other policies, particularly site allocations.
180. As Policy DEV21 and its supporting text sets out the overarching strategic approach for the historic environment its relocation to the spatial strategy chapter of the Plan will ensure it is clearly identified as a strategic policy. It is also necessary to reflect the strategic nature of the policy and ensure consistency with national policy by amending the title and references to enhancement. To aid clarity, unnecessary repetition of wording is deleted. Subject to these changes, set out in **MM47**, the policy is sound.
181. Policy DEV22 is a criteria based policy against which developments affecting the historic environment will be assessed. Several changes are necessary to ensure consistency with national policy and to make the policy sound. This includes deleting repetitious text, ensuring that appropriate assessments carried out for specific developments determine the impact on the significance of the asset, strengthening the approach to designated and undesignated heritage assets and clarifying when development may be permitted. **MM48** makes the necessary adjustments.
182. Parts of West Devon are designated within the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). Amendments to Policy DEV23 are required to ensure the policy is aligned to the WHS management plan and is effective in conserving and where appropriate enhancing its Outstanding Universal Value. **MM49** makes these necessary changes which includes referring to the cultural significance of the site, maintaining its authenticity and integrity, setting out how proposals will be assessed and requiring adequate assessments and evaluations.
183. Policy TTV31 which relates to development in the countryside does not refer to protecting or enhancing the historic environment. Whilst the Plan should be read as a whole, we nonetheless consider that for reasons of effectiveness and consistency within the Plan, it is necessary to add appropriate wording to the policy in this regard. However, to be consistent with national policy the wording proposed by the Councils needs to be amended further to refer to the 'significance of heritage assets' rather than character. **MM36** achieves this.
184. Several site allocations in the PPA and TTVPA need amending so that they clearly refer to 'conservation and where appropriate enhancement' and settings when referring to heritage assets. Where relevant reference should be made to conservation areas, the AONB and the World Heritage Site. **MM11** makes these changes for reasons of effectiveness and consistency with national policy.

Natural environment

185. The Plan sets out a range of policies for the natural environment including for biodiversity, geological sites, the undeveloped and heritage coast, landscapes, green spaces, trees, woodlands and hedgerows.

186. Policy SPT11 sets out the Plan's strategic approach to the conservation and enhancement of the natural environment, including biodiversity, landscapes, greenspaces, geodiversity cycleways, public rights of way and bridleways. However to ensure the policy and supporting text is effective and consistent with national policy, it needs to clearly set out the hierarchy of protection for designated sites and state that harmful impacts on existing features should be avoided wherever possible. **MM8** achieves this. It also deletes reference to the greenspace designations which are allocated in other policies within the Plan and removes unnecessary text that repeats national policy.
187. In order to provide a clear and effective basis for the protection and enhancement of biodiversity and geodiversity within the Plan area Policy DEV28 and its supporting text needs modifying to ensure consistency with national policy, particularly in relation to protected species and the hierarchy of protection for designated sites [**MM51**].
188. *Strategic green spaces (SGS)* - The Plan allocates six SGS within the PPA, through individual central park, community park or countryside park policies that reflect their specific locations, roles and functions. Their purpose is to support the planned growth within the City by providing recreational access, landscape protection and biodiversity enhancement. The allocation boundaries have been extended in some cases and most of the SGS include some areas of private land. However this does not mean that public access will be allowed on this land, nor does it prevent appropriate use by landowners. Furthermore the allocation policies permit appropriate development within each of the SGS. The allocations are therefore adequately justified by the evidence.
189. *Strategic landscape areas (SLAs)* - Within the PPA, land outside the City's urban area and forming the Plymouth urban fringe is defined as countryside. Policy DEV26 designates strategic landscape areas (SLAs) in this area. However the approach to their designation is inconsistent across the Plan area. None are proposed within other areas of countryside within the TTVPA, yet some of the landscape character areas extend beyond the PPA into this area. The available evidence provides insufficient clarity on exactly how the areas for designation have been chosen and why a separate local landscape designation is justified within the PPA. Accordingly for reasons of soundness it is necessary to delete Policy DEV26 and its associated supporting text from the Plan [**MM50**].
190. Paragraph 5.161 of the Plan states that policies for the countryside (Policies TTV31 and TTV32) would also apply to those parts of the PPA countryside not covered by other designations. However these policies are located within the 'Strategy for the TTVPA' section of the Plan, not the PPA and in this context lack necessary clarity for a decision-maker. Consequently the approach in the Plan for how development in the PPA countryside is to be considered is not justified or effective.
191. More recent evidence produced by the Councils following the hearings supports the introduction of a new generic policy for the PPA countryside area that reflects its urban fringe role and function. This policy permits appropriate development within the defined area, subject to it being in accordance with the listed criteria. This approach is reasonable and is justified. It is not

necessary for this policy to specifically refer to heritage assets as this is covered by other Plan policies.

192. Consequently we recommend **MM50** which adds a new PPA urban fringe countryside policy and associated supporting text to the Plan. It also makes consequential changes to supporting text elsewhere in the Plan. Paragraph 5.161 of the Plan also needs amending to ensure that it reflects the new approach to the PPA urban fringe countryside area and as such we recommend this as a further consequential change, as set out in **MM50**. The Councils have proposed changes to the policies map to reflect this modification.
193. *Other green spaces* - Policy DEV29 seeks to protect all green and play spaces within the Plan area. Within the PPA green spaces are designated as SGS as referred to above, local green spaces (LGS) and neighbourhood green spaces (NGS). Within the TTVPA it is expected that designations will come forward through neighbourhood plans. Nevertheless all open spaces have been audited and assessed, as set out within a number of studies, which overall provide a comprehensive evidence base.
194. The NPPF sets a high bar for LGS designation given that paragraphs 76-78 state that it '*...will not be appropriate for most green areas or open space*'; that on such sites new development is ruled out '*other than in very special circumstances*' and that they are to be managed in line with Green Belt policy. Accordingly LGS designation should be viewed as an exception rather than the norm. The approach in the Plan is to designate a significant number of sites across the PPA which results in the designation being commonplace rather than of a limited and special nature.
195. We recognise that many proposed LGS areas will be important to local communities. Open spaces will be used by local communities for informal recreational uses such as dog walking. However these are inevitably commonplace activities within urban areas. Sites may also contain varying levels of wildlife, beauty and tranquillity. Nevertheless the available evidence does not sufficiently demonstrate why sites are 'special' and of 'particular local significance' to distinguish them from other green areas and open spaces and reach the high bar necessary for LGS designation.
196. Several proposed LGS sites are already covered wholly or in part by other designations, including local nature reserves, county wildlife sites, conservation areas and tree preservation orders, or other policy protections including allotments, woodlands and biodiversity networks. Such areas are therefore already protected by national and local planning policies or through other legislation. The LGS assessment does not set out what the additional benefits of another designation for these sites would be or how the LGS designations would interact with them.
197. In addition, a number of the proposed LGS sites are significant in size representing extensive areas of land. Where several LGS sites are near to each other these could also reasonably be identified as extensive tracts of land. There is also little available evidence demonstrating that landowners were informed about the LGS selection process and that their comments have been robustly addressed within the assessments.

198. Having carefully considered the evidence for the designation of LGS within the PPA we find that the methodology and overall assessment has not been sufficiently rigorous to comply with national policy. As such the LGS designations within the Plan are not sound and need to be removed from the Plan. Consequently, **MM52** deletes reference to LGS in Policy DEV29 and the supporting text. The Councils will also need to ensure that the designations are removed from the Policies Map.
199. The Councils have put forward within this modification a proposal to add a new policy and supporting text to the Plan to ensure that there is an appropriate policy framework in place should any LGS be designated in future plans. However, this is not necessary for soundness as LGS are no longer being allocated in the Plan, plus it would repeat national policy. Accordingly we do not include this new policy within our recommendations. However this does not prevent the allocation of LGS in neighbourhood plans or other future development plan documents.
200. Whilst the LGS designations are to be deleted from the Plan this does not mean that these sites have no green space value or should not be protected. Indeed the Plymouth Open Space Assessment (POSA) identifies value scores for each green space based on site audits and assessments. Furthermore paragraph 74 of the NPPF clearly states that existing open space should not be built on unless certain criteria are met. In response to the proposed removal of the LGS from the Plan, and in recognition of their identification as open spaces of value in the POSA, the Councils have put forward an alternative 'city green space' designation (CGS) instead for these areas.
201. There is nothing in national policy preventing open spaces from having different titles or designations. Based on the evidence the identification and designation of CGS and neighbourhood green spaces is reasonable.
202. Nevertheless, the amendment put forward by the Councils to Policy DEV29 is not consistent with national policy. The criteria set out in paragraph 74 of the NPPF identifying the situations where loss of open space may be acceptable applies to all existing open space. Within the Council's modification the provisions listed would only apply to existing open space for public recreation. We therefore make additional changes to **MM52** to ensure that Policy DEV29 and its supporting text accurately reflects national policy, so that open space is protected but where the identified criteria are met, development may be acceptable. This is necessary for soundness.
203. We note the changes the Councils propose to make to the policies map to reflect the modifications to the green space designations.
204. The other policies in the natural environment section provide a positive framework for protecting landscapes, the undeveloped and heritage coast, trees, woodlands and hedgerows.
205. To ensure that the Plan is effective in considering horse related development **MM36** removes it from Policy TTV31 and instead sets the requirements out in a separate policy.

206. Policy TTV32 seeks to support proposals to extend or replace existing dwellings in the countryside. However no reference is made to scale or design. In the interests of effectiveness, it is therefore necessary to amend the wording of the policy to state that extensions must be appropriate in scale and design [**MM37**].

Mineral resources

207. Policy PLY5 provides a strategic framework for the sustainable use and extraction of minerals resources within the city boundary. **MM9** amends the wording to encourage the reuse of recycled and secondary aggregates before the quarrying of primary aggregates as far as practicable and gives clarity on the positive contribution restoration can make to biodiversity and geodiversity. This latter point ensures consistency within the Plan particularly with Policy DEV28. This modification also moves reference to impacts from minerals extraction outside the city boundary from the policy to the supporting text. This, together with the other changes to the supporting text aid clarity.

208. Policy PLY55 seeks to safeguard land at and to the north of the Hazeldene Quarry for the extraction of limestone aggregate. This includes a 125m wide buffer zone which is designed to protect both the future extraction of the minerals resource and potential urban development to the north. Whilst it has been suggested that the buffer zone should be wider, based on the available evidence the width identified in the policy is justified.

Climate change, flooding and coastal management

209. The Plan seeks to ensure that development and use of land will contribute to the mitigation of, and adaptation to, climate change. In combination with other policy requirements in the Plan, this is sought through the delivery of low carbon development, renewable and low carbon energy and community energy and the management of flood risk, water quality and coastal change.

210. To ensure that Policy DEV34 and its supporting text provides a positive strategy for seeking the delivery of low carbon development, **MM54** makes several necessary changes. This includes identifying a carbon reduction target for the Plan area and encouraging the increased use of decentralised energy. For effectiveness the modification also seeks development that reduces the heat loss area and optimises access to natural light. The insertion of the words 'where there is a future network planned' in relation to connections to district energy networks is also necessary for clarity.

211. Policy DEV35 seeks to increase the use of renewable and low carbon energy. Various modifications in **MM55** add clarity to the policy. This includes ensuring that proposals are assessed individually and cumulatively in terms of any likely impact on the natural environment and heritage assets and that they demonstrate how they have been informed by public consultation.

212. The other policies on community energy, flood risk, water quality and coastal change management are sound.

Conclusions on the environment

213. In conclusion, subject to the above MMs, the Plan's strategies and policies for the historic environment, natural environment, minerals resources, climate change, flooding and coastal management are soundly based.

Issue 8 - Does the Plan provide a robust framework of policies for the management, delivery and monitoring of development across the plan area that is soundly based.

214. The development management policies are predominantly set out in a separate chapter in the Plan. Consistent with the NPPF, the overarching aim of these policies is to deliver sustainable development. We have considered and referred to some of them under specific topic based issues set out above. The other policies which seek to deliver healthy communities, quality homes and good standards of design, are considered below, as is the delivery and monitoring framework in the Plan.

215. *Healthy communities* - The policies in this section of the Plan seek to promote health and well-being and include policies on living conditions, sport and recreation, playing pitches and community food growing and allotments. They are supported by appropriate evidence and are generally justified.

216. Policy DEV1 seeks to ensure that new developments provide satisfactory living conditions for new and existing homes. As factors such as daylight, privacy and noise impact on people, not buildings, **MM38** is necessary to amend the policy so that it reflects this. The modification also adds reference to 'all people' in relation to accessible development and public spaces so that developments are inclusive. In addition it deletes reference to standards being set out in a supplementary planning document and clarifies when a health impact assessment will be required. These amendments are necessary to ensure consistency with national policy and for effectiveness. It is not necessary to refer to light pollution in this policy as this is set out in Policy DEV2.

217. Policy DEV2 seeks to protect the environment and people from pollution (air, water, soil, land and light) and safeguard the best and most versatile agricultural land. **MM39** replaces the non-descript term 'general amenity' with 'living conditions' so that it is clear what the policy is seeking to protect. As development proposals can individually or cumulatively result in unacceptable harm to people or the environment the modification adds this text to the policy. It also adds a new criterion to remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land to ensure that land resources are adequately managed. This modification will ensure the policy is sound in this regard.

218. *Quality homes* - The detailed policies in this section relate to the type, mix and quality of housing provision and address specific housing needs. They are generally positively worded policies that support proposals for new homes.

219. Policy DEV9 requires a proportion of dwellings in applicable new housing developments to comply with the building regulations optional access standards M4 (2) (accessible and adaptable dwellings) and M4 (3) (wheelchair

user dwellings). These requirements are supported by adequate evidence, are proportionate in scale, are viable and are therefore justified.

220. Policy DEV10 requires that new dwellings achieve good living standards by meeting the Nationally Described Space Standards (NDSS). Whilst delivering this in some low value areas may be challenging as recognised in the evidence, it is viable in most of the Plan area. The evidence also demonstrates that with no space standards being set in policy, recent developments have resulted in a significant proportion of dwellings being below the NDSS, including affordable housing. The application of the NDSS would provide dwellings of an adequate size to meet reasonable household needs. Based on the available evidence the application of the NDSS is reasonable and is justified. Furthermore should development viability be an issue, Policy DEL1 provides an effective approach.
221. *Design* – Policy DEV20 seeks to promote good standards of design in all development and protect the quality of the built environment. Whilst the use of materials and the resilience of design solutions are considerations in the policy, it is not clearly set out as a requirement. It also does not clearly refer to delivering locally distinctive design. Accordingly **MM46** is necessary for reasons of clarity and policy effectiveness.
222. In addition to Policy DEV20, the need to deliver good quality design is embedded in a range of other policies within the Plan including those related to transport, the environment and housing. This approach is justified, effective and consistent with national policy.
223. *Delivery and monitoring* – The Plan sets out a separate chapter for delivery and monitoring of the Plan's objectives and policies. It clearly identifies how decisions on the Plan are governed, how infrastructure requirements have been identified and how the effectiveness of developer contributions will be maximised to deliver necessary infrastructure.
224. The Plan recognises that development viability is a critical issue in the area, given the importance of the agenda for growth and the need to deliver sustainable development. Whole plan viability has been assessed taking account of infrastructure requirements and other policy costs. Policy DEL1 sets out an effective approach to viability and seeking contributions towards necessary infrastructure from development, which is consistent with national policy. The requirements do not put at risk the overall development ambitions of the Plan. The approach to viability is therefore justified.
225. Clear and comprehensive monitoring targets and detailed contingency measures are listed in the annexes of the Plan. These mechanisms will ensure that development is managed and monitored effectively to deliver the Plan's objectives and policies.

Conclusions on the management, delivery and monitoring of development

226. In conclusion, subject to the MMs, the Plan provides a robust framework of policies for the management, delivery and monitoring of development across the plan area that is soundly based.

Assessment of Legal Compliance

227. We have set out our findings on legal compliance of the Plan for consultation, SA and HRA at the beginning of our report. Our examination of the legal compliance of the Plan on remaining matters is summarised below.
228. The Plan has been prepared in accordance with the Councils' Local Development Schemes.
229. The Plan includes policies designed to secure that the development and use of land in the local planning authorities' areas contribute to the mitigation of, and adaptation to, climate change, particularly Policies DEV34-DEV36 which seek to deliver resilient communities and a low carbon future.
230. The Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
231. During the course of the examination we have had due regard to the aims set out in Section 149(1) of the Equality Act 2010. This includes consideration of the Plan's provision to meet the accommodation needs of gypsies and travellers, and the need for accessible and adaptable housing and inclusive design. We therefore conclude that the Plan provides for fair and equal treatment for all the areas' communities.

Overall Conclusion and Recommendation

232. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.
233. The Councils have requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that with the recommended main modifications set out in the Appendix the Plymouth and South West Devon Joint Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Wendy Burden and Yvonne Wright

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.