

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN – SCHEDULE OF HEARING MODIFICATIONS (LIST SEVEN)

Ref	Provision	Draft modification	Type (LPA's view)	Why the modification is being put forward	Follow-up discussions
HM40	Spatial Strategy – Policy SPT11 Replaces M12 (EXC10A)	The distinctive characteristics , special and unique qualities and important features of the natural environment of the Plan Area will be protected, conserved and enhanced. This will be through a strategic approach which takes account of protects the hierarchy of legal status international, national and locally designated sites, commensurate with their status, and takes account of the natural infrastructure functions of different sites, habitats and features. Key principles include:	Main	Matter 9.2(i) hearing session. Minor change to wording as suggested by inspector to previously identified main modification, to improve clarity of policy.	n/a
HM41	Strategy for TTV Policy Area – Figure 5.3	To be amended to reflect more accurately the location / nature of development and to be clearer on transport issues	Minor	Matter 8.5(i) hearing session. To make the diagram a bit clearer in the context of what is written in the JLP.	n/a
HM42	Strategy for TTV Policy Area – Policy TTV8 and para 5.46 after	TTV8: East of Ivybridge Point 4 - An appropriate strategy to mitigate for any impact on the Western Road AQMA, including proportionate contributions as appropriate to any relevant Air Quality Action Plan and traffic management schemes. Point 9 - Improved road and junction connections to the south of the A38. Para 5.46 This allocation comprises three separate areas, one of which benefits from planning permission under planning reference 27_57/1347/15/F. The site spans both sides of the B3213 and is adjacent to the Ivybridge train station Park and Ride. The proposal aims to improve the sustainability and self-sufficiency of Ivybridge through a large scale development incorporating new homes, employment land and local facilities. The site will improve connectivity with the town centre through the provision of enhanced walking and cycling routes, combined with the creation of a road linking Exeter Road to the A38 via land south of the A38 are necessary to reduce the as well as measures to address its impact on the Air Quality Management Area, which has been designated on Western Road.	Main	Matter 8.5(i) hearing session. The modification is needed to improve the effectiveness of the policy in addressing its part of any cumulative impact on air quality in the Western Road AQMA.	Input from Mr Upton and Mr Stockall sought
HM43	Strategy for TTV Policy Area – Policy TTV9 MI40 (EXC10A)	TTV9: Land at Filham Point 3 - An appropriate strategy to mitigate for any impact on the Western Road AQMA, including proportionate contributions as appropriate to any relevant Air Quality Action Plan and traffic management schemes.	Main	Matter 8.5(i) hearing session. The modification is needed to improve the effectiveness of the policy in addressing its part of any cumulative impact on air quality in the Western Road AQMA.	Input from Mr Upton and Mr Stockall sought

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	to be withdrawn	NEW POINT PREVIOUSLY SUGGESTED TO BE WITHDRAWN Improved road and junction connections to the south of the A38.			
HM44	Strategy for TTV Policy Area – Policy TTV13	Point 3 - Retention of appropriate levels of public car parking to a level sufficient to support the town's shopping and tourism roles, and which is appropriately located to those roles and which is sensitively incorporated into the design of new development, ensuring that car parking does not dominate the street scene.	Main	Matter 8.5(i) hearing session. The modification responds to a discussion at the hearings where the inspectors suggested a link be included in this provision acknowledging the economic benefits of the car park.	n/a
HM45	Strategy for TTV Policy Area – Policies TTV20,21,22	Policy TTV20 9. Ensuring that all development, singularly or cumulatively, will not negatively impact on the ability of the relevant authorities to improve air quality within the Dolvin Road AQMA. Policy TTV21 10. An appropriate strategy to mitigate for any impact on the Dolvin Road AQMA. Policy TTV22 6. An appropriate strategy to mitigate for any impact on the Dolvin Road AQMA. Policy TTV24.5 c. An appropriate strategy to mitigate for any impact on the Dolvin Road AQMA.	Minor	Correction of an error that has come to light. There is no Dolvin Road AQMA; this was a matter previously under consideration but no designation has been made.	n/a
HM46	Strategy for TTV Policy Area – Policy TTV30	The LPAs support the preparation of neighbourhood plans as the a means of identifying local development needs in the sustainable villages, and positively responding to the indicative housing figures set out in figure 5.8. whilst acknowledging that not all communities will bring forward such Neighbourhood plans may deviate from these numbers providing they can justify that such an approach is in accordance with the other policies of the JLP. For Within sustainable villages without neighbourhood plans the LPAs will still support development that meets the essential identified local needs of local communities. All development proposals, whether in villages which have neighbourhood plans or not, will be considered against the other policies of this plan in the usual way.	Main	Matter 8.5(i) hearing session. To improve the effectiveness of the policy in ensuring that sustainable villages contribute sufficiently to the housing supply, to more effectively support the preparation of neighbourhood plans, and to provide greater clarity for developers in how we expect to deliver numbers, particularly in settlements not covered by neighbourhood plans.	n/a
HM47	Strategy for TTV	TTV31 – Development in the countryside	Main	Matter 8.5(i) hearing session. To	n/a

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	Policy Area – Policy TTV31 and NEW POLICY	<p>Point 1 - Housing and employment development adjoining or very near to an existing settlement will only be supported where it meets the essential, small scale local development needs of the community and provides a sustainable solution.</p> <p>NEW POLICY – RURAL EXCEPTION SITES Development proposals on sites outside of but adjacent to a settlement boundary will be supported where the proposal provides affordable housing that meets local housing needs. Specifically: 1. Proposals may contain a mix of affordable housing products that combine to represent a financially viable development proposal. This includes discount market housing, providing it does not represent more than 50% of the homes or 50% of the land take, excluding infrastructure and services. 2. Community-led housing initiatives will be supported on rural exception sites, and will be subject to eligibility criteria requiring a local connection, and suppressed in value against open market values in perpetuity to ensure that dwellings continue to meet the affordable housing needs of local people.</p>		improve the effectiveness of the rural exception sites provision in TTV31, but bringing it into a separate policy and providing greater clarity about the wider housing benefits to be expected. This could prove a useful mechanism for providing affordable housing in areas of TTV where land values are low enough to risk delivery of 30% affordable housing, most notably northern part of West Devon.	
HM48	Development policies – Policy DEVI Replaces M232 (EXC10A)	<p>Policy DEVI Protecting health and amenity Development proposals will be required to safeguard the health and the amenity of local communities. In addition to measures set out in other policies of the plan, this will be through, as appropriate: 1. Ensuring that new development provides for satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for both new and existing homes residents, workers and visitors. Unacceptable impacts will be judged against the level of amenity generally in the locality. 2. Ensuring that developments and public spaces are designed to be accessible to all people, including people with disabilities or for whose mobility is impaired by other circumstances. 3. Requiring a Health Impact Assessment to be submitted as part of any Environmental Statement Impact Assessment submitted in relation to planning applications for major development proposals with a likely significant health impact. Further standards and guidance in relation to this policy will be set out within an appropriate supplementary planning document.</p>	Minor	Matter 10.1(ii) hearing session. To address the inspectors concern about the context for the word 'amenity', take on board a helpful suggestion identified by a participant at the hearing on accessibility, and provide for greater clarity around the circumstances where Health Impact Assessment would be required.	n/a
HM49	Development policies –	NEW PARA AFTER 6.15 The policy distinguishes between larger and smaller sites. This reflects the general principle that it	Minor	Matter 10.1(ii) hearing session. To provide clarity about how the words	n/a

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	narrative after Policy DEV4	is better to provide playing pitches closest to the point of need. However, the application of this principle will need to be determined on a case-by-case basis, having regard not only to the practicality and viability of delivering on-site provision, but also to the context of the development in relation to other sports infrastructure within the locality. For example, it is more appropriate to deliver sports facilities in hubs rather than as isolated facilities. For this reason, the policy does not identify a site size threshold to define 'larger sites', and instead leaves this to the planning application process.		'larger' and 'smaller' used in the policy are to be interpreted.	
HM50	Development policies – Policy DEV7	2. For developments of above ten homes, at least 30 per cent of the total number of dwellings should be affordable homes without public subsidy, subject to viability . These homes should be provided on-site, except in the case of sites of between 11 and 14 dwellings or where robustly justified . In such cases the requirement can be met by providing an off-site contribution provision or commuted payments in lieu of on-site provision to deliver affordable housing elsewhere in the policy area.	Minor	Matter 8.5(v) hearing session. The reference to viability duplicates what is set out in DEL1. The provision about off-site contributions is clarified.	n/a
HM51	Development policies – Policy DEV9	4i Requiring at least 20 per cent of dwellings on all schemes of five or more dwellings (including conversions), where possible practicable , to meet national standards for accessibility and adaptability (Category M4(2) of Building Regulations).	Minor	Matter 10.2(i) hearing session. Minor wording change to improve the clarity of the policy.	n/a
HM52	Development policies – Policy DEV10	8. Houses in Multiple Occupation will only be permitted where the proposal: i. Provides adequate communal space for future residents including sufficient space to accommodate cooking, dining, bathroom and toilet facilities. ... iii. Will be adequately managed in perpetuity including external maintenance and upkeep of the building and curtilage. ...	Minor	Matter 10.2(i) hearing session. Minor wording changes to improve the clarity of the policy.	n/a
HM53	Development policies – Policy DEV13	... 1. New sites should not be located in the open countryside away from near to existing settlements, with a 2. The scale of any development must not be such as to that does not dominate the nearest settled community and should avoid s placing an undue pressure on the local infrastructure. ...	Main	Matter 10.2(iii) hearing session. To address inspectors' concern about unspecific wording of point 1, and the potential unnecessary repetition with para 26 of National Policy on Traveler sites. In acknowledgement of this concern we are able to recommend a modification that is more positive in wording while retaining compliance with the national policy.	n/a

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HM54	Development policies – Policy DEV20 Replaces M244 (EXC10A)	1. Creating a positive legacy of decisions ensuring that the lifetime of buildings, the quality of design, the resilience of the materials and opportunities to achieve a sustainable resource efficient design have been considered. Using materials and design solutions that are resilient to their context and will endure over time. Larger scale development should seek to address Building for Life criteria or a similar design framework.	Minor	Matter 9.1(i) hearing session. To address inspectors' concern that provision reads more as an objective.	n/a
HM56	Development policies – Policy DEV22 Replaces modification in Statement of Common Ground with Historic England (SCG4)	Policy DEV22 (draft modified text) Development affecting the historic environment Development proposals will need to sustain the local character and distinctiveness of the area, by conserving and where appropriate enhancing its historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance. The following provisions will apply: 1. The significance, character, setting and local distinctiveness of heritage assets should be considered within an appropriate assessment to determine impact. 2. Great weight will be given to the conservation of the Plan Area's designated heritage assets. Where development proposals will lead to any harm to the significance of a designated heritage asset, they must be fully justified against: i significant wider public benefits; ii whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses or mitigate the extent of harm to the assets significance and if the work is the minimum required to secure its long term use. 3. (was point 4) Supporting proposals which conserve the Plan Area's locally important non-designated heritage assets. Development that harms the significance of such locally important non-designated heritage assets, or their contribution to the character of a place, will only be permitted where it can be justified. Proposals will be weighed against the public benefits. 4. (was point 3) Where harm to designated and non-designated heritage assets can be justified applicants will be required to undertake excavation or recording as appropriate, followed by analysis and publication to professionally acceptable standards. 5. Development should help secure the long term sustainable future for the Plan Area's heritage assets, especially those identified as being of greater risk of loss and decay and that might have a community benefit where possible. 6. Development should respond positively and creatively to	Main	Matter 9.1(ii) hearing session. The text shown is the draft modified policy in Statement of Common Ground with Historic England; the changes to the modified policy following the discussions at the hearing are highlighted in red. The reordering of the policy helps to clarify why point 4 (moved to point 3) is about non-designated assets only (following point 2 which is about designated assets).	These further modifications have been agreed with Historic England.

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		ensure those elements that contribute to the special character and appearance of conservation areas are preserved or enhanced using, where appropriate, Conservation Area Appraisals and Management Plans to inform future development.			
HM57	Development policies – Policy DEV34	6. Developments will be required to connect to existing district energy networks in the locality or, where there is a future network planned , to be designed to be capable of connection to a future-planned that network. Where appropriate, proportionate contributions will be sought to enable a network to be established or completed.	Minor	Matter 9.3(i) hearing session. Tidying up of wording to make policy clearer.	n/a
HM58	Development policies – Policy DEV35 Replaces M297 (EXC 10A)	2. The proposal has been robustly assessed and shown to be acceptable, both individually and cumulatively , in terms of its likely impact on landscape sensitivity and capacity, and on the natural environment and heritage assets. It should also be and it is demonstrated that it the proposal does not compromise the purposes of internationally or nationally important nationally designated landscapes, environmental or heritage assets.	Minor	Matter 9.3(ii) hearing session. Minor change to earlier modification at suggestion of inspectors, given that environmental assets is not a terminology used in the Framework.	n/a
HM59	Development policies – Policy DEV37 Replaces M302 (EXC 10A)	AMENDED NEW SUB POINT UNDER POINT 3 Promote Ensure the safety of people in consultation with emergency planning services.	Minor	Matter 9.3(iv) hearing session. Minor change at suggestion of inspectors, given that safety of people cannot be 'ensured'.	n/a
HM60	Delivery and monitoring – Policy DEL1	5. Requiring robust viability evidence to be submitted where a developer contends that planning obligations sought, including for affordable housing , would make a proposal economically unviable. The LPAs will seek an open book approach in these cases. ...	Minor	Matter 8.5(v) hearing session. This modification was suggested by the inspectors during the discussion on whether or not DEV7 and DEV8 should say 'subject to viability'. It is for the purposes of clarification in that context, and not an issue of soundness.	n/a