

**Teignbridge District Council  
Full Council  
17 October 2023  
Part i**

**Teignbridge Proposed Submission Local Plan 2020-2040 -  
Addendum**

**Purpose of Report**

To consider the Addendum to the Proposed Submission (Regulation 19) Teignbridge Local Plan 2020 to 2040 and associated documents, with a recommendation to publish them for a minimum 6-week period of public consultation, followed by submission of the Plan and associated documents to the Secretary of State for the Department of Levelling Up, Housing and Communities.

**Recommendation(s)**

**The Committee RESOLVES to:**

- (1) Approve the Addendum to the Proposed Submission (Regulation 19) Teignbridge Local Plan 2020 to 2040 (Appendix A) for at least a 6-week period of public consultation;
- (2) Approve the Policies Map (Appendix B) for at least a 6-week period of public consultation;
- (3) Approve the Sustainability Appraisal Report (Appendix C) for at least a 6-week period of public consultation;
- (4) Approve the Habitats Regulations Assessment (Appendix D) for at least a 6-week period of public consultation;  
Note the content of the Consultation Statement for the Regulation 19 (Proposed Submission) consultation (Appendix E);
- (5) Note the content and conclusion of the Equality Impact Assessment (Appendix F);
- (6) Grant delegated authority to the Head of Place and Commercial Services, in consultation with the Executive Member for Planning, to make minor changes to items (1)-(5) prior to consultation to address any editorial errors and matters of clarification; and
- (7) Following consultation, submit the Proposed Submission Local Plan 2020 to 2040 (including this Addendum), and associated documents, to the Secretary of State for the Department of Levelling Up, Housing and Communities to begin proceedings for Public Examination.

**Financial Implications**

These are as set out in section 1.1  
Martin Flitcroft Chief Finance Officer

Tel: 01626 215246 Email: [martin.flitcroft@teignbridge.gov.uk](mailto:martin.flitcroft@teignbridge.gov.uk)

## Legal Implications

These are as set out in section 1.2

Paul Woodhead, Head of Legal Services and Monitoring Officer

Tel: 01626 215139 Email: [paul.woodhead@teignbridge.gov.uk](mailto:paul.woodhead@teignbridge.gov.uk)

## Risk Assessment

These are as set out in section 1.3

Michelle Luscombe Planning Policy Manager

Tel: 01626 215754

Email: [michelle.luscombe@teignbridge.gov.uk](mailto:michelle.luscombe@teignbridge.gov.uk)

## Environmental/ Climate Change Implications

These are as set out in section 1.4

Michelle Luscombe, Planning Policy Manager

Tel: 01626 215754

Email: [michelle.luscombe@teignbridge.gov.uk](mailto:michelle.luscombe@teignbridge.gov.uk)

## Report Author

Michelle Luscombe, Planning Policy Manager

Tel: 01626 215754

Email: [michelle.luscombe@teignbridge.gov.uk](mailto:michelle.luscombe@teignbridge.gov.uk)

## Executive Member

Executive Member for Planning (Cllr Gary Taylor)

## Appendices

[Appendix A: Addendum to the Proposed Submission \(Regulation 19\) Local Plan 2020 to 2040](#)

[Appendix B: Policies Map \(interactive\)](#)

[Appendix C: Sustainability Appraisal](#)

[Appendix D: Habitats Regulations Assessment](#)

[Appendix E: Consultation Statement](#)

[Appendix F: Equalities Impact Assessment](#)

[Background Paper 1: Local Development Scheme](#)

[Background Paper 2: Proposed Submission Local Plan Full Council Report 12 Jan 23](#)

[Background Paper 3: Ide Roundabout Traffic Impact Assessment Executive Summary](#)

[Background Paper 4: West of Teignmouth Road, Dawlish – Landscape Sensitivity Assessment](#)

## REPORT DETAIL

### 1.1 Financial

- 1.1.1 Additional evidence has been required to demonstrate the soundness of the Plan. This has resulted in additional costs of c. £45,000 above the agreed budget for preparation of the Local Plan. However, given the delay to the timetable (as approved by Executive on 12 September 2023), the examination will now not take place until the financial year 2024/25 and therefore the additional costs can be absorbed within next year's base budget. There is therefore no additional budget pressure identified.

### 1.2 Legal

- 1.2.1 Section 19 of the Planning and Compulsory Purchase Act 2004 sets out a statutory requirement for local planning authorities to prepare development plans. These plans must identify the priorities for the development and use of land in the authority's area. This stage of the plan-making process is under "Regulation 19" of the 2012 Local Planning Regulations.
- 1.2.2 Development plans are obliged to be accompanied by a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA). The SA Report is provided at Appendix C.
- 1.2.3 Legislation requires that a plan will not adversely affect the ecological integrity of European wildlife sites. This is considered through a Habitats Regulation Assessment (HRA) included at Appendix D which assesses the impact of the Plan on relevant sites.
- 1.2.4 The 2012 Local Planning Regulations require a Consultation Statement to be prepared which summarises how responses received for the most recent Regulation 19 consultations have been considered in the preparation of this Addendum. This is provided in Appendix E.
- 1.2.5 Under the Equality Act 2010, the Local Plan 2020 to 2040 has been assessed by an Equalities Impact Assessment (Appendix F).

### 1.3 Risks

- 1.3.1 A number of issues were raised during the January 2023 Proposed Submission consultation which question the soundness and legal compliance of the Plan. It is important that these are addressed prior to submission as Section 20(2) of the Planning and Compulsory Purchase Act 2004 states that Local Planning Authorities (LPA) must not submit a Plan for examination unless they think it is ready for independent examination. Having considered the Regulation 19 consultation responses, the Council must only submit a plan if it considers it to be 'sound' and there will not be long delays during the examination because significant changes or further evidence is required. The following report explains where issues have been

identified during the most recent Regulation 19 consultation and sets out the recommended modifications to the Plan so that is ready for independent examination.

- 1.3.2 There are various risks associated with not having an up-to-date plan in place which include loss of local control to determine planning applications, and harsher penalties for not meeting housing-related targets. Importantly, the Council will lose the ability to plan strategically, identify appropriate funding mechanisms, and ensure the most sustainable outcomes for our communities and environments. A full list of risks associated with out-of-date Local Plans is provided as Background Paper 2 (the [12 January 2023 Full Council Report](#) for the Proposed Submission Local Plan consultation).

## 1.4 Environmental/Climate Change Impact

- 1.4.1 The Local Plan 2020 to 2040 has significant potential to directly influence issues relating to climate change and contribute towards meeting local and national carbon budgets aligning with the Paris Agreement. The Addendum provides further clarity on the following policy areas:

- Climate change/wind turbines/electric vehicles
- Green infrastructure standards
- Undeveloped Coast and European wildlife sites
- Site specific measures.

## 2. INTRODUCTION/BACKGROUND

- 2.1 The Council has a statutory duty to prepare Local Plans for the district. Local Plans set out a framework for addressing local housing, economic, social and environmental issues. These plans must include strategic policies which deal with the local planning authority's priorities for the development and use of land in its area. The Local Plan is used as the starting point for determining planning applications. The Local Plan for Teignbridge covers the area outside of the Dartmoor National Park only.
- 2.2 The Council currently uses the 2014 Adopted Local Plan as the basis for guiding planning decisions in the district. This Plan needs updating to reflect changes in national policy, increased local housing requirements and rapidly emerging issues relating to climate change.
- 2.3 The Proposed Submission Local Plan will supersede the policies in the adopted Local Plan, except for site allocation policies that are yet to be built out, which remain extant. These are outside the scope of this consultation.
- 2.4 Full Council resolved on 12 January 2023 to publish the Proposed Submission Plan for consultation and following consultation submit the Plan, and associated documents, to the Secretary of State for independent examination. It was also resolved that any major modifications will be

referred to Full Council for consideration prior to submission if these were deemed necessary based on the responses to the consultation.

- 2.5 A report was subsequently taken to Executive on 12 September 2023 notifying Councillors that because of the nature of some of the issues raised during the Proposed Submission consultation, modifications are required to the Plan so that it is sound and legally compliant. An updated Local Development Scheme (timetable) was approved to enable these issues to be addressed by consulting on an Addendum to the Proposed Submission Local Plan.

### **3. ADDENDUM CONTENT**

- 3.1 The Addendum is not a fully revised version of the Proposed Submission Plan. It is a revised version of specified parts of the Proposed Submission Plan and Policies Map.

- 3.2 The Addendum responds to the following key issues raised:

#### **a) Policy CC4: Sustainable Transport and Policy EE1: Markham's Village**

Concerns were raised by National Highways, Devon County Council and residents about the impact of new development across the plan area on local and strategic road networks.

The Council has since worked with Devon County Council and National Highways to agree what evidence is required to forecast likely impacts, taking account of sites which are near the Strategic Road Network (namely EE1 Markham's Village), background growth expected up to 2040, and the cumulative impact of new development arising from all the Exeter-facing authorities up to 2040. This evidence shows:

- Between 2030-2040, the capacity of some local and strategic road networks in the plan area will be exceeded without mitigation.
- The operation of Ide roundabout is very sensitive to changes on the A377 into Exeter (Alphington Road) which is where congestion is arising from. Additional development at Markham's Village will add to this congestion but is not the only cause of disruption.
- The cumulative impact of all growth will result in prolonged queue lengths and queueing times on the A30 northbound off slip. Whilst a proportion of this impact can be attributed to the Markham Village development, a larger proportion is the result of all forecast growth across the Greater Exeter area up to 2040. The mitigations included within the EE1: Markhams Village proposal (namely a mobility hub, including a park and change facility, extension of bus services, and improved

walking and cycling links) have a positive impact on the situation (see Background Paper 3).

The mitigations included within the Markham's Village development do not, however, fully address the traffic impacts arising from the wider area and, in particular, the issues along Alphington Road. As such, the Council has been, and is continuing to, work closely with Devon County Council and National Highways, as well as neighbouring authorities, to put in place appropriate mitigations through the Infrastructure Delivery Plan to address the impacts of forecast growth across all local and strategic road networks. The Addendum proposes to amend Policy CC4: Sustainable Transport to require new development to take account of, and mitigate for, cumulative impacts, and also assumes that the commencement of Markham Village may not take place until later in the plan period (years 11-15) by which time a multi-agency strategic transport plan can be agreed which will introduce measures to reduce overall car trips in the area.

**b) Policy EE2: Peamore and West Exe**

Concerns were raised by Historic England about the impact of the EE2: Peamore and West Exe development (edge of Exeter) on the setting of Peamore House and other nearby heritage assets and the need to carry out more detailed masterplanning to limit potential harm. This has been done in consultation with the Council's Conservation Officer and Historic England. It is proposed to reduce the yield from 900 to 830 units to avoid the most sensitive areas. A concept plan is provided in Appendix 5 to the Addendum.

**c) Policy CC2: Energy and Carbon Statements**

Objections from the development industry to net-zero carbon requirements on new build dwellings ahead of the Future Homes Standard being introduced. Further evidence has been undertaken which has justified the Council's position and the policy approach will continue to require net-zero carbon developments from plan adoption. It is proposed to streamline the policy wording to provide a more workable policy.

**d) Policy CC6: Wind Turbines**

Objections from Historic England and the Dartmoor National Park to the potential impact of wind turbines on heritage assets and setting of the National Park respectively. A Heritage Impact Assessment of the suitable areas allocated for wind turbines has been carried out and has informed a proposed re-wording of the policy. A Landscape Sensitivity Assessment has previously been undertaken and was published as part of the January 2023 consultation.

**e) Policy GC12: Newfoundland Way Car Park**

Objections from Newton Abbot Town Council and local residents to the allocation of Newton Abbot town centre car parks, especially Newfoundland Way.

A Newton Abbot Parking and Car Park Redevelopment Study has been undertaken and initial findings have been presented to stakeholders. Although the work is not yet finalised, the extensive data review and modelling exercise undertaken indicates that loss of parking spaces from redevelopment of all three car parks (Cattlemarket, Wolborough Way and Newfoundland Way) alongside other proposals in the town would leave insufficient spaces to accommodate peak demand up to 2040, particularly during Saturdays in the peak months towards the end of the calendar year. It is likely that recommendations will include retaining Newfoundland Way car park for the use of car parking into the future to 2040. A full report will be available for the consultation.

It is therefore proposed to remove the allocation of Policy GC12: Newfoundland Way from the Plan. It is proposed to retain the other car park redevelopment allocations of GC6: Cattlemarket and GC7: Wolborough Street Car Park.

**f) District Design Code**

Feedback and suggested improvements from the Design Council and Department for Levelling Up, Homes and Communities on the District Design Code. These were based on it being prepared as part of the national Design Code Pathfinder programme. These improvements are incorporated into the District Design Code.

**g) Houghton Barton and Bradmore Design Code**

Opportunity to include the Houghton Barton and Bradmore District Design Code within the Local Plan to give it Development Plan status (i.e. most weight) which is now sufficiently progressed to be consulted on. This is included as Appendix 7 to the Addendum.

**h) Policy H1: Land for New Homes**

Comments raised by the development industry that the housing requirement should be based on the most recent standard method calculations and expressed over the 20 year plan period. This change reduces the housing need slightly to 720 homes per annum (from 741 per annum). This is reflected in a proposed rewording of Policy H1: Land for New Homes and reduces the overall housing requirement for the plan period 2020-2040. Over the 20 year plan period, this is a reduction in 420 homes.

**i) Policy CT2: Land West of Teignmouth Road, Dawlish**

There has been significant challenge from the development industry to the soundness of the plan because of the lack of any new allocations in Teignmouth and Dawlish. This is on the basis that as our 2<sup>nd</sup> and 3<sup>rd</sup> largest settlements, with good access to jobs, services and public transport, opportunities for development there should be maximised. There are various environmental constraints associated with potential sites in Dawlish and Teignmouth but in response to the objections a full reassessment of potential sites has been carried out. This has identified that the site at CT2: Land West of Teignmouth Road has potential for development and is therefore proposed as a new site within the Addendum. Landscape concerns raised previously by local residents are able to be overcome by reducing the amount of homes on the site, avoiding development on steep slopes, and buffering the development with dense landscaping. This is evidenced in the Landscape Sensitivity Assessment (see Background Paper 4).

**j) Policy RT1: Le Molay Littry Way**

The landowner of the site at Policy RT1: Le Molay Littry Way, Bovey Tracey for 20 homes has confirmed that the site is no longer available for development. The site has been removed from the Plan.

**k) Small Sites**

Concerns were raised by the development industry that the Plan has not met the national policy requirement for 10% of new homes to be identified on small sites (i.e. sites less than 1ha). All potential sites have been reassessed and two have been proposed in the Addendum for development (V14A: Land East of Brooke House, Ipplepen; V16A: Land at Mamhead Road, Kenton) as well as a portion of CT2: Land West of Teignmouth Road, Dawlish.

3.3 A full list of all modifications and reasons for the changes are provided in Schedules 1, 2 and 3 which are appended to the Addendum.

#### **4. CONSULTATION**

4.1 The consultation will run for a minimum period of 6 weeks in accordance with Local Planning Regulations 2012 (as amended) and the Council's Statement of Community Involvement. It is anticipated that consultation will begin by 1 November 2023 at the latest.

4.2 This consultation is not intended to be an opportunity to make comments on any other parts of the Proposed Submission Plan. Comments will only be invited/accepted on the proposed modifications to the plan contained within this Addendum. The Council will not review other comments made about the



Proposed Submission Plan which are outside the scope of this consultation. This will avoid duplication of issues already received by the Council and enable the next stages of the Plan to be carried out as expediently as possible.

- 4.3 The comments received as part of this consultation on proposed modifications within this Addendum, along with all the comments received to the Proposed Submission Plan consultation which took place in January to March 2023, will be submitted to the Secretary of State for consideration at the public examination with the plan and supporting documents.
- 4.4 A range of consultation methods will be used in accordance with a Consultation Strategy approved by the Council's Communications Team. As with the January 2023 Proposed Submission consultation, it will be largely virtual with face-to-face meetings arranged as required. Our preference will be for people to submit comments using the Online Form (or paper version of it) to allow us to process the responses in a timely manner. However, comments will also be accepted by email or letter.

## **5. OPTIONS**

- 5.1. In the event of not approving the Addendum for consultation, the fall-back is to submit the January 2023 Regulation 19 Proposed Submission Local Plan to the Secretary of State to begin proceedings for public examination. Under this scenario, Officers would recommend to Full Council a Schedule of Proposed Modifications to the Plan to be submitted alongside the Plan. These changes would be limited to those which are necessary to make the plan sound and legally compliant. They carry little weight, and it is at the discretion of the Inspector examining the Plan whether to consider them or not. The impact of this alternative would be to risk submitting an unsound plan and/or having a protracted examination, with financial implications for the Council.
- 5.2. With regards to plan content, all reasonable alternatives to policy approaches and sites are assessed in the Sustainability Appraisal/Strategic Environmental Assessment (see Appendix B). The options considered to be the most sustainable and accord with the overall objectives in the plan are the ones which have been included in the Proposed Submission Local Plan.

## **6. CONCLUSION**

- 6.1 The Addendum is recommended to Members on the basis that it is the best way to proceed with the Local Plan and address potential issues of soundness that have been raised during the January 2023 Proposed Submission consultation. It will allow for improvements to be made to the Plan, consider fresh evidence, and enable our communities to have a say on the changes before we submit the Plan to the Secretary of State for Levelling Up, Homes and Communities.

- 6.2 The publication of this Addendum will enable the Council to submit the Local Plan in February 2024 for examination in Summer 2023 with a view to adoption in early 2025. The adoption of a new Local Plan will have significant benefits for the district, enabling it to take full control about where and how future development in Teignbridge takes place.