



Planning Inspectorate

Report to Teignbridge District Council

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Inspectors appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Teignbridge Local Plan 2020-2040

The plan was submitted for examination on 14 March 2024

The examination hearing sessions were held between 17 September 2024 and 24 January 2025.

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Abbreviations used in this report

AQMA	Air Quality Management Area
CDA	Critical Drainage Area
DCC	Devon County Council
DEFRA	Department for Environment, Food and Rural Affairs
DtC	Duty to Co-operate
EDNA	Economic Development Needs Assessment
GTAA	Gypsy and Traveller Accommodation Assessment
HELAA	Housing and Economic Land Availability Assessment
HRA	Habitats Regulations Assessment
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RIGS	Regionally Important Geological Sites
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SAP	Standard Assessment Procedure
SCI	Statement of Community Involvement
SPA	Special Protection Area
TER	Target Emission Rate
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Teignbridge Local Plan 2020-2040 provides an appropriate basis for the planning of the district (those areas outside the Dartmoor National Park boundary), provided that a number of main modifications (MMs) are made to it. Teignbridge District Council has specifically requested that we recommend any MMs necessary to enable the plan to be adopted.

Following the hearing sessions, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a nine-week period. In some cases, we have amended the detailed wording of the MMs. We have recommended the inclusion of the MMs in the plan after considering the Sustainability Appraisal and Habitats Regulations Assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Updates to housing land supply and the housing trajectory over the plan period so that the plan is justified and effective.
- Various amendments and clarifications to the general policies, including deleting policy GP4, so that they provide an effective framework for sustainable development.
- Changes to policy H1 including the approach to any unmet needs arising and the approach to under-delivery so that the plan is justified and effective.
- Deletion of the Houghton Barton and Bradmore Area Design Code and amendments to the design policies and District Wide Design Code for the plan to be justified and effective
- Alterations to policy EE2 to address the designation of the Peamore Park Registered Park and Garden.
- Alterations to policy GC15 in relation to minerals safeguarding.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Teignbridge Local Plan 2020-2040 in terms of Section 20(5) of the Planning and 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 compliant with the legal requirements and whether it is sound. The National Planning Policy Framework (NPPF) 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 NPPF published in December 2023 included a transitional arrangement in paragraph 230 which provided that plans submitted on or before 19 March 2024, such as this plan, are to be examined against the provisions of the previous NPPF published in September 2023. Paragraphs 234 and 235 of the further revised NPPF, published in December 2024, carry forward this transitional arrangement. Therefore, unless otherwise stated, references in this report are to the September 2023 NPPF.
3. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a legally compliant and sound plan. The Teignbridge Local Plan 2020-2040, submitted for examination in March 2024, is the basis for our examination. It is the same document as was published for consultation in November 2023, which was an Addendum to the document published for consultation in January 2023. We have had regard to the consultation comments made in response to both consultations.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act, Teignbridge District Council requested that we should recommend any main modifications (MMs) necessary to rectify matters that make the plan unsound and/or not legally compliant and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the appendix.
5. Following the examination hearing sessions in 2024 and 2025, the Council prepared a schedule of proposed MMs and, where necessary, carried out Sustainability Appraisal and Habitats Regulations Assessment of them. The MM schedule was subject to public consultation for an extended period of nine weeks accounting for the summer holiday period, and in accordance with the Council's Statement of Community Involvement.
6. We have taken account of the consultation responses in coming to our conclusions in this report. In this light we have made some amendments to the detailed wording of the main modifications. None of the amendments

significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal and habitats regulations assessment that has been undertaken. Where necessary we have highlighted these amendments in the report. Some of the MMs have also been renumbered from that consulted on.

Policies Map

7. The Council 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 Council is 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 the digital Local Plan Interactive Map (CSD-011).
8. 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, a number of the published MMs to the plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to it are needed to ensure that the relevant policies are effective.
9. These further changes to the policies map were published for consultation alongside the MMs in the Policies Map section of Main Modifications document SD-CD01a.
10. When the plan is adopted, in order to comply with the legislation and give effect to the plan's policies, the Council will need to update the adopted policies map to include all the changes proposed within the Local Plan Interactive Policies Map and the changes published alongside the MMs incorporating any necessary amendments identified in this report.

Context of the Plan

11. The Teignbridge Local Plan 2020-2040 is proposed to replace the Teignbridge Local Plan 2013-2033 (adopted 2014), except for a number of site allocations that will remain extant. A list of policies to be superseded on adoption of the new plan, and those to remain extant, is set out in Appendix 1 of the plan. The new plan will comprise part of the development plan for the district of Teignbridge outside of Dartmoor National Park, which also includes the Devon Minerals Plan, Devon Waste Plan, and eleven made Neighbourhood Development Plans.

12. The plan area comprises a mix of coast, countryside and varied settlements including seaside resorts and market towns, rural villages and hamlets, varied landscapes, nationally important mineral deposits and a range of environmental and historic designations such as internationally important habitats sites and more than 1,000 listed buildings. The plan area does not include the approximately 100 square miles of Teignbridge district that lie within Dartmoor National Park, where the Dartmoor Local Plan, prepared by Dartmoor National Park Authority, applies. As part of a wider city region, the district has strong economic, social and environmental connections with the adjacent city of Exeter, including in relation to jobs, culture and recreation, transport and other services.

Public Sector Equality Duty

13. The Council undertook an Equalities Impact Assessment (SUP-005 and SUP-006) to inform Plan preparation. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. Amongst other matters, the Act sets out the need to advance equality of opportunity and to foster good relations between people who share a protected characteristic and people who do not share it.
14. We have considered various related matters during the examination including accommodation for Gypsies, Travellers and Travelling Showpeople, specialist housing to meet differing needs such as for older people and accessible and adaptable design. These are covered in more detail in our assessment of soundness below.

Assessment of Duty to Co-operate

15. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the plan's preparation.
16. Working under the governance arrangements of the Devon Duty to Co-operate (DtC) Protocol and Greater Exeter Project Assurance Group, the Council credibly identified the following as strategic issues likely to have a significant impact on at least two planning areas: housing need, the spatial distribution of development, climate change, infrastructure, jobs and economy and the environment. Table 2 of DtC-001 sets out a detailed log of engagement activity by the Council with its DtC partners on the strategic issues between 2019 and the submission of the plan for examination in March 2024. Statements of Common Ground, in connection with the DtC, have also been signed and submitted.
17. It has been argued that the Council has not properly considered how unmet development needs of neighbouring authorities can be met (in particular

housing needs in Torbay and Exeter and employment development needs in East Devon), and it is notable that there are a small number of specific matters of disagreement between the Council and neighbouring authorities on the content of the submitted plan. However, such issues as remain are related to the soundness of the plan and are addressed elsewhere in this report.

18. Overall, the evidence demonstrates that the Council actively and constructively engaged with neighbouring authorities on the strategic matters and sought to minimise areas of disagreement in order to maximise the effectiveness of plan making. Consequently, we are satisfied that, where necessary, the Council has engaged constructively, actively and on an on-going basis in the preparation of the plan and that the Duty to Co-operate has been met.

Assessment of Other Aspects of Legal Compliance

Sustainability Appraisal

19. The Council carried out Sustainability Appraisal (SA) of the plan at the key stages of its preparation and, under Regulation 19 prepared and published a report of the findings of the appraisal.
20. Prior to submission of the plan for examination eight potential distribution strategy scenarios (1-8) were subject to SA and it was concluded that the most appropriate strategy for the plan was a hybrid of a number of these scenarios. However, the chosen hybrid distribution strategy was not itself subject to SA. In the light of the discussion about this at the hearing session we asked the Council to undertake SA of the hybrid distribution strategy scenario, by considering two sub-scenarios – Option 9a (an amalgamation of Scenarios 2, 1 and 4 including additional growth within Dawlish, Teignmouth, Ashburton and Buckfastleigh) and Option 9b (an amalgamation of Scenarios 2, 1 and 4 without additional growth at the above-named settlements). Option 9a represents the strategy as expressed in policy GP2 of the plan, albeit that Option 9b reflects the reality of that strategy having regard to the site allocations included in the plan.
21. This additional SA was carried out on behalf of the Council by independent consultants and prior to it being undertaken we emphasised the importance of it being undertaken objectively and without seeking to “retrofit” its conclusions to the strategy set out in the submitted plan. We are satisfied that this has been the case. Moreover, while more signposting of earlier conclusions in the SA process could have been included in the later documents, we are also satisfied that the informed reader can adequately navigate the documents.
22. The appraisals clearly identify differences between the likely impacts of scenarios 9a and 9b. In particular, 9a is identified as performing better in

relation to access to services, jobs and local economy and connectivity and transport, while 9b performs better in terms of landscape, historic and built environment and climate change adaptation. That 9a and 9b perform the same in terms of housing, simply and appropriately reflects the fact that, like virtually all of the tested reasonable alternatives, both scenarios would be likely to enable the identified plan period housing requirement to be met. While the assessment inevitably involves a significant degree of planning judgement, it is arguable that the identified effects on landscape and climate change adaptation for scenario 9b are overly positive in comparison with 9a, having regard to potential possible inconsistency with the earlier assessments for scenarios 6 and 7, which, like 9b, also exclude additional development at the undeveloped coast and in the Critical Drainage Area. However, we believe it is equally likely that the earlier SA work underplayed the positive effects of scenarios 6 and 7 on the landscape and climate change adaptation. We have borne this in mind in our assessment of the soundness of the plan, but consider that any inconsistency that does exist does not materially undermine the Sustainability Appraisal.

23. We also recognise that mitigation measures could potentially limit or remove some of the identified negative sustainability impacts of development forming part of each distribution scenario – eg under Scenario 9a, drainage mitigation which could positively impact climate change adaptation. However, it would be inappropriate to assume mitigation of some negative impacts and not others – for example, under Scenario 9b, improvements to public transport and cycling could be secured to positively impact connectivity to transport and access to services.
24. Importantly, the purpose of SA is to inform decision making, which inevitably involves planning judgements being made and the balancing of different sustainability impacts. SA is not designed to produce a definitive answer as to the strategy to be adopted. It is the case that the Technical Note (MM-SD09e) which sets out the appraisal of scenarios 9a and 9b does not identify which is the preferred strategy. However, that is not inappropriate given, as detailed above, that they respectively represent the submitted plan's strategy as expressed in policy GP2 and as reflects the site allocations as included in the plan. Moreover, the Technical Note does provide appraisal evidence to support the conclusion at page 58 of the March 2024 SA Report (cds-013) that the preferred spatial strategy is an amalgamation of scenarios 2, 1 and 4 as expressed in both scenarios 9a and 9b.
25. Contrary to the contentions of some, a spatial distribution scenario not including significant growth on the Edge of Exeter was appraised (2 – Town Centre Intensification) and the Edge of Exeter allocations have been appraised in their own right along with all other site allocations proposed in the plan. Similarly a distribution scenario with much greater development in the villages was also appraised (3 – Mainly Rural Distribution). It is the case that a scenario of the

development proposed at the Edge of Exeter being instead located at Newton Abbott and the Coastal Towns has not been specifically appraised, nor of additional growth at the Coastal Towns but not at the Rural Towns. However, it is not a requirement to appraise every possible spatial distribution scenario. Bearing in mind scenarios and sub-variants have been appraised which between them both include and exclude significant new growth at the Edge of Exeter, the Coastal Towns and the Rural Towns, we are satisfied that there is no significant omission here.

26. It is inevitable that, to some degree at least, the spatial scenarios which are appraised reflect the sites which have been promoted for development. The scenarios tested must be reasonable ones and if there is no realistic prospect of development taking place in a particular location then a scenario including that location would be unlikely to be a reasonable one. However, we are satisfied that the SA of spatial distribution scenarios is not inappropriately focussed on potential specific allocations and the scenarios tested primarily relate to settlements and broad locations rather than specific sites. Moreover, it would be incorrect to read the scoring and descriptions of the impacts of development envisaged under each distribution scenario as if they were an appraisal of the development of specific sites.
27. Cumulative effects of the proposed new allocations along with extant allocations and windfall development were assessed, in terms of the overall number of new homes, through the appraisal of the overall quantum of housing development. However, we consider that as part of a strategic level appraisal of options, it would have been inappropriately complex to specifically account for the extant allocations in the appraisal of each of the spatial scenarios 1-8. And in any case, given that their location is unknown, it would have been impossible to assess windfall development in this way. Nonetheless, given that Scenario 1 – Business as Usual (ie a continuation of the extant plan's strategy) is a key part of the hybrid strategy selected for the new plan, the SA has considered distribution options (9a and 9b) with development in the broad locations of the extant allocations.
28. Incorporated within the plan as submitted for examination were two design codes – (i) for the district as a whole and (ii) for the Houghton Barton and Bradmore area. Although these both set out specific policy requirements they had not been directly appraised through SA. Therefore, the Council agreed to our request for SA of the design codes to be undertaken and a further hearing session was held to discuss the format of this. SA of the District Wide Design Code (itself subject to proposed main modifications) has been carried out. However, as detailed elsewhere in this report, and in order to ensure that the plan is justified, we have recommended that the design code for the Houghton Barton and Bradmore area be removed from the plan by main modification. Consequently, SA of this design code has not been necessary in connection with the examination of the plan.

29. Sustainability Appraisal of the plan was also updated to assess the main modifications, the results of which were available as part of the consultation on the main modifications. As is not unusual, a number of people/organisations do not agree with some of the detailed conclusions of the SA. However, many of these conclusions are matters of judgement and we consider that they are within the bounds of reasonableness. Overall, we are satisfied that the SA provides an appropriate basis for us to consider the likely effects of the plan, having regard to reasonable alternatives, and for us to reach conclusions on the plan's soundness.

Habitats Regulations Assessment

30. The Habitats Regulations Assessment Reports (CSD-023 dated February 2024 and MM-CD08 dated June 2025) together set out that a full Appropriate Assessment has been undertaken and that the plan, as recommended to be modified, considered in combination with other plans and projects, may have some negative impacts on the integrity of Habitats Sites which require mitigation. The plan, as proposed to be modified, includes policies to ensure that those mitigation measures will be implemented.

Other Legal Compliance Matters

31. Although the length of the examination means the anticipated timescale for adoption has fallen behind the schedule in the Local Development Scheme (SUP-007), the plan has been prepared in accordance with the scope, role and broad timeframe for it in the LDS.
32. Consultation on the plan was carried out in compliance with the Council's Statement of Community Involvement. The SCI was updated in November 2024 (SUP-013) and the consultation on the MMs was carried out in accordance with that version. We appreciate that some people consider that the online process for submitting comments was off-putting and unduly complicated, and that some comments made in response to the consultations on the plan were not adequately dealt with by the Council or reflected in the submission version of the plan. Where relevant, we deal with these matters elsewhere in the report, although we are satisfied that no statutory failure in this respect has occurred.
33. The development plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area. The plan sets out a high-level strategic vision and strategic objectives for the development and use of land, which are then addressed through the various policies, particularly the strategic policies identified in paragraph 1.17. However, for accuracy in relation to this legal requirement, a modification to 1.17 (now 1.16) **MM20** is necessary to delete reference, made in error, to a policy that does not appear in the plan.

34. The 2012 Regulations require that where a plan contains a policy that is intended to supersede another policy in an adopted development plan, it must state that fact and identify the superseded policy. Appendix 1 of the plan sets out which policies of the adopted Teignbridge Local Plan 2013-2033 will be superseded when the new plan is adopted, and which policies will remain extant. For compliance with the Regulations, **MM302** and **MM303** are necessary to ensure that omitted information relating to two existing policies is included in Appendix 1.
35. The Council declared a climate emergency in 2019. Reducing the causes of climate change, mitigating its impacts, and building resilience are central to the plan's development strategy and general policy approaches, including seven specific policies that are identified in the Climate Change chapter and covered in Issue 4 of this report. Some representors are of the view that the plan fails to go far enough to address climate change. However, it meets the legal requirements in this respect and, for reasons set out elsewhere in this report and subject to various modifications, we conclude that the development plan, taken as a whole, includes policies designed to ensure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.
36. The plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

37. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, we have identified ten main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Neither does it refer to every policy, policy criterion or site allocation in the plan.

Issue 1 – Whether the plan's settlement hierarchy, spatial distribution (including its strategic road network impacts), and the sites selected for allocation in the plan are based on robust evidence and are justified?

Settlement Hierarchy

38. Policy GP3 sets out a five-tier hierarchy of settlements in the district, which has been informed by the comprehensive Settlement Hierarchy Review. While it is inevitable that the individual facilities and services available will change over

time, we are satisfied that, overall, this review provides robust and appropriate evidence on which to base decisions about the location of new development in the district. We recognise that the settlements within the "Villages" category vary significantly in size and facilities. However, bearing in mind that the availability of these facilities may well change during the life of the plan, we consider that the disaggregation of this category into "larger" and "smaller" villages is not necessary for the plan to be sound. Nonetheless, for the plan to be effective, **MM9** is necessary to clarify that it is East Ogwell, not Ogwell, which is a village in the settlement hierarchy.

39. It is the case that the "Edge of Exeter" is not an existing settlement, nor is it immediately adjacent to one within Teignbridge. However, for reasons detailed elsewhere in this report, we consider that, in principle, it is an appropriate location for new housing development in the district, it being close to the existing development, jobs and services of the city of Exeter. That Exeter is in a different local planning authority area is not good reason to ignore its existence and role (both now and in the future) in providing jobs and services for the wider area including the residents of Teignbridge. It is therefore logical to include the Edge of Exeter extensions in the policy GP3 settlement hierarchy, in order to inform the sustainable location of future development in the district. On this basis therefore, we consider that its position as the second tier of the hierarchy is justified.

Distribution of new development

40. Paragraphs 1.9 and 1.10 of the plan, as updated by **MM7** and **MM8** to reflect the latest position, set out the approximate distribution of new housing and employment development likely to be delivered during the plan period. The distribution of both housing and employment development appropriately aligns with the five-tier settlement hierarchy with the greatest proportion of development proposed in Newton Abbot and Kingsteignton Garden Community area (the highest tier), and the smallest proportion in the villages (the lowest tier).
41. As detailed above, the plan's spatial strategy which has informed the distribution of development set out in paragraphs 1.9 and 1.10 is a hybrid of three distinct possible spatial strategy scenarios initially considered through SA. In effect this is a combination of (a) town centre intensification, (b) "business as usual" (development mainly on the edge of the main urban areas of Newton Abbot, Kingsteignton, Kingskerswell, Teignmouth, Dawlish, Bovey Tracey and Chudleigh, together with a large urban extension to the south-west of Exeter) and (c) proportionate growth of all settlements.
42. The hybrid strategy was subsequently assessed through SA on the basis of two sub-variants (with and without additional housing allocations at Teignmouth, Dawlish, Ashburton and Buckfastleigh). While the SA demonstrates that there

are likely to be positive and negative sustainability implications of all the scenarios and sub-variants assessed, we conclude that it supports our view, explained in more detail below, that the plan's spatial strategy is an appropriate one, having regard to reasonable alternatives. In reaching this conclusion we have borne in mind that the purpose of SA is to inform decision making and not to produce a definitive answer as to the appropriate policy or strategy.

43. Our Shared Coordinates (OED-002) (January 2024) is a jointly prepared, non-statutory, strategy for development across Teignbridge, Exeter, East Devon and Mid-Devon. We consider that the plan's spatial strategy is consistent with Our Shared Co-ordinates. In particular:

- The Edge of Exeter housing allocations are consistent with the "major growth area" shown to the southwest of Exeter on the plan on page 6 of Our Shared Coordinates, and with the second bullet point on this page which refers to "new or expanded settlements on the edge or near Exeter". We do not interpret this growth as only meaning development already with planning permission or allocated in an adopted plan. Indeed page 4 states that the document reflects the proposals and ambitions of existing and emerging local plans. Moreover, while we recognise that Exeter City Council has objected to the Edge of Exeter site allocations, this is on the basis of specific concerns including landscape impacts (considered in Issue 10) and is not an objection to the principle of development in the Edge of Exeter area. We do not accept that the Edge of Exeter allocations will hinder delivery within Exeter itself of brownfield development.
- While the plan does not include any new housing allocations in Dawlish, its spatial strategy (as detailed in paragraph 1.9) provides for more than 15% of the district's total housing requirement during the plan period taking place in the four coastal and rural towns, of which Dawlish is one, reflecting the ongoing "build-out" of extant housing allocations. On this basis we consider the plan to be consistent with the "Homes Plan" on page 18 of Our Shared Coordinates, which identifies housing growth of less than 3,000 dwellings in the Dawlish area.

44. Paragraph 1.9 of the plan also identifies that around a third of the plan's overall new housing provision during the plan period will be constructed on the edge of Exeter. As detailed above, large-scale housing development in this location is consistent with Our Shared Coordinates and we consider that, in principle, this is an appropriate approach bearing in mind the importance of Exeter in the sub-region and the level of reliance of Teignbridge residents on the city for jobs, services, shopping and entertainment.

45. We accept that public transport use to Exeter city centre could well be higher amongst those who live within walking distance of a train station (such as Newton Abbot, Teignmouth or Dawlish) than amongst the residents of new housing development on the edge of Exeter. However, there is limited opportunity to provide significant levels of additional housing within walking distance of these stations and in terms of bus and cycle use we consider that the shorter the distance to be travelled the more likely these modes of transport are to be used: the Edge of Exeter allocations are 2-3 miles from the city centre, whereas Dawlish, Teignmouth, Newton Abbot and Kingsteignton are all more than 10 miles away. Moreover, where a car is used for journeys to facilities in the Exeter area, those journeys would inevitably be shorter from the Edge of Exeter allocations than they would be from elsewhere in Teignbridge. We consider the more specific soundness concerns raised about the edge of Exeter allocations, including access arrangements, in Issue 10.
46. As detailed above, although new housing development will take place in the coastal towns during the plan period in the form of the ongoing "build out" of extant housing allocations and planning permissions, it is the case that the plan does not include any new housing allocations in these towns. It is apparent that an embargo on additional housing in the coastal towns is desired by some, although the plan does not set such an embargo and we have seen no evidence to justify one. However, the Council contends that the specific sites promoted for development in Teignmouth and Dawlish during the plan's preparation are currently subject to constraints meaning that they are inappropriate to be allocated for development in the plan at this time.
47. Based on what we have read, heard and seen we believe that drainage (in particular the designated Critical Drainage Area) and highway capacity are currently genuine constraints to the development of a number of the sites promoted for housing in the coastal towns. That said, we envisage that there is a good likelihood of these constraints being overcome by mitigation measures and we recognise that new housing development can be a means of delivering this mitigation which itself could have wider benefits. However, we consider that there is currently insufficient evidence on the development and likely impact of this mitigation to justify allocating these sites for development at this time. Moreover, since as detailed in Issue 2, we conclude that the plan as submitted provides for sufficient new housing, it is not necessary or appropriate to delay its adoption to allow for further development of these mitigation measures.
48. The Council argues that other possible housing sites in the coastal and rural towns, including West of Teignmouth Road, Dawlish, proposed for allocation in the "Regulation 18" version of the plan, would have unacceptable landscape impacts. While adverse landscape impacts are an inevitable implication of most greenfield development, having visited these sites (and bearing in mind that the plan as submitted provides for sufficient housing) we conclude that the Council's decision not to select these sites for allocation in this plan is a reasonable one.

There is inevitably a large degree of planning judgement involved in assessing landscape impacts and we reach this conclusion notwithstanding that some of the submitted technical evidence might point to a different conclusion.

49. In reaching the above conclusions that specific constraints justify not allocating in the current plan any of the new sites in the Coastal Towns promoted for housing development we have borne in mind the possibility (as set out in paragraph 22 above) that the SA overplays the positive effects on the landscape and climate change adaptation of spatial strategy scenario 9b which does not include additional new development in the coastal towns. However, the SA considers the spatial strategy scenarios at a relatively strategic level and not on the basis of specific site allocations. Fundamentally, as detailed above, we conclude that the constraints associated with the specific sites promoted for development in the coastal towns justify their not being allocated at the present time.
50. The Background Note on Sustainable Village Development (HOU-46) sets out the approximate distribution of housing between the district's villages, based on a 5%, 10% or 15% increase in the number of dwellings in each village dependent on its facilities. While the Note's approach is a useful starting point we recognise that it is, to a significant degree, arbitrary and therefore we consider this justifies the fact that the allocations in the villages do not slavishly follow the approach. Ultimately, as detailed below and in Issue 10, we conclude that the overall approach to the selection of sites for allocation is robust and that, subject to a number of modifications, the site allocations in the villages are sound. Moreover, having regard to the limited facilities available in the villages (and the SA appraisal of a Mainly Rural Distribution of development) we consider that the plan is sound in providing for only a limited amount of development in the villages.
51. During the preparation of the plan concerns were raised, including by National Highways, about the potential impact on the strategic road network of the housing and employment development proposed. However, we agree with the Council and National Highways that an alternative distribution of this level of development would be likely to move, rather than avoid, potential adverse transport impacts and that a more dispersed pattern of development, for example a larger amount of development in the villages, would be likely to make the provision of mitigation measures (including improvements to public transport) more difficult.
52. Furthermore, in the light of the most recent strategic transport modelling work, we conclude that, subject to the mitigation that the plan provides for (including as set out in main modifications), the development proposed would be unlikely to have a severe, or otherwise unacceptable, impact on the strategic road network.

Policy GP2: Development in Teignbridge

53. In effect, Policy GP2 sets out the plan's spatial distribution of new development. It is clearly and appropriately the basis on which the site allocations included in the plan were selected, although its wording is ambiguous as to whether or not it would be applied to proposals for development not on allocated sites. For the plan to be effective **MM5** and **MM6** are necessary to provide a factual update and to make clear that, as a strategic policy, GP2 must be taken into account in allocating sites for development in Neighbourhood Plans but that the policy would not be used to assess development schemes on non-allocated sites. Bearing in mind the plan's spatial strategy is one providing for only a limited amount of development in the villages and that GP2 is not a development management policy, the policy is justified in indicating that residential development in villages should meet localised housing needs.
54. Also in the interests of effectiveness **MM7** and **MM8** update the approximate proportions of development planned to take place in each tier of the settlement hierarchy and make clear that the figures are based on the plan's allocations and uncompleted development on extant allocations.

Site Selection Process

55. Several "calls for sites" were undertaken in preparing the plan and all the sites suggested, along with other possible ones identified by the Council itself, were initially assessed through the Housing and Employment Land Availability Assessment (HELAA), which was consistent with national Planning Policy Guidance. Sites were appropriately discounted if they were assessed as having significant or overriding constraints to development or were otherwise considered to be not deliverable during the plan period. As a result of this initial assessment around 100 sites were deemed suitable for further assessment through SA and consultation, as a result of which a list of sites to be included in the plan was formulated by the Council. Appendix C of the SA and the Development Strategy Topic Paper set out a summary of the reasons for the selection or rejection of each of the sites appraised.
56. The list of selected sites provides for sufficient development to meet the district's identified needs (see Issues 2 and 10) and, thus, there was not a need for the Council to reconsider its assessment of site suitability, including the potential for identified constraints to be overcome, in an attempt to meet its identified needs, as the PPG advocates. Moreover, given the NPPF's statement (paragraph 174) that the intrinsic character and beauty of the countryside should be recognised, it would not be appropriate to allocate in the plan all sites outside existing development limits deemed potentially suitable for development when they are not required in order to meet the district's development needs.

57. We have sought to test the objectivity and robustness of the site selection process by looking in some detail at a sample of the sites over which there is disagreement about their exclusion from the plan (including at paragraphs 47 and 48 above). Land North of Old Liverton Road was rejected because of a number of constraints, not just the need for a pedestrian crossing. While the site might not be fundamentally undevelopable, we consider it reasonable for it to be excluded from the plan given the totality of its constraints and that it is likely that the housing requirement will be met without it. While the Dolbeare Road site was proposed for allocation at the first Regulation 19 consultation stage, having visited it, we conclude that its separation from the main built-up area of Ashburton, on the opposite side of the dual carriageway, justifies its non-allocation in the plan. This would result in both an adverse impact on the setting of the nearby Dartmoor National Park and on the ability of residents to readily access Ashburton by means other than the car.
58. It is the case that some of the judgements made are very finely balanced ones – eg the selection of the East of Buckland Road site over the, in our view, broadly similarly performing Land South of Aller site and also in relation to the sites selected and rejected at Denbury. However, such judgements are inevitable, particularly where, as in this case, there are more potentially suitable sites than are required to meet the identified housing need. Overall, based on the written and verbal evidence and what we saw on our site visits, we are satisfied that the Council's judgements are within the bounds of reasonableness. We are also satisfied that it was appropriate not to appraise a possible site at St George's Lane, Holcombe given that this site was not promoted prior to the Regulation 19 consultation on the plan and that Holcombe is not a defined settlement in the settlement hierarchy.
59. Inevitably the assessment of possible site allocations involves a large number of planning judgements, and a balancing of those, with which some people may disagree. However, based on all we have read, heard and seen on our site visits, we are satisfied that, overall, the planning judgements made by the Council in selecting sites to be allocated in the plan are reasonable ones.

Conclusion

60. While we consider the soundness of individual site allocations elsewhere in this report, subject to the MMs outlined above, the plan's settlement hierarchy, spatial distribution (including its strategic road network impacts), and the overall process for selecting sites allocated in the plan are based on robust evidence and are justified.

Issue 2 – Whether the plan period is justified and whether the assessments of housing and employment need and the plan's overall scale of housing and employment growth are justified, positively prepared and consistent with national policy?

61. National policy expects strategic policies to look ahead over at least 15 years from adoption and, as a minimum, to provide for objectively assessed housing and other uses as well as needs that cannot be met within neighbouring areas, other than in a number of defined circumstances.

The plan period

62. NPPF paragraph 22 sets out that strategic policies should look ahead over a minimum 15-year period from adoption. As submitted, the plan period runs from 2020-2040 but, as adoption is anticipated in 2026, a full 15-year period post-adoption will not be achieved. Extending the plan period to 2041, or beyond, would require additional work on the plan, including to revise parts of the evidence base, which itself would result in delay to this examination and adoption of the plan. This would be likely to frustrate rather than accelerate the delivery of new homes and jobs in Teignbridge, contrary to the Government's clear objectives for Councils to have up-to-date plans in place and to significantly boost the supply of housing.
63. In this context and bearing in mind that the plan period to 2040 would still give adequate time for the plan's strategic policies to take effect, we conclude that the modestly reduced plan period is justified and broadly consistent with the aims of paragraph 22.

Housing need and the plan's housing requirement

64. Policy H1 sets the total housing requirement over the plan period as a minimum of 14,400 homes, equating to an average of 720 homes per year. Taken together, the Local Housing Needs Assessment for Teignbridge (HOU-001) and the Housing Topic Paper (TCP-002) demonstrate that the Council derived the figures by appropriately applying the "Standard Method", as set out in the relevant Planning Practice Guidance (PPG). Paragraph 61 of the NPPF advises that this method should be used to determine the minimum number of homes needed, and no credible exceptional circumstances have been identified that would justify any alternative to using the Standard Method for the purposes of this plan.
65. The Local Housing Need figure set out in HOU-001 informed the housing requirement in the first Regulation 19 version of the plan. Some revised data, including the March 2022 ONS local affordability ratio given as 10.48, were published after the modelling for HOU-001 had been completed which, as explained in TCP-002 and evidence given at the hearing, the Council

subsequently applied to update the district's Local Housing Need and inform the revised housing requirement figures in the Regulation 19 Addendum version of the plan (the submitted plan).

66. We understand that a revised ratio of 10.52 was published on 25 March 2024, a few days after the plan had been submitted for examination. Nevertheless, the difference between 10.48 and 10.52 would have little effect on the overall calculation of housing need. In any case, given the plan's total housing requirement of 14,400 is clearly expressed as a minimum, we are satisfied that the level of housing need has been appropriately determined and that the plan's housing requirement is justified. While it is very marginally more than 2 years since the plan was submitted for examination we consider that it would not be proportionate to reconsider the housing requirement figure in the light of this, particularly given that the Council will need to commence work on a new plan under the new plan system in short order.
67. Policy H1 stipulates that all new-build homes provided in a number of identified parishes (those being Bishopsteignton, Dawlish, Shaldon, Stokeinteignhead and Teignmouth as identified on the Policies Map) will be for occupation as a primary residence only, which would be secured by an appropriate legal mechanism. These parishes have been identified as having relatively high existing proportions of second homes and houses let for short term self-catering holidays. The rates, which currently range from around 3% in Bishopsteignton to almost 20% in Shaldon, are primarily due to the proximity of these parishes to the coast and Teign estuary and these areas are expected to experience ongoing relatively high levels of demand for second homes and tourist accommodation.
68. While there may be other measures to help control their proliferation such as through Council Tax, and potential future changes to the Use Classes Order, the Council has identified over 1,600 known second homes/holiday lets in the district's existing stock. In this context, and in the interests of seeking to meet identified housing need in Teignbridge, the plan is justified in seeking to ensure that new homes built to meet the plan's housing requirement will be occupied as primary homes, with policy H1 potentially operating alongside other measures to help achieve this. It has been argued that this issue should be addressed at a national level rather than in local plan policy, that it may adversely affect development viability or act as a 'hold' on delivery, and that the new homes may be un-mortgageable if subject to primary occupancy restrictions. However, there is no persuasive evidence that these factors would prevent delivery of homes under policy H1 or that they demonstrate the policy approach to be unsound.
69. During the preparation of the plan, the Council considered a higher level of housing growth than the standard method. This approach was rejected primarily for reasons relating to environmental impacts, viability considerations and the need to deliver infrastructure. Furthermore, while a higher housing requirement

may, among other things, assist in balancing jobs and workers, provide greater flexibility in the market, and, in theory, increase opportunities for delivery of affordable housing, the plan's housing requirement has been set to provide for at least the minimum objectively assessed level of need for housing, as is expected by NPPF paragraph 11, and the plan identifies sufficient capacity to provide for its housing requirement. On this basis, we conclude that the Council's decision was a reasonable one, and it is not necessary for soundness for a higher requirement to be set in this plan.

70. There is significant uncertainty in relation to any unmet needs that may arise in neighbouring areas and, while such needs may be identified in the future they are not sufficiently quantified or advanced to inform this plan's minimum housing requirement figure. However, there is potential for such needs to arise, which Policy H1(3) seeks to provide for in relation to future unmet needs in Torbay specifically, along with proposed arrangements should housing not be delivered in accordance with the plan or if the identified need for new homes were to change in the future.
71. As identified in our post hearing letter (ID-22), policy H1(3) is not sound because its requirements are not sufficiently clear and logical to be effective and could result in unjustified restrictions on development that would hamper rather than boost housing supply in circumstances of under-delivery, which would be inconsistent with the NPPF and with other policies in the plan. National policy and guidance set out clear requirements for Councils in such circumstances, rendering H1(3) unnecessary.
72. **MM102** and **MM103** remedy this by deletion of H1(3) and reordering policy H1 accordingly, and **MM110** and **MM111** delete explanatory text associated with deleted criterion 3. They also set out new text to explain that in the event of housing not being delivered in accordance with the plan, or identified needs changing (including taking account of unmet needs in neighbouring areas, whether that arises in Torbay and/or elsewhere), the requirements of relevant national policy and legislation will be followed. Moreover, in accordance with NPPF revisions in December 2024, the Council is expected to begin work on a new plan as soon as the revised plan-making system is brought into force to address this plan's shortfall in housing need in relation to the standard method calculation published on 12 December 2024. In the interests of effectiveness, **MM102** also deletes H1(4) because the elements listed are covered by other housing policies in the plan.
73. Overall, subject to the main modifications specified, we are satisfied that the assessments of housing need and the plan's overall scale of housing growth are justified, positively prepared and consistent with national policy.

Accommodation for Gypsies, Travellers and Travelling Showpeople

74. The NPPF expects strategic policies, as a minimum, to provide for objectively assessed housing needs to be met, including for different groups in the community. Planning Policy for Traveller Sites (PPTS) expects the use of a robust evidence base to establish the accommodation needs of Gypsies and Travellers and local plans to identify specific deliverable sites for years 1-5, and specific developable sites or broad locations for years 6-10 and where possible for years 11-15.
75. The Council commissioned a Gypsy and Traveller Accommodation Assessment (GTAA), which was carried out by experienced consultants using established methodology in 2023 (HOU002) and updated in 2024 (HOU047) in light of revisions to the PPTS. The assessments consider needs in the period 2022-2045 and therefore extending beyond the plan period. Relevant figures used in the plan and modifications have been adjusted to cover the period 2022-2041. Overall, we are satisfied that this evidence is proportionate, up-to-date and adequately robust.
76. Based upon the 2023 GTAA, policy H10 of the submitted plan sets a requirement for at least 49 pitches to be provided for Gypsies and Travellers to 2041. However, for the pitch requirement to be justified, **MM135** is necessary to reflect the updated evidence of the 2024 GTAA for provision of at least 63 pitches for Gypsies and Travellers to 2041, comprising total current and future need of households that meet the revised PPTS definition plus an allowance of 19 pitches for 'undetermined' households. Associated updates to the explanatory text are also necessary, for effectiveness, in relation to the modified pitch requirement and to reflect the revised PPTS definition, which are covered by **MM136**, **MM137** and **MM138**.
77. The Council carried out two calls for sites, a Small Sites and Gypsy and Traveller Sites HELAA (HOU041), a review of other discounted HELAA sites, and a review of existing authorised and unauthorised pitches. Despite this, few potential options for suitable Gypsy and Traveller sites have been identified. However, total anticipated pitch supply, comprising provision from extant allocations, provision at two new allocations GC21 (Ilford Park) and V11 (Welcome Stranger Cross), and already permitted windfalls is around 56 pitches. This represents 17 years' supply of specific sites, and historic trends indicate there is a reasonable prospect of the residual requirement of 7 pitches to 2041 being met through further sites coming forward as windfalls, for which policy H10 sets out development management criteria.
78. In this context, while the plan does not identify enough specific sites to meet the full identified need for Gypsy and Traveller accommodation, we are satisfied that it is not necessary to delay the adoption of the plan in an attempt to identify

more site allocations now. If more sites need to be allocated in due course, this can be considered when the plan is reviewed.

79. The evidence does not identify any current or future need for plots for Travelling Showpeople during the plan period. Nor does it identify any specific need for formal provision of transit stopping places in Teignbridge. Nevertheless, the Council is working with other authorities in Devon to consider transit provision on a strategic basis. While the plan does not set specific requirements for plots or transit provision, based on the absence of identified need, any planning applications coming forward would be considered using the policy H10 criteria.
80. Overall, subject to the main modifications specified, we are satisfied that the assessments of need and the plan's overall scale of growth of accommodation for Gypsies and Travellers and Travelling Showpeople are justified, positively prepared and consistent with national policy.

Employment need and the plan's employment land requirements

81. A joint Economic Development Needs Assessment (EDNA) (ECO-001) and associated Economic Development Needs Supply Assessment (ECO-002) were prepared for the four authorities – Teignbridge, Exeter, Mid Devon, and East Devon - forming the Greater Exeter Functional Economic Market Area (FEMA). The EDNA assesses employment land demand over the plan period and considers the future scale and location of economic growth and how the employment needs of each authority's area could be addressed across the FEMA. The methodology includes projected Gross Value Added, employment growth forecasts, unemployment and economic activity and commuting. The associated Supply Assessment includes assessments of employment land supply site suitability and market activity data.
82. The FEMA has experienced above average growth in employment and Gross Value Added compared to regional and national benchmarks. Exeter is the employment hub for the area, with the highest jobs density and concentration of office-based sectors. The city exerts a strong influence across the sub-region, including Teignbridge, in part reflected in high levels of in-commuting and the second largest travel to work area in the UK. Assessments of demand and four economic growth scenarios were modelled across the area to account for uncertainty, based on minimum, maximum, mid-point, and 'Clean Growth' employment forecasts. Linked to this, the Council commissioned a Clean Growth Strategy (ECO-011) to inform the plan in relation to supporting sectors such as Research and Development, tech, and low carbon industries, business resilience, and the district's transition to a low carbon economy.
83. The EDNA also shows that Teignbridge has the highest business birth rate in the Greater Exeter area, which translates to relatively high demand for start-up

and small business space. Growth is also expected for B2 (general industrial) and B8 (storage/distribution) uses. Homeworking and flexible and mixed-use spaces are also expected to retain a significant role in the district. In recent years demand for employment space has outstripped supply in the district, particularly for industrial employment space.

84. In this context, and in line with the plan's wider aims in relation to climate resilience and the transition to a low carbon economy and towards net zero, the employment land needs determined for the Clean Growth scenario in Teignbridge have credibly been reflected in the plan's requirement. This amounts to about 65 hectares of land, based on the middle of the range for the Clean Growth needs for business and employment generating uses. This Clean Growth approach also aligns with the approach set out in the Greater Exeter joint strategy document Our Shared Coordinates (OED-002).
85. Policy EC1 sets out the 65 hectares requirement, which takes a more ambitious approach to job creation in Teignbridge than the mid-point scenario and accounts for approximately 54 hectares for industrial employment development and 11 hectares for office-based employment over the plan period. While the needs and requirement are not broken down on a settlement-by-settlement basis, this level of granularity is not necessary for a strategic-level understanding of the district's likely employment land needs and the Clean Growth requirement represents a positive approach. The plan's site allocations make sufficient provision for the 65 hectares requirement and, while there are some identified barriers to delivery of employment land, including infrastructure and viability constraints, we are satisfied that the approach overall is a reasonable and justified one.
86. Concerns have been raised that the plan does not adequately consider how any unmet employment development needs of neighbouring authorities can be met, in particular from East Devon. While the EDNA acknowledges the possibility of under-supply in some sectors and scenarios across the FEMA, including where the authorities may need to work to overcome barriers to facilitate delivery of some sites, no significant unmet needs have been confirmed and quantified and so we are satisfied that it is not necessary to delay the adoption of the plan for further work in this regard. Furthermore, policy EC1 provides a positive framework should windfall applications for business development come forward in advance of a new plan. However, for effectiveness in setting the positive framework, **MM88** clarifies policy EC1(2) by deleting "in principle".
87. Overall, we are satisfied that the employment studies provide an adequately robust assessment of employment needs to inform the plan's employment land requirements and, subject to the main modification specified, we are satisfied that the plan's overall scale of employment growth is effective, justified, positively prepared and consistent with national policy.

Deliverability of the growth strategy and housing land supply

88. Overall developable housing land supply for the plan period, subject to our recommended main modifications and based on the associated updated supply evidence, has capacity for a total of 14,996 homes. While we have concluded elsewhere in this report that all the plan's site allocations are justified, subject to main modifications where necessary, it is possible that some allocated sites may not be built or ultimately deliver fewer homes than the plan envisages, and some planning permissions may lapse. However, other allocations are likely to be able to deliver more than the plan identifies.
89. Compared to the minimum requirement of 14,400 homes over the same period, the identified supply of 14,996 homes would provide a modest but reasonable degree of flexibility of around 4%. Additional flexibility may also arise from larger windfall sites (21 or more homes), for which no windfall allowance is made in the plan.
90. While the plan does not rely on supply from the Dartmoor National Park area to meet its housing requirement, a further modest degree of flexibility in supply is afforded by the "Dartmoor Allowance", which is included in the plan to reflect that the housing need identified by the Standard Method relates to the full Teignbridge District Council administrative area (including the large area of the district that overlaps with Dartmoor National Park) rather than the Council's planning authority area (the plan area - which excludes the parts of the district within Dartmoor National Park). Over recent years completions in the Teignbridge area of the National Park have averaged 18 homes per year, supported by policies for rural exception sites and allocations in the Dartmoor Local Plan, and there is a reasonable prospect of this trend continuing. However, for effectiveness, the Dartmoor Allowance and its application need to be explained in the supporting text, and **MM107** is necessary to do that.
91. In this context, we are satisfied that if, for example, the Bradmore New Neighbourhood (policy GC13) ultimately delivers fewer than the 1,050 homes allocated, or some other commitments do not deliver as expected, there is likely to be sufficient flexibility to accommodate that, while still allowing the identified housing needs to be met over the plan period. Moreover, the plan will need to be reviewed and updated in light of NPPF revisions and transitional arrangements, with work expected to begin on a new plan under the new plan-making system. Meanwhile, adopting the plan as soon as possible will confirm the new allocations thereby bringing greater certainty and boosting the supply of housing.
92. National policy allows for plans to make a realistic allowance for windfall development. In this plan, as indicated in our Post Hearing Letter (ID-22), a small sites (20 homes or fewer) windfall allowance of 136 homes per year is justified, based on historic delivery rates and taking account of factors including

the effects of the covid19 pandemic and relatively low windfall completions in some years. Overall, there is compelling evidence that small sites windfalls are likely to continue to provide a reliable source of supply in Teignbridge based on the historic trend and expected future delivery expected from policies in the plan which support development within the settlement limits and provide scope for rural and other exception sites.

93. The trajectory table in policy H1, the supporting text at paragraphs 5.1 - 5.4, and the trajectory graphs and table in Appendix 3 require main modifications to reflect the updated housing supply evidence including in relation to the windfall allowance. **MM101**, **MM104**, **MM106** and **MM323** do this and are necessary to ensure the plan is justified and effective.
94. The NPPF expects local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement, including the appropriate buffer. National policy also expects plans to identify specific deliverable sites for five years following intended adoption. The Council acknowledges that housing delivery in Teignbridge in the previous three years warrants use of the 20% buffer. Based on the overall requirement of 14,400 homes over the plan period (or 720 homes per year), accounting for shortfall in delivery of 373 homes (against the 720 annual requirement figure) in 2022/23 to 2024/25 and applying the 20% buffer, the plan's five-year requirement is 4,768 homes. PPG advises that the Standard Method accounts for any shortfall in delivery prior to its calculation (that was September 2022) and thus, there is no need to account for any shortfall in delivery prior to 2022/23. We have taken a cautious approach in taking account of the shortfall in delivery in 2022/23 bearing in mind that the Standard Method calculation was made during this year.
95. There is no specific guidance in national policy on the approach to be taken to assess whether there will be a five-year supply maintained several years after the most recent housing land supply evidence available in the examination. However, we have taken the comprehensive range of housing land supply evidence which includes information about site availability, viability, technical requirements, constraints and planning status, including where updated in light of the hearing and to account for completions to 31 March 2025, as the basis for drawing a rounded view on the number of homes for which there is a realistic prospect of delivery in the five years following the plan's likely adoption.
96. The updated trajectory identifies deliverable supply for five years following the plan's anticipated adoption as 5,474 homes (projected completions) during the period 2026/27 - 2030/31. Based on the evidence, including evidence given at the hearing, we are satisfied that this is a reasonable overall assessment of the plan's likely deliverable supply in that five-year period. This equates to 5.73 years' supply of deliverable housing land identified in the plan on 1 April 2026 (or a surplus of 706 against the plan's five-year requirement).

97. Even if some sites take longer than expected to start to deliver housing, or stall, this offers sufficient flexibility above the five-years' requirement to enable us to be satisfied that a five-year supply of deliverable housing land will exist at adoption. While completions for 2025/26 are not yet known, no shortfall is anticipated.
98. The Council is seeking the plan to confirm its 5-year housing land supply position, and the trajectory and other relevant information in the plan have become significantly out of date. Main modifications are therefore necessary to set out relevant details within the plan, including an updated trajectory detailing anticipated delivery from each of the plan's allocations. This is achieved by **MM105** and **MM108** for effectiveness. **MM323** updates Appendix 3 to include the updated trajectory and a new table showing the indicative rolling 5-year housing land supply position across the full plan period, with **MM109** to update the supporting text, to ensure the plan is justified and effective.
99. While national policy does not detail how this rolling assessment of five-year supply should be assessed, this table indicates that, based on the current available trajectory evidence, there is a realistic prospect of the assumed supply of new homes being delivered over the plan period. However, it shows the maintenance of a five-year supply becoming less certain from 2033 before tapering off substantially towards the end of the plan period. Given that the plan meets the identified level of housing need in full, and given work is expected to begin on a new plan in 2026, it would not be prudent to delay adoption of this plan by seeking to address this tapering off by additional work through this examination.
100. It has been argued that the plan's housing supply is too focused on large sites, with the view being that sustained rates of delivery may not be possible, due to various factors including viability. While the plan does include large sites of strategic importance to its overall delivery, the overall supply is supported by a range of types, locations and sizes of sites and the high-level viability testing of the plan (VIA001 – VIA003) has taken account of the plan's policy requirements for sites, such as infrastructure requirements, and included site-specific testing of a number of key strategic sites. The viability assessments were undertaken by an experienced consultancy using proportionate and suitably up to date evidence for land values and development values and costs, with sensitivity tests applied, in a manner consistent with national planning guidance.
101. While factors affecting a given site's viability can change or be particularly nuanced, and more granular site-specific viability evidence may be prepared by developers in relation to planning applications, we are satisfied that the viability testing of the plan provides a sufficiently proportionate and robust analysis to support the view that the plan's overall amount and type of growth is reasonably likely to be deliverable during the plan period.

102. Appendix 8 of the submitted plan sets out the Council's monitoring framework. As the Council may want to amend the framework from time to time, and given it is not required to form part of the plan itself, it is necessary for effectiveness for the monitoring framework to be removed from the plan. This is achieved by **MM428**.

103. Overall, subject to the main modifications, we conclude that the plan's growth strategy is deliverable in broad terms, and that the plan identifies a suitable supply of housing land to meet the plan's housing requirement over the plan period, including specific deliverable sites for five years from the anticipated point of adoption.

Conclusion

104. While we consider the soundness of individual site allocations elsewhere in this report, we conclude that overall, subject to the MMs indicated above, the plan period, assessments of housing and employment need, and the plan's overall scale of housing and employment growth are justified, effective, positively prepared and consistent with national policy.

Issue 3 – Whether the plan is justified, effective and consistent with national policy in relation to its general policies for sustainable development?

105. We have dealt with policy GP2 and those parts of policy GP3 that principally relate to the plan's settlement hierarchy and the spatial distribution of development under Issue 1, and that discussion is not repeated here. The plan's other general policies for development including the other parts of policy GP3 are covered here and, in concluding on the overall soundness of the general policies, we have been mindful of those elements considered principally under Issue 1.

Policy GP1: Sustainable Development

106. Policy GP1 is an overarching policy that sets out a number of general principles for sustainable development in Teignbridge. It has been stated by some that the policy's requirement for proposals to "perform well" against its criteria is insufficiently precise to enable effective decision making. However, we are satisfied that, as this is a policy setting out overarching expectations for sustainable development across all potential development types in Teignbridge, it is neither necessary nor practicable for it to set out more detailed or measurable requirements or thresholds. Whether or not a particular development proposal 'performs well' against policy GP1 would be a matter of planning judgement for the decision maker. Furthermore, more detailed

requirements linked to the general requirements of GP1 are set out in other policies in the plan.

107. While the policy specifies that its requirements will be subject to other development management policies too, it is the case that not all the general principles will be relevant to decision-making for every development proposal. Therefore, for effectiveness, **MM1** is necessary to clarify that the criteria of policy GP1 will apply only where they are relevant.
108. National policy expects the natural environment, including biodiversity, to be enhanced not just protected, and **MM2** is therefore necessary to clarify the policy in this regard. National policy also expects mineral resources to be safeguarded and, for consistency with national policy and for effectiveness, **MM3** is therefore necessary to clarify that the effects of proposed development on both current and potential future mineral extraction should be considered. Also, for the same soundness reasons, an additional policy criterion is necessary in order to include the reuse of previously developed land as part of a positive overarching framework for sustainable development in Teignbridge. **MM4** achieves this.

Policy GP3: Settlement Limits and the Countryside

109. Policy GP3 sets out the plan's settlement hierarchy (considered under Issue 1) and its approach to development within and outside the settlement limits, as defined on the Policies Map. Part 3 of the policy sets out various criteria relating to development proposals in the countryside, that is, outside the settlement limits. In setting out requirements in relation to landscape character and breaks between settlements, the policy approach does not specifically take into account the setting of settlements and therefore its application could conflict with the detailed requirements of policy EN1 which sets out specific criteria in this regard.
110. The approach of policy GP3 also does not take into account the setting of Dartmoor National Park, which is inconsistent with policy EN4, and national policy and does not align with the need to seek to further the purposes of the National Park. **MM10** and **MM11** address these matters and are necessary for effectiveness and consistency with national policy. **MM12** provides an editorial correction to part 3d of the policy, which is necessary for clarity and therefore effectiveness.
111. Policy GP3 does not provide for the appropriate reuse of previously developed land. Therefore, for consistency with national policy, and in the interests of the plan's effectiveness by ensuring consistency with the main modifications to policy GP1, **MM13** adds redevelopment or reuse of previously developed land to the list of possible development in the countryside set out in policy GP3. Also

for effectiveness, **MM13** includes non-residential uses that are required to facilitate development. Associated updates to the explanatory text are necessary, which are provided by **MM14** and **MM15**.

Policy GP4: Ashburton and Buckfastleigh

112. Policy GP4 was intended to ensure that the same level of countryside protection would be provided around settlement boundaries for Ashburton and Buckfastleigh, as defined in the Dartmoor Local Plan, as to other settlements in the Teignbridge Local Plan area. To this end, the policy sets out that the policies of the Teignbridge Local Plan would be read to include those settlement boundaries defined in Dartmoor National Park's development plan. It also sets out a general commitment for the Council to work with Dartmoor National Park Authority in relation to Ashburton and Buckfastleigh.

113. Notwithstanding its general intent, the policy is not clear how it should be applied for development management purposes and introduces confusion by seeming to conflate two local plans and local plan areas, which should be distinct but complementary. Other policies in the plan, including GP3, EN1 and EN4, address relevant matters including settlement limits, the setting and physical separation of settlements, development in the countryside, and the setting of Dartmoor National Park, so GP4 is unnecessary in attempting to duplicate these.

114. Policy GP4 is, therefore, not justified or effective and, given it is unnecessary due to other policies, **MM16** deletes the entire policy from the plan together with the text in paragraph 1.14 and **MM17** covers the associated renumbering of policy GP5 as GP4.

Policy GP5: Neighbourhood Plans

115. Uptake of neighbourhood planning in Teignbridge has been strong, with eleven made plans at the time of the examination hearing. The plan does not require emerging neighbourhood plans to allocate sites and is not reliant upon neighbourhood plans to do so in order to meet its planned levels of growth.

116. Nevertheless, the plan seeks to encourage the preparation of neighbourhood plans and policy GP5 sets out a number of strategic criteria to inform allocations for housing in the event that they come forward through neighbourhood plans. In so doing, GP5 does not include the plan's settlement hierarchy as a relevant criterion and therefore would not be effective in ensuring that housing sites allocated in a neighbourhood plan would be consistent with the strategic approach set in the local plan. **MM18** corrects this for effectiveness and to ensure the approach is consistent with national policy.

117. The NPPF also expects that neighbourhood plans will not promote less development than set out in the strategic policies for the area or otherwise undermine strategic policies. As the plan includes various non-strategic site allocations, it is necessary for effectiveness for policy GP5 to set out the approach to be taken in the event of a neighbourhood plan seeking to amend a non-strategic allocation or allocate an alternative site, in order that the plan's strategic level and distribution of housing and employment growth and approach to site selection is not undermined.
118. For effectiveness and consistency with national policy, **MM19** sets out additional expectations in this regard within GP5, including that any loss of housing or employment land resulting from changes to the plan's non-strategic policies must be compensated for on alternative sites in the designated neighbourhood plan area which have been selected in accordance with the principles for development set out in strategic policy GP2.

Policy GP6A: Open Space and Recreation Facilities and Policy GP6B: Built Facilities

119. Policy GP6A seeks to protect open space, play, sport and recreation land and buildings, including playing fields, from loss to other uses except in specified circumstances. As drafted, it applies to the re-development of such spaces and facilities. However, in order to be effective in safeguarding these spaces and facilities it should apply to development for other uses more broadly, not only re-developments. **MM22** makes the necessary change and **MM21** deals with renumbering the policy pursuant to **MM16** for effectiveness.
120. Policy GP6B is similar to policy GP6A but with a focus on built facilities identified as key to local community and commercial services and facilities. As tourism is an important sector of the local economy, hotels are a particular type of built facility that is significant in Teignbridge. Therefore, for effectiveness, **MM23** includes hotels in the list (which is not a closed list) set out in the explanatory text.
121. Policy GP6B requires a period of marketing to be carried out in some cases. For the plan to be effective in this regard, a suitable marketing strategy will need to be utilised in each instance. Therefore, to aid plan users, **MM25** provides additional explanatory text on the scope and expectations for marketing to be agreed with the Council. **MM26** deals with renumbering the policy pursuant to **MM16** for effectiveness.
122. Policy GP6A sets more stringent safeguards for open space and recreation facilities than Policy GP6B sets for other local facilities. While this approach is generally consistent with the expectations of the NPPF, the plan does not identify why there is a somewhat different policy approach for various facilities

that might otherwise be categorised together under a general 'community facilities' umbrella. For the plan to be justified **MM24** provides additional explanatory text in this regard.

Policy GP7: Infrastructure and Transport Networks

123. Policy GP7 covers the provision of new and improved infrastructure necessary to support the level of growth set out in the plan. The policy is supported by the Council's Infrastructure Delivery Plan (SUP001), which identifies an extensive range of requirements for new and improved infrastructure. For effectiveness and consistency with national policy, **MM27**, **MM28** and **MM30** are necessary to ensure that regard will be had to the latest version of the Infrastructure Delivery Plan (which will evolve over the plan period to reflect changing needs and priorities for infrastructure), in relation to the planning, prioritisation, funding and delivery of new and improved infrastructure to support timely and coordinated delivery of the plan.
124. We have already concluded that the overall transport infrastructure implications of the plan's scale and spatial strategy for growth should not lead to severe impacts on the road network. As part of this, various upgrades to the transport network have been identified as necessary to accommodate growth in Teignbridge, including works to the A377 and associated roundabout at its junction with the A30. For effectiveness, **MM29** identifies certain infrastructure priorities identified by National Highways as critical to the delivery of the plan.
125. The NPPF states that plans should set out the contributions expected from development and, in principle, the plan is consistent with national policy in this regard. Policy GP7 includes a broad criterion for seeking per-dwelling contributions for healthcare infrastructure. However, in line with its generally overarching approach to infrastructure requirements, the policy does not identify a specific contribution cost per-dwelling or any particular elements of healthcare infrastructure to be provided or prioritised through such contributions.
126. It is not necessary for soundness for the policy to include more detail in relation to healthcare infrastructure or contributions. However, for effectiveness, **MM31** provides explanatory text in this regard including the general approach that requests for contributions will be based on 29.6% of new households being new arrivals in the NHS catchment. In practice, and as indicated by the Infrastructure Delivery Plan, it is likely that contributions would be sought only for secondary and not primary healthcare infrastructure. However, it is not necessary for soundness for **MM31** to provide more detail or rule in/out specific contributions or infrastructure types in the explanatory text, because that would be a matter to be addressed in relation to individual planning applications and the evidence and circumstances pertaining at the time.

127. Similarly, and also for effectiveness, **MM32** provides additional explanatory text in relation to education infrastructure. The NHS has set out a clear preference for contributions via S106 contribution rather than the Community Infrastructure Levy, similar to the established preference of the Local Education Authority, which is set out in the explanatory text in relation to contributions for education infrastructure. As a general policy, policy GP7 does not specify particular funding mechanisms for any form of infrastructure covered, and we consider it is not necessary for soundness for this policy or the plan elsewhere to do so. While the plan sets a framework, the specific necessary infrastructure contributions and the mechanisms to secure them are a matter for consideration in relation to individual planning applications, including with regard to the Community Infrastructure Levy Regulations.
128. The plan includes growth close to local authority administrative area boundaries, such as at the Edge of Exeter, which will require the provision of certain new and improved infrastructure outside Teignbridge district. **MM33** identifies this, for effectiveness.

Policy GP8: Viability

129. As is expected by national policy, the plan sets out the contributions expected from development. Policy GP8 sets out the approach to be taken if an applicant seeks to demonstrate circumstances that justify a site-specific viability assessment at the application stage. However, **MM34** is necessary to replace 'exceptional circumstances' with 'particular circumstances where justified by the applicant'. This provides clarity that the onus is on the applicant to demonstrate the need for any deviation from policy requirements on viability grounds and is necessary for consistency with national policy. The policy provides more detail than national policy but in so doing it is not specifically more onerous given the degree of policy flexibility, whereby an applicant may seek to justify particular circumstances other than those listed. However, for effectiveness, **MM37** is necessary to provide additional explanatory text regarding changing circumstances that can affect development viability.
130. To provide clarity about what is meant by 'undevelopable land' in the explanatory text in the context of Policy GP8, a modification to the supporting text is necessary to delete the potentially confusing or misleading list of areas and restrictions and, instead, to set out that it means areas of land where no development can occur. **MM36** makes the necessary change for effectiveness, with the resulting paragraph clearly differentiating undevelopable land within site allocations (where no development can occur) from areas developable for built development such as new homes and for other policy infrastructure requirements, which could be built or non-built infrastructure.
131. It has been argued that this approach is flawed, in effect because it would not support the delivery of policy requirements for non-built infrastructure such as

for drainage, open space and biodiversity on 'developable land'; and because it would be out of step with the methodology used in the viability assessments of the plan (VIA001 to VIA003) in relation to the respective premiums applied to developable and undevelopable land. On the evidence and the basis set out above we are satisfied that is not the case, that the approach is sound, and that suggested further modifications to make it 'more sound' are not required.

132. For clarification and to ensure an appropriate degree of flexibility, and thus effectiveness, **MM35** corrects a drafting error by removing the word 'requirement' in criterion 4 of the policy.

Conclusion

133. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is justified, effective and consistent with national policy in relation to its general policies for sustainable development.

Issue 4 – Whether the plan is justified, effective and consistent with national policy in respect of its climate change policies?

Policy CC1: Resilience

134. Policy CC1 sets out the plan's overarching approach to resilience to climate change through a series of broad principles for minimising impacts through adaptation and mitigation, the key aspects of which are taken up in more detail through subsequent policies. Policy CC1 is justified and consistent with national policy, but a number of modifications are required for effectiveness to clarify that its criteria are for consideration through planning applications, and to ensure the policy flows appropriately. **MM39, MM40, MM41, MM42** and **MM43** do this. Also, for effectiveness, modifications are required to the explanatory text to clarify that the target referred to is net zero, and to associate the plan's climate resilience priorities with the Devon Carbon Plan, which is endorsed by the Council. This is achieved by **MM38** and **MM44**.
135. It has been argued that it is unclear how compliance with Policy CC1 would be demonstrated and assessed through an application. However, we are satisfied that, subject to modifications where relevant through the plan, the approach to climate change is sufficiently clear when taking the plan as a whole. Various climate change related requirements are set out in policies throughout the plan, and overarching policy CC1 is therefore unlikely to apply in isolation.

Policy CC2: Energy and Carbon Statements

136. Policy CC2, which relates to regulated energy and carbon, sets strategic energy hierarchy principles and minimum standards for all new residential and non-

residential floor space, and conversions of existing buildings where there would be a change to the energy status of the building being converted. Key policy aims include applications for residential development achieving net zero carbon as soon as possible - from plan adoption for major developments and from 2028 for residential schemes of up to 9 homes. The policy requires applications for relevant development to include an Energy and Carbon Statement demonstrating how the hierarchy principles and minimum standards will be fulfilled. Overall, the requirements of policy CC2 go beyond the requirements of the current Building Regulations and the anticipated Future Homes Standard.

137. At the national level, the direction of travel is towards net zero carbon by 2050, and the NPPF expects plans to support the transition to a low carbon future including by taking a proactive approach to mitigating and adapting to climate change. One strand of this is planning for new development in ways that help reduce greenhouse gas emissions, including through the design of development, albeit the NPPF advises that any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
138. However, the Planning and Energy Act 2008 enables local authorities to set energy efficiency and renewable energy standards through development plan policies that exceed those set nationally through the Building Regulations, provided they are reasonable and justified in the local context, consistent with national policies, and use recognised national standards.
139. The Local Energy Efficiency Standards Written Ministerial Statement (WMS) (December 2023), set out that further changes to energy efficiency buildings regulations, planned for 2025. While the changes are now anticipated in 2026 instead, the statement went on to say that they will mean that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise. Compared to varied local standards, these nationally applied standards provide clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes. Any planning policies that propose local energy efficiency standards for buildings that go beyond the current or planned building regulations should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:
- Development remains viable, and the impact on housing supply and affordability is considered in accordance with the NPPF
 - The additional requirement is expressed as a percentage uplift of a dwelling's Target Emission Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

140. In Teignbridge, the Council declared a climate change emergency in 2019, pledging to do what is within its powers to make the district carbon neutral by 2030. The Low Carbon Evidence Base document (CCH001) identified that the district's emissions (including the area in Dartmoor National Park) are dominated by transport (particularly private vehicles) and heating buildings. In this general context, tackling climate change is a Council priority and a key element of the plan's vision for Teignbridge to be a leader in tackling climate change and the plan's strategic objectives.
141. In seeking to implement the energy hierarchy and minimum standards for carbon emissions, Policy CC2 requires most new development in Teignbridge to contribute to the Council's net zero carbon aims. The approach has been robustly costed and the effects on development viability, affordability and supply have been considered through the climate change evidence, including through the viability analysis across various typologies in the Local Plan Viability Assessment Addendum (VIA003). This applied estimated costs uplifts to base build costs, relative to meeting the 2021 Building Regulations Part L and relative to meeting the anticipated changes to Part L as planned for 2025, specifically with regard to meeting the net zero requirements of CC2.
142. While the precise factors and costs of meeting net zero in Teignbridge are not yet known, the University of Exeter estimated costs for policy CC2 provide a well-reasoned basis for the estimated uplifts included in the viability analysis. The Addendum Report concluded that residential development in Teignbridge is generally viable and able to deliver the plan's policy requirements, including CC2; and, while much non-residential development is not viable in Teignbridge the plan's policy requirements are a small cost component and unlikely to put such development at risk. Overall, while the approach would reduce flexibility for developers, the evidence base shows that the approach should be effective in achieving net zero operational carbon emissions, and there is no significant evidence that development viability or other matters such as skills shortages would constrain supply to any significant degree or could not be overcome.
143. Consequently, while policy CC2 is justified and its overall aim is consistent with national policy, modifications for effectiveness are necessary to provide additional explanatory text to outline how the policy will be applied, including in line with the expectations of the WMS with regard to the use of TER and SAP, and this is achieved by **MM45**, **MM46** and **MM47**.

Policy CC3: Electric Vehicle (EV) Infrastructure

144. Policy CC3 broadens out the requirements of the Building Regulations for EV charging, and is justified in doing so by setting a strategic approach for the delivery of this type of infrastructure in the Teignbridge context, including in relation to accessibility and because the energy hierarchy in policy CC2 includes the importance of enabling vehicle-to-grid discharge of stored energy

to help enable greater capacity and meet the energy needs of the building. The policy is justified and its overall aim is consistent with national policy. However, modifications are necessary for additional explanatory text in relation to the potential for future amendments to Part S of the Building Regulations, to highlight the relationship between the policy and the energy hierarchy in policy CC2 and to correct the reference to design and parking guidance in chapter 3 of the plan. Respectively, **MM48**, **MM49** and **MM50** provide these changes for effectiveness.

Policy CC4: Sustainable Transport

145. Supporting a modal shift towards a greater proportion of journeys being by active and sustainable forms of transport is a central element of the plan's strategy for the spatial distribution of growth set out in policies GP1 and GP2. Policy CC4 takes this aim forward, including setting the expectation that for major developments at least 50% of trips should be made by walking, cycling and public transport. The policy's approach is generally consistent with the NPPF's emphasis on promoting sustainable transport and managing patterns of growth to support its sustainable transport objectives. However, modifications are required to criterion 2 of the policy to ensure consistency with NPPF paragraph 111 for development management purposes. **MM51** does this.
146. **MM52** modifies criterion 3 to clarify that it is for an applicant, rather than the local highway authority, to locate and design proposals for development in line with policy requirements, and **MM53** provides additional explanatory text about submitting a transport statement, transport assessment, or travel plan as appropriate for the scale and nature of development. These modifications are necessary for effectiveness.

Policy CC5: Renewable and Low Carbon Energy Generation

147. Criterion 2 of the policy refers to allocated development for wind generated energy. However, this is incorrect as the plan identifies various areas of potential suitability for wind turbines, through policy CC6 (wind turbine development), but does not include specific site allocations for this form of development. **MM54** clarifies this, which is necessary for effectiveness. The adjacent text relating to non-domestic wind energy development being an exception does not need to be deleted from policy CC5, for the plan to be sound, because it makes clear that this form of wind energy development would not be considered under policy CC5, instead falling to be considered under policy CC6. Also for effectiveness, **MM55** clarifies that fossil fuel energy generation will not be acceptable for grid supply purposes.
148. Given the extensive Mineral Safeguarding and Consultation Areas in Teignbridge there may be potential for renewable and low carbon energy generation development to overlap. Therefore, and while some forms of energy

generation development may be suitable 'meanwhile' uses, in the interests of ensuring such development would not sterilise mineral resources and for consistency with national policy and policy M2 of the Devon Minerals Plan, **MM56** is necessary to provide additional explanatory text to highlight the matter to plan users.

149. We are satisfied that the policy and supporting evidence, including the extent to which substantial areas of Teignbridge have been indicated as potentially suitable for renewable and low carbon energy generation such as for solar photovoltaic panels, is not a 'blanket' of suitability, akin to extensive land allocations. This is because even in those identified areas, which do not amount to allocations in the plan, relevant policy criteria would need to be met. Instead, the plan sets a generally positive framework for renewable and low carbon energy development, including identifying potentially suitable areas, which we consider to be a sound approach.

Policy CC6: Wind Turbine Development

150. In line with footnote 54 of the NPPF and informed by the Wind Areas Landscape Impact Study and Wind Turbine Landscape Study (CCH003 and CCH004) and the Wind Areas Heritage Impact Assessment (CCH006), policy CC6 identifies several specific areas as suitable 'in principle' for wind energy development, which are shown on the policies map. The policy also includes various criteria for consideration through any applications for such development.
151. As submitted, policy CC6 only supports wind turbine development within those specific areas listed within it. However, the explanatory text contradicts this by advising that the areas identified are priority areas for search, rather than the only acceptable areas. For effectiveness, and for consistency with the Government's Policy Statement on onshore wind published on 8 July 2024 which brought the national policy position for onshore wind in line with other forms of energy development proposals, **MM57** ensures the policy also covers any other areas outside the identified areas, where demonstrated to be suitable for wind turbine development. **MM58** removes the consideration regarding the level of community support from policy CC6, which is also necessary for consistency with the national position. **MM64** and **MM65** are necessary to update the explanatory text in light of the national Policy Statement.
152. Given that several of the suitable wind Areas identified in policy CC6 are relatively clustered, including several around the village of Tedburn St Mary, and in proximity to a variety of heritage assets it is necessary for the policy to ensure cumulative impacts are appropriately considered. **MM59** is therefore required for consistency with the NPPF to ensure that consideration of any cumulative impacts, including landscape and visual impacts, is extended to also apply in relation to the significance of heritage assets and their settings.

153. The Heritage Impact Assessment identifies sensitivity and potential harm to the significance of multiple heritage assets arising in respect of a bank of wind turbines in identified Wind Area 15: West of Tedburn St Mary. This includes a finding of a potential major adverse level of harm to an asset of high significance in relation to Grade I listed Great Fulford House and the Grade II* listed Church of St Mary. To be justified, the policy needs to set out that, while identified as suitable for wind energy, in Area 15 this potential is restricted to a single turbine of limited height. This is achieved by **MM61**.
154. Similarly, the Heritage Impact Assessment identified a potential major adverse level of harm arising from wind Area 18: Land by Exwick Woods, including in relation to the Grade I listed Church of St Michael and All Angels and Grade II* listed Pynes, together with lesser potential impacts and cumulative effects on significance in relation to a large number of other heritage assets. Accordingly, Area 18 is not justified for specific identification in policy CC6 as an area suitable for wind energy development. Therefore, **MM62** is necessary to delete Area 18: Land by Exwick Woods from the policy. An associated change is necessary to remove Area 18 from the Policies Map.
155. Policy criterion 1g lists various factors, such as biodiversity and flood risk, upon which the negative impacts should generally be avoided. These matters are all addressed by other detailed policies in the plan and, therefore, for effectiveness and to align with the Policy Statement's approach to treat onshore wind in the same way as other energy development, **MM60** deletes criterion 1g from policy CC6.
156. In addition, for effectiveness, **MM63** is necessary to correct an error in the explanatory text relating to the height of wind turbines, **MM66** is required to clarify that the relevant local plan evidence documents relate to the wind Areas and not to any specific proposals for wind turbines, and **MM67** is necessary to clarify that while the evidence documents should be used as a starting point for identifying and assessing the heritage and landscape effects of proposed wind turbines, site specific evidence may also need to consider other receptors and potential impacts on a case-by-case basis.

Policy CC7: Energy Storage

157. While the policy is justified and consistent with national policy, a modification (by **MM68**) to clarify the wording of criterion 3 in relation to the need to avoid harm to heritage assets is necessary for effectiveness.

Conclusion

158. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is justified, effective and consistent with national policy in relation to its climate change policies.

Issue 5 – Whether the plan is justified, effective and consistent with national policy in respect of its design and wellbeing policies and the Teignbridge District Wide Design Code and the Houghton Barton and Bradmore Neighbourhood Design Code?

159. Together, policies DW1 (Quality Development), DW2 (Development Principles) and DW3 (Design Standards) set a framework for design quality and design principles and standards in Teignbridge, within which a District Wide Design Code is embedded as part of the local plan (see below). The overall approach, which is informed by local character and distinctiveness and recognises that design is a key element of sustainable development, is broadly consistent with the design aims of the NPPF and other national policy guidance including, where relevant, the National Model Design Guide and National Model Design Code. However, some modifications are necessary to ensure policies DW1, DW2 and DW3 are effective and consistent with national policy requirements, as follows:

Policy DW1: Quality Development

160. **MM72** and **MM73** incorporate information from paragraph 3.5 and Figure 6 into the policy, to ensure effectiveness by embedding design from the outset of developing a planning application and to clearly set out when design documents such as parameter plans and design codes will be required based on the number of dwellings proposed and whether the application is in outline form. It has been suggested that the word 'green' in **MM72** is weak and vague in this context and should be strengthened to specify particular requirements, such as nature-rich landscapes. However, given policy DW1 is a high-level one that requires development to accord with the detailed District Design Code – which itself has a significant focus on nature and nature recovery - it is not necessary for soundness for more detailed wording to be added to the policy.

161. **MM74** clarifies that the series of design documents referred to in the policy is those as defined in Table 3, and **MM75**, **MM76** and **MM77** provide additional information within Table 3, including to clarify when site-specific design codes will need to be provided and agreed with the Council, and their relationship to the District Design Code. Associated with these MMs, several corrections and updates to the introductory explanatory text in the design and wellbeing chapter are needed, which are addressed by **MM69** and **MM70**.

Policy DW2: Development Principles

162. Policy DW2 provides ten headline design-related principles for development and sets out that development must accord with the District Design Code. However, it does not set out the hierarchical arrangement of the District Design Code

where site specific design codes are required, or how applicants should respond to the District Design Code in respect of proposed development of a type or scale not covered by policy DW1. **MM78** addresses these points. The principles set out in the policy are general, such that they may be applied to all types and scales of development, as relevant, in a proportionate manner. Given that they fall within the range of national design policy expectations, they should not become unduly burdensome.

163. A number of points of clarity or correction are required to principles 2, 3, 5, 6 and 8, which are addressed by **MM79, MM80, MM81, MM82 and MM83**. Associated with these modifications, and MM78, several corrections and updates to the explanatory text are needed and addressed by **MM71 and MM84**.

Policy DW3: Design Standards

164. The policy sets out a wide range of design standards, including in relation to playing pitches, Suitable Alternative Natural Greenspace (SANG), sustainable drainage, secure design, allotments, and parking, that are expected to be applied together with the requirements of the District Design Code. As submitted, all aspects of the policy would apply to all new development. However, in practice not all of the standards will be relevant to every potential type and size of development in Teignbridge. **MM85** is therefore necessary to enable appropriate flexibility. This modification also sets out how the District Design Code should be applied for development not covered by Figure 6 in policy DW1, that being to 'inform' design and thereby provide an appropriate degree of flexibility and proportionality for those other developments.
165. We consider that it is not necessary for the minimum vehicle parking standards in policy DW3 to be expressed as maximum figures. The NPPF states that maximum parking standards should only be set where there is clear and compelling justification that they are necessary, which has not been evidenced in relation to this plan. We are therefore satisfied that the plan's approach of minimum parking standards is appropriate, and that other factors including the location of major site allocations in general proximity to services and public transport options support the 50% ambition.
166. A correction is required to standard 3 to delete superfluous text, which is addressed by **MM86**, and **MM87** provides a modification to standard 4 to express the standard for SANG as a ratio of at least 8 hectares per 1,000 people in line with Natural England's established guidance and for consistency with similar modifications to the SANG ratio elsewhere in the plan.

167. Whether or not the Council currently has sufficient resources to support the operation of the plan's suite of design policies, including the requirements of Figure 6 and the District Design Code, without affecting timely determination of planning applications is a matter for the Council. This does not affect our findings on the soundness of the plan. The plan, as a whole and including in the District Design Code, adequately recognises, that many factors may affect the design and layout of a development, such as nationally prescribed requirements for sustainable drainage and Biodiversity Net Gain. While the overarching design principles, standards, and requirements are expected to be applied to all development, subject to the relevant main modifications, the plan is sufficiently clear that this expectation is to be applied 'as far as appropriate and relevant', with reasonable scope for proportionality and flexibility for designers in how they are applied. We are therefore satisfied that it is not necessary for soundness to include more explanatory detail or to further modify policy requirements in this regard.

Design Codes

168. In order to achieve well designed places, and to provide maximum clarity about design expectations at an early stage, the NPPF advises that all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and the National Model Design Code. These should reflect local character and design preferences and provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design, while allowing for a suitable degree of variety. The NPPF further advises that design codes can be prepared at a variety of geographic scales, from area-wide to site-specific scale, and by local authorities or by developers to support planning applications; and, to carry weight in decision making, design codes should be produced as part of a local plan or as supplementary planning documents.

169. The Council, as one of the authorities selected to take part in the initial Design Code Pathfinder Programme, chose to engage consultants to help it prepare an overarching design code for the whole plan area and, subsequently, a more geographically focused design code relating to the Houghton Barton and Bradmore urban extension to Newton Abbot. Both involved consultation and engagement with the local community, stakeholders and developers, as the NPPF and National Model Design Code expect. Both design codes form part of the submitted plan.

Teignbridge District Wide Design Code

170. While some consider this design code to be overly prescriptive, others are of the view that it is not specific and detailed enough and does not adequately set out design parameters to meet the requirements of a design code rather than a design guide. However, while the design code requires a significant number of

modifications for soundness to ensure it is justified and effective, we are satisfied that, in general terms, it meets the basic requirements of a code set out in the suite of national policy for planning and achieving well-designed places. We are also satisfied, including in light of the Council's legal advice note (MM-SD05) and comments on that, that it is appropriate, justified and consistent with national policy and legislation for the district design code to form part of the plan.

171. Broadly, we are of this view because the design code sets out a series of illustrated design requirements, together with specific requirements set out in graphic and written components that build upon an initial context for good design in Teignbridge and a set of purposes of the code. This is informed throughout by a detailed understanding of the local context and character of the plan area which feeds into the series of Technical Advice Notes, in effect detailed local design guidance, included at the end of the design code with the aim that these will help inform the application of the code's various parameters and requirements in the Teignbridge context to support locally distinctive development. Furthermore, the code's headline design requirements are based on the 10 characteristics of well-designed places set out in the National Design Guide. And, as an overarching, area-wide design code, the requirements are generally broad and flexible enough to enable a variety of design solutions to stem from them.
172. The design code is referred to by various names both within the code and in the wider plan. For effectiveness, consistent references are required and, to this end, **MM324** amends and updates the front cover and title and **MM327** provides other related changes. The design code states that it applies to all development. However, as this is not consistent with policies DW1 and DW2, and to ensure the design code is proportionate and relevant to different types and scales of development and to provide clarity on how to use it, **MM325**, **MM326**, **MM328**, and **MM329** are required for effectiveness to ensure internal consistency between the design code and other parts of the plan.
173. The design code sets out a series of requirements which are arranged by topic chapter and divided into three interrelated categories of 'Mandatory', 'Required Outcome' and 'Required Information' and expectations that developers 'must' address. As all categories appear to be required in all cases, despite having been intended to provide certainty and clarity, this arrangement is confusing regarding the relative status of each requirement category and what 'must' be done, and potentially burdensome or irrelevant for both developers and the Council to apply. While design codes are expected to form a set of design requirements and checklists, a significant number of modifications are necessary in this case to ensure that the district design code is justified and effective for its intended broad scope and coverage and its relationship to the plan's design and wellbeing policies.

174. These modifications are provided by **MM330** through to **MM399** and **MM412** to **MM426** inclusive, which also include various corrections, updates, and additional explanation or signposting where required throughout the design code. Together, these modifications serve to streamline the code's requirements, such as for local engagement, rather than weaken or water it down. They will ensure that the design code is appropriately flexible and proportionate for the full range of potential developments that may come forward in the plan area, and that the design code, functioning alongside the plan's design policies, can be more effectively used by developers and managed through the normal development management process where a site-specific design code is required. The plan must be read as a whole, and the requirement to prepare a design code in accordance with the district design code set out in policies DW1 and DW2 is unaffected by these modifications, together with other requirements of the code that link to a policy 'hook' elsewhere in the plan.
175. National design guidance advocates the inclusion of a checklist, including to aid use, compliance and validation of the design code requirements. For effectiveness, to assist plan users, the design code requires a comprehensive set of checklist design requirements. **MM400** to **MM411** inclusive add checklists to bring together the code's requirements, grouped by the key design principles, as a new section of the Bringing it All Together chapter of the design code.

Houghton Barton and Bradmore Neighbourhood Design Code

176. This design code principally relates to the areas of growth set out in the plan's site allocation for the Bradmore new neighbourhood (policy GC13) and the nearby Houghton Barton area covered by extant site allocation NA1. While we are satisfied that the district design code is justified for inclusion in the plan, we conclude that it is not justified to include this site-specific neighbourhood design code. This is because to do so would be inconsistent with the approach for the plan's other site allocations, for which policy DW1 will require the developer, rather than the Council, to prepare their own design code in accordance with the district design code. No clear case has been made to justify why the Houghton Barton and Bradmore area should receive 'special consideration' by way of a design code adopted within the development plan over and above any of the plan's other strategic sites or areas for growth.
177. Therefore, to ensure that the plan is justified, the design code for the Houghton Barton and Bradmore area should be removed. This is achieved by **MM429**, which deletes the neighbourhood design code in Appendix 7 of the submitted plan, together with references to this design code elsewhere in the plan.
178. We appreciate that producing this neighbourhood design code involved significant community engagement and some may be disappointed to see it removed from the plan. While it will not form part of the development plan, that

does not necessarily mean the work and engagement put into it must be wasted, and the neighbourhood design code could potentially go forward to be used as the basis, in full or in part, for the developers' design code for the new neighbourhood area.

Conclusion

179. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is justified, effective and consistent with national policy in relation to its policies for design and wellbeing and design codes.

Issue 6 - Whether the plan is effective and consistent with national policy in respect of its policies for the local economy?

180. In Issue 2 we consider employment need in Teignbridge and the plan's strategic approach to employment land, which includes the allocation of sites for around 65 hectares of land for business and employment generating uses (as specified in policy EC1: Business Development). Expanding upon and supporting this headline approach, the plan has ten policies in the Employment chapter (EC1 – EC10) focused on business development, the approach to employment sites, skills, start-ups and homeworking, digital networks, tourism, and town centres and retail, together with site allocations which we consider in Issue 10. These policies are appropriate in principle, including being consistent with the NPPF through supporting local economic growth, including supporting the rural economy, town centres and local business needs, in a flexible manner. However, some modifications are necessary to ensure policies EC2, EC4, EC7, EC9 and EC10 are fully effective and consistent with national policy requirements, as follows:

181. **MM90** is necessary to criterion 4 of policy EC2 to clarify that where local supporting services for employment sites are proposed, the supporting service use should support the existing or proposed use classes without undermining the primary business or industrial function.

182. It is not clear what is meant by 'larger' businesses in criterion 2 of policy EC4 in relation to the delivery of skills-related measures. **MM91** resolves the ambiguity. Similarly, it is not clear whether the requirements of policy EC7 apply when an existing static or touring caravan park is upgraded, for example if it is proposed to replace static caravans with timber chalets. **MM93** makes clear that the policy will apply to new sites and the extension, intensification or upgrading of existing sites. **MM95** and **MM96** adjust the structure of policy EC9, and **MM97** does the same for policy EC10, to ensure these policies flow in a clear and effective way.

183. Pursuant to these and other main modifications to the plan, a number of corrections and updates to the explanatory text are necessary, which are provided by **MM89, MM92, MM94, MM98, MM99** and **MM100**.
184. It has been suggested that policy EC8 is too onerous by some, and not ambitious enough by others, in relation to providing new development with access to digital infrastructure. While the policy is not specific about detailed requirements for types or speeds of services, this will enable a degree of flexibility over the plan period for a fast-changing infrastructure sector. Overall, the policy is consistent with the NPPF's aims of supporting advanced, high quality and reliable communications infrastructure and it is not necessary to modify it for soundness.

Conclusion

185. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is effective and consistent with national policy in relation to its policies for the local economy.

Issue 7 – Whether the plan is justified, effective and consistent with national policy in respect of land for new homes, affordable housing, and general housing policies?

The approach to land for new homes

186. In Issue 2 we consider housing needs in Teignbridge and the plan's strategic approach to meeting those needs, which includes the plan's housing requirement of 14,400 new homes over the plan period as specified in policy H1 and policies GP2 and GP3. Expanding upon and supporting this approach, the plan includes various policies in its Homes chapter that cover a range of relevant matters such as affordable housing, homes for Gypsies and Travellers, and householder development (together with housing site allocations which we consider in Issue 10).

Affordable housing

187. The Local Housing Needs Assessment (HOU001) identified an existing unmet need for affordable housing in Teignbridge of around 1,168 households living in unsuitable housing and unable to afford their own home (311 of which occupy affordable homes that are unsuitable for their needs, primarily due to overcrowding) and, in addition, projected future needs over the plan period of around 2,103 households that will be unable to afford housing costs. Furthermore, there is a combined current and future need of around 4,492 affordable homes for households that aspire to home ownership but cannot afford to buy an open market home. Overall, affordable housing needs comprise around 7,452 households, or around 373 per year over the plan period.

188. Policy H2 sets various minimum affordable housing targets and tenure split expectations for market-led residential development of 5 or more dwellings in designated rural areas and 10 or more dwellings elsewhere, supported by policy H3 which covers affordable housing occupancy restrictions. Based on the Local Plan Viability Assessment (VIA001-003), the plan sets minimum targets for affordable housing provision between 20% and 30% depending on the development type, location and whether the site is previously developed land. A zero minimum target applies for flats on previously developed land in Newton Abbot and Kingsteignton.
189. This approach is justified by the evidence and consistent with national policy. However, the evidence also indicates a zero standard rate is appropriate for retirement housing because most forms of retirement development across the plan area cannot viably provide affordable housing in addition to other policy costs such as infrastructure. Modifications are necessary to Table 8 in policy H2 to include the zero requirement for retirement housing, and to set out the applicable definition of retirement housing and other supporting information in the explanatory text. **MM112**, **MM116**, **MM117**, **MM118** and **MM119** make the necessary changes to ensure the policy is justified and effective.
190. A further modification is necessary to Table 8 to 'future-proof' the policy in relation to First Homes by broadening its scope to include other forms of discounted market homes should national policy no longer require First Homes specifically. For effectiveness, **MM112** also provides this change, and **MM114** updates the explanatory text accordingly. Finally, also for effectiveness, **MM113** expands the supporting text to highlight that all opportunities to maximise affordable housing provision should be sought, and **MM115** clarifies the position for affordable housing thresholds for unallocated sites.

Other housing policies

Policy H4: Inclusive Mix, Design and Layout

191. Policy H4 sets requirements for achieving an inclusive mix, design and layout in residential development. It is supported by the Local Housing Needs Assessment (HOU001), and consistent with the NPPF objective of creating mixed and balanced communities. However, a modification is required to delete the expectation that the mix of housing sizes (based on number of bedrooms) should be reflected proportionally across the overall housing provided on the site as this would not necessarily be justified by the most recent evidence of need and may be too inflexible in relation to other factors that affect the design and layout of a particular site. **MM120** makes this change, and **MM121** provides clarification in the explanatory text, to ensure the plan is justified and effective.

Policy H5: Homes Suitable for All

192. Policy H5 sets out a further range of requirements, for development of 10 or more homes, for providing homes suitable for all including in relation to accessible homes, internal space and specific housing types such as supported and specialist accommodation. Again, it is broadly sound, adequately assessed and justified by the needs and viability evidence including in relation to the use of the Nationally Described Space Standard and higher accessibility standards, and consistent with the NPPF in relation to creating places that are safe, inclusive and accessible and which promote health and wellbeing and a high standard of amenity.
193. However, for effectiveness a modification is necessary to clarify what is meant by 'smaller households', which is addressed by **MM122**. Also for effectiveness, the explanatory text requires updates and clarification in relation to the operation of the policy in relation to housing for older people and compact homes. This is achieved by **MM123** and **MM124**. While the policy does not directly refer to the specific housing needs of all groups in the community that may require housing provision in the plan area, this is not necessary for soundness given that, taken as a whole, the plan sets out a sufficiently broad and inclusive framework for the consideration of housing needs of different groups as they arise over the plan period.

Policy H6: Custom Build

194. National policy is supportive of the provision of opportunities for self-build and custom-build homes, and local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom-build housing; and they must have regard to the register and grant enough suitable development permissions to meet the identified demand. In Teignbridge, demand for custom building is relatively high and the Council acknowledges a deficit of supply to meet that demand, even when applying a conversion rate for people on the register who do not actually come forward for available plots in Teignbridge. Policy H6 is intended to support custom housebuilding and help address the supply deficit by requiring at least 5% of homes on sites for 20 or more to be made available for sale for custom build.
195. The requirement for the custom build plots to be made available at an early stage in the development is appropriate because it relates to locating the custom build plots where suitable road access to serve them is deliverable at an early stage, rather than requiring the custom builds to have been fully delivered at this stage. And, for larger sites, this would relate to the relevant phase of development within which the custom plots are located. However, while the Council is confident that the plan's site allocations for 20+ homes are broadly located in the areas where people on the register want to custom build their own

home, the minimum 24-month marketing period as set out is inflexible and may not be appropriate to all sites and changing market conditions or conducive to ensuring delivery of custom build plots for custom build development.

196. For effectiveness **MM125** therefore removes the specified minimum marketing period, leaving the appropriate marketing strategy to be agreed in each case. It also removes the requirement for unsold plots to be transferred to a registered provider to deliver affordable housing, removing the uncertainty for developers in relation to eventual outcomes and development viability, as this would be likely to counter the policy aims of increasing supply and delivery of custom build homes specifically. However, given the Council anticipates buoyant levels of demand for custom build plots to persist in the district, and given its duties under the Self Build and Custom Housebuilding Act 2015 to give enough suitable development permissions to meet the identified demand, the purpose of the policy is to ensure such plots are provided. To do that, the policy needs to effectively safeguard permitted custom build plots to ensure a continued supply in the local market, adding to the range of housing options available in Teignbridge.
197. **MM125** therefore strengthens the focus on effective marketing of the plots for their intended custom build purpose by clarifying in the policy's marketing criterion that they will not be released for non-custom build homes or alternative uses. Some argue that the policy must include a mechanism to revert to alternative delivery of the plot if it is not sold through the initially agreed marketing strategy, typically through reverting to open-market delivery by the developer. Amongst other things, this would address concerns about a potential for long term gaps in otherwise-completed developments.
198. However, the Council has a positive and proactive track-record in relation to custom build completions, having first introduced a 5% plot requirement in the current local plan (adopted 2014) which has been effective in delivering significant numbers of custom build homes, but some of the generated supply of permissions has been lost where the existing policy provided for reversion to the developer thereby undermining supply. The Council needs to continue and strengthen the established policy approach if it is to meet its duty in relation to sufficient permissions to meet identified demand.
199. Overall, we are satisfied that the additional safeguarding approach and clarification provided by **MM125** is justified in the specific context of the attractive rural and coastal nature of Teignbridge and the high demand for custom building in the district. Furthermore, we are satisfied that the approach is reasonably likely to operate effectively given the level of success since 2014 resulting from the adopted policy approach. In addition, the Council intends to monitor the policy's performance on an annual basis. Also, several modifications are necessary to the explanatory text to clarify points in relation to

compact homes, drainage options and affordable custom build plots. These are addressed respectively through **MM126**, **MM127** and **MM128** for effectiveness.

Policy H7: Rural Exception Sites and Policy H8: Other Exception Sites

200. While policy H7 is justified, it is necessary for effectiveness to clarify that public grant funding is not expected to fully fund the development. **MM129** does this, together with correcting some editorial errors in the policy. Also for effectiveness, **MM130** amends the explanatory text to clarify that if the identified local need for affordable homes is less than the policy's upper limit of twenty homes then the level of need should inform the upper limit for the development. Also, in the interests of effectiveness, **MM131** deletes potentially confusing text to ensure that policy H7 and policy H8 operate effectively alongside each other.

Policy H9: Local Connection Test and Cascade

201. Even where the policy H9 'local connection' test, in respect of affordable housing, is not met, there may be circumstances where the Council would need to recognise potential occupants as having a priority need for housing. For effectiveness, **MM132** is therefore necessary for the policy to recognise that there may be such exemptions. Also for effectiveness, **MM132** deletes the word 'affordable' because there are circumstances, facilitated by policy H8, where homes would be delivered on exception sites that would not meet the definition of affordable housing but the local connection test would apply. **MM133** and **MM134** provide necessary updates and clarification to the explanatory text to ensure policy effectiveness in relation to the expectations for meeting the essential local employment connection.

Policy H10: Homes for the Travelling Community

202. In Issue 2 we consider the level of accommodation need in Teignbridge for the travelling community and the plan's strategic requirement set out in policy H10, subject to **MM135**, for at least 63 pitches for Gypsies and Travellers to be provided by 2041. Relevant site allocations with pitch provision are covered in Issue 10. Consistent with the expectations of national policy, policy H10 also sets out criteria that provide the basis for decision-making where applications come forward from the travelling community. Overall, we are satisfied that the policy approach is sound, fair, and will facilitate the traditional and nomadic life of Travellers while respecting the interests of the settled community.

203. Since the plan was drafted, the definitions provided in the Planning Policy for Traveller Sites has been revised. While this has been reflected in the evidence base, this and some other updates are required to the plan's explanatory text and useful terms glossary, which are covered by **MM137**, **MM138**, **MM139**, **MM140**, and **MM316** for effectiveness.

Policy H11: Householder Development

204. To ensure the policy is justified and effective, modifications are required to set out the policy approach to the retention of existing and additional provision of off-street car parking, cycle storage and refuse and recycling provisions, in circumstances where enlargement of a dwelling would require additional provision. This is achieved by **MM141**, and **MM142** which adds related explanatory text to aid plan users.

Policy H14: Re-Use and Conversion of Disused Buildings in the Countryside

205. The NPPF is generally supportive of the re-use and conversion of buildings in the countryside, particularly where that would help support a prosperous economy through the sustainable growth and expansion of businesses in rural areas. Residential re-use and conversion may also be supported, provided the development of isolated homes in the countryside is avoided unless at least one of the specified circumstances applies, which include the home being the optimal viable use of a heritage asset, and the re-use of a redundant or disused building where the development would also enhance its immediate setting.

206. However, policy H14 requires modifications to ensure an appropriately supportive and consistent approach with that expected by the NPPF, and to clarify for effectiveness which policy criteria are relevant in cases for residential and / or employment re-uses or conversions and avoid confusion in relation to consideration of heritage assets. This is achieved by **MM143**, **MM144**, **MM145** and **MM146**.

Conclusion

207. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is justified, effective and consistent with national policy in respect of the approach to land for new homes, the provision of affordable housing, and its other general housing policies.

Issue 8 – Whether the plan is justified, effective and consistent with national policy in respect of its policies for the environment?

Policy EN1: Setting of Settlements

208. Policy EN1 seeks to conserve landscape settings in order to ensure that development would be sympathetic to local character and distinctiveness and to maintain the separate identity of settlements that are either closely related to each other or to new development included in the plan, such as the existing settlements of Shillingford Abbot and Ide in relation to the site allocation for Markham Village (policy EE1). In effect, this policy provides the operational

detail for policy GP3 (criterion 3c). While the importance of the immediate landscape to settlement settings will vary from place to place, the approach is proportionate, generally consistent with the NPPF, and justified by the Landscape Character Assessment (ENV008) in response to the pressures placed on landscape character by the level of growth required and the limited supply of brownfield sites within existing settlements.

209. However, modifications are necessary for effectiveness to ensure the policy flows appropriately and to expand the explanatory text to help plan users understand the concept of the setting of a settlement. **MM147**, **MM148** and **MM149** do this.

Policy EN2: Undeveloped Coast

210. The undeveloped coast is a longstanding designation in Teignbridge, originating in 1966 and based on the area's physical and visual relationship with the coast, estuaries and marine influences. As a result of restrictive planning policies during that time, the area identified as undeveloped coast remains largely unchanged in landscape and visual terms, and a significant proportion of the area is also covered by local, national and international wildlife designations, including Dawlish Warren, the Teign Estuary and the Exe Estuary.

211. The Council carried out an Undeveloped Coast Boundary Review in 2023 (ENV009) which, following the Settlement Limit Review (OED001), found various discrepancies which have been amended on the policies map. These related to the exclusion from the undeveloped coast of areas within the updated defined settlement limits and the inclusion within this designation of various open spaces on the edge of settlements, isolated development, sections of large curtilages that contribute to countryside character and agricultural farmsteads and buildings that contribute to the rural nature of the designation.

212. There are limited instances where this plan allocates a site for development and as a result removes the site from the undeveloped coast designation, in line with the plan's settlement limits. In these instances, the Council has made a judgement, informed by the site selection criteria and the spatial strategy, that the benefits of the development justify the site allocation when balanced against the harms including those arising from development in a location previously subject to the development restraints of the undeveloped coast. Overall, we are satisfied that the approach taken is a reasonable one having regard to our conclusions in relation to development needs, the spatial strategy and the site selection process in Issues 1 and 2.

213. Some are of the view that a more comprehensive review of the undeveloped coast and the potential to deliver more new housing should have been carried out. However, we are satisfied that the evidence proportionately justifies the

continuation of the undeveloped coast designation, with the modest alterations to its extent, and the protections set out in policy EN2 for the purposes of this plan, which meets its identified level of housing need. The policy is generally consistent with the NPPF's expectations for maintaining the character of the undeveloped coast, while improving public access to it where appropriate. However, modifications are necessary to include the redevelopment of previously developed land and flood defence in the policy's list of exceptions, and to update the explanatory text. **MM150** and **MM151** address this for consistency with national policy.

Policy EN3: Coastal Change Management Areas

Policy EN6: Flood Risk and Water Quality

214. Policy EN3 is justified, but a number of modifications are necessary to update the explanatory text in light of the most recent South Devon and Dorset Shoreline Management Plan, published in January 2025. **MM152**, **MM153** and **MM154** provide these changes for effectiveness.
215. The Strategic Flood Risk Assessment (FRA001) identifies various constraints associated with flood risk in the plan area, including significant areas affected by flood zones 2 and 3 and the identified critical drainage areas. In accordance with national policy, the Council has carried out a sequential test of the plan and considered the exception test where relevant concluding that the test would be passed for affected site allocations. While some site allocations are subject to a degree of flood risk to be managed or mitigated, they are not unsuitable for development in principle on that basis. Overall, we are satisfied that the plan's approach to flood risk is robustly evidenced and consistent with national policy.
216. Policy EN6 sets out a detailed approach to flood risk management that is generally consistent with national policy and is justified. However, **MM155** is necessary to ensure the plan is justified and effective by clarifying that it is for the relevant infrastructure provider, rather than the developer, to provide water supply and sewerage services to new developments. **MM156** is necessary for effectiveness to delete outdated references to flood risk guidance and resources from the explanatory text, replacing them with information about how to find the most up-to-date information. **MM158** provides grammatical corrections to Table 11 which sets out the flood zones and associated flood risk probabilities, and **MM304** adds flood risk information to the plan's useful terms appendix, both of which are necessary for effectiveness.
217. For effectiveness, **MM157** adds to the explanatory text to provide starting-point guidance for the reasonable area of search when considering alternative reasonably available sites appropriate for the development in areas with a lower risk of flooding when carrying out the sequential test. We are aware that recent updates to the planning practice guidance in September 2025 advise that the search area should be proportionate to the scale and type of development and

governed by local circumstances, and therefore it should not necessarily extend to the entire district. However, **MM157** remains generally consistent with the national policy pertaining to this examination and it does not modify the policy wording of policy EN6, which refers to the sequential test and alternative sites in broad terms. Nevertheless, in light of the more recent national policy position and considering the plan's use for decision-making purposes a small scheme, for example, may present a 'strong reason' for a reduced area of search within the context of **MM157**.

Policy EN7: Air Quality

218. The NPPF requires planning policies to contribute towards compliance with relevant limit values or national objectives for pollutants, taking account of Air Quality Management Areas (AQMA) and the cumulative impacts from sites, and taking opportunities to improve air quality or mitigate impacts. Currently in Teignbridge there are two AQMAs declared, at Teignmouth and at Newton Abbot and Kingsteignton, and the Council has an up-to-date Air Quality Action Plan in place. Air Quality is also identified as a potential adverse impact factor in relation to Habitats Sites in and around Teignbridge and this has been considered through the Habitats Regulations Assessment of the plan (CSD-023).

219. Policy EN7 sets out a range of requirements intended to avoid, minimise or mitigate any harms arising in relation to air quality. While the policy wording does not directly reflect the wording of the legislation, the policy's aims and expectations are in general alignment with it, and they are justified and consistent with the aims of the NPPF. These policy requirements, together with other policies in the plan and other mitigation strategies for reducing emissions, resulted in the conclusion that there would be no adverse impacts on the integrity of European Habitats Sites from changes in air quality. However, **MM159** is necessary for effectiveness to ensure the policy sets out the correct Habitats Sites and their designations in line with the recommendations of the HRA.

Policy EN8: Light Pollution

220. Policy EN8 is justified and consistent with national policy. However, **MM160** and **MM161** are necessary for effectiveness to correct a typographical error in the policy and to clarify in the explanatory text what is meant by 'large areas' of glazing or reflective materials in the policy's context, to assist plan users.

Policy EN10: Biodiversity and Geodiversity

221. Policy EN10 sets out various requirements intended to ensure that development protects and enhances biodiversity and geodiversity. Taken as a whole, it is broadly consistent with national policy. However, modifications are required to

ensure consistency with statutory requirements in relation to biodiversity net gain. **MM162**, **MM163**, **MM164** and **MM165** make those changes, to ensure the policy is justified and effective. Associated changes and updates to the explanatory text are also required for these reasons, which are covered by **MM166** and **MM167**. There is extensive national guidance available relating to biodiversity net gain, including in the PPG which in turn links to other related resources including guidance by DEFRA. The plan could not provide this range of information and does not need to for soundness. However, the modifications include a starting-point signpost to the relevant PPG.

222. We have altered **MM163** from that consulted upon, to retain some of the wording in the submission version of the policy that had been indicated for deletion. This is to ensure that there is no unintended ambiguity in the policy emphasis regarding whether on-site provision for biodiversity net gain is the priority, in accordance with national guidance and statutory requirements. While 'benefits for nature conservation' does not provide a specific decision-making framework, appropriate requirements and detailed measures will vary from case to case and do not need to be made explicit in the plan as suitable measures can be identified through normal development management procedures. Similarly, any forthcoming changes to biodiversity net gain requirements could be addressed through development management procedures.

Policy EN11: Important Habitats and Features

223. Like policy EN10, policy EN11 is broadly consistent with national policy for the protection and enhancement of biodiversity and geodiversity. However, modifications are required for effectiveness to correct the structure of the policy and cross reference related policies EN13, EN14 and EN15, and to correctly reference the Local Nature Recovery Strategy, which are delivered by **MM168** and **MM169**. Associated changes, updates and corrections are also necessary to Table 12 in the explanatory text, which identifies key biodiversity and geodiversity designations in and around Teignbridge, and these are addressed by **MM170** for effectiveness.

224. Policy EN11 covers Regionally Important Geological Sites (RIGS), of which there are currently 23 in Teignbridge. A number of 'potential RIGS' are shown on the submitted policies map, and current RIGS are erroneously omitted from the map. Given the significant uncertainties and unlikelihood of delivery, the potential RIGS should be removed from the policies map, and the existing designated RIGS should be added to it, to ensure that policy EN11 is effective. These changes to the policies map were subject to consultation alongside the main modifications.

Policy EN12: Legally Protected and Priority Species

225. Policy EN12 sets out various requirements for the protection of species. In most respects it is consistent with national policy but, to ensure overall alignment and that the policy is justified and effective, modifications are required to the policy title to clarify that it applies to national and local priority species, and to set out the requirement to avoid significant harms to relevant species and their habitats. **MM171** and **MM172** do this, and **MM173** provides an associated clarification in the explanatory text.

Policy EN13: European Wildlife Sites, Policy EN14: Exe Estuary and Dawlish Warren, and Policy EN15: South Hams SAC

226. Together, policies EN13, EN14 and EN15 set out the plan's approach to Habitats Sites with international designations, such as Dartmoor Special Area of Conservation (SAC), and the Exe Estuary Special Protection Area (SPA) and Ramsar site, and where relevant their European marine site extents. Policy EN13 is broadly consistent with national policy and relevant legislation, including through requiring development to be located and designed to avoid harmful impacts to habitats sites, before consideration of mitigation, in criterion 2. However, to ensure policy EN13 is justified and effective, modifications are required to include reference in the policy to European marine sites and Ramsar sites, and to streamline terminology with the regulations regarding consideration of likely significant effects. **MM174**, **MM175** and **MM176** provide these changes, and **MM177** clarifies the explanatory text regarding consistent terminology and the need for appropriate assessments to consider impacts in combination with other plans and projects.

227. Beneath the general umbrella of policy EN13, policy EN14 sets out specific requirements for mitigation for development that would create additional recreational or other pressure on the protected sites at the Exe Estuary and Dawlish Warren. While the overall approach is sound the policy requires modifications to update and clarify the requirements for Suitable Alternative Natural Greenspace for consistency with the updated South East Devon European Sites Joint Mitigation Strategy 2025-2030 (ENV002b). **MM178** does this, together with clarification that SANG provision will be required to be maintained indefinitely and clarification that the SANG ratio is equivalent to 8ha per 1,000 population for consistency with Natural England guidance and other related modifications to the plan. Associated updates to the explanatory text are provided by **MM179**, **MM180**, **MM181** and **MM182**. These modifications are necessary to ensure policy EN14 is justified and effective.

228. Policy EN15 sets out specific requirements for development that could impact features that support the integrity of the South Hams SAC. Sound in most respects, the policy requires a modification to ensure its continued effectiveness

in the event of the 2019 South Hams SAC Habitats Regulations Assessment Guidance being revised or replaced. **MM183** makes the necessary change.

Policy EN16: Trees, Hedges and Woodlands

229. Policy EN16 is broadly consistent with national policy in relation to trees, hedges and woodlands. However, while it sets out the approach to the loss of individual trees as a result of development, it does not cover requirements in the case of the loss of hedges, hedgerows or woodland. For effectiveness, **MM184** addresses this, including setting out the approach to replacement planting on site, and that this will account for biodiversity net gain requirements. Also for effectiveness, **MM185** adds to the explanatory text to signpost plan users to the joint Natural England and Forestry Commission advice for making planning decisions on ancient woodland, ancient trees and veteran trees. As this advice is clear that it relates to making planning decisions, there is no soundness need for the plan to say more on this than **MM185** provides. However, we have made a small grammatical change to the wording of this modification from that consulted upon.

Policy EN17: Heritage Assets

230. There is a wealth of designated and non-designated heritage assets in the plan area, including around 1,800 listed buildings, multiple scheduled monuments, conservation areas, and registered parks and gardens and a protected wreck site. The plan overall, including policy EN17, sets a positive strategy for the conservation and enjoyment of the historic environment that is generally in line with the aims of the NPPF. However, to ensure that policy EN17 is justified, effective and consistent with national policy a modification to criterion 1 is necessary to set out that development proposals that could affect a heritage asset or its setting should be accompanied by an assessment of their significance, and to set out requirements in circumstances of potential effects on archaeological assets. These changes are covered by **MM186**.

231. The public benefits expectations in criterion 4 are more stringent than the NPPF test for less than substantial harm. As this is not justified, **MM187** is necessary to ensure the policy is consistent with national policy in this regard. Modifications to update, correct and expand the explanatory text are also necessary for effectiveness to remove an outdated reference to conservation area consent, clarify the position that there is currently no formal register of locally listed buildings in Teignbridge, and clarify that historic relationships between land and established local traditions and ceremonies, such as the Beating of the Bounds in Newton Abbot, may warrant consideration as a non-designated heritage asset. **MM188**, **MM189**, and **MM190** make the relevant changes. For effectiveness, **MM194** also adds a reference to the Beating of the Bounds in the explanatory text for the Newton Abbot Cattlemarket site allocation (policy GC6).

Conclusion

232. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is justified, effective and consistent with national policy in relation to its policies for the environment.

Issue 9 – Whether the plan is justified, effective and consistent with national policy in respect of its general policies for the Newton Abbot and Kingsteignton Garden Community?

233. Garden Community status was awarded collectively to the two adjacent towns of Newton Abbot and Kingsteignton in 2019, aiming to shape and kickstart a programme of projects and developments connected with revitalising the town centres, neighbourhoods and the public realm, supporting community infrastructure, job creation, improved active and public transport links, and enhanced biodiversity.

234. The plan's general policies for the Newton Abbot and Kingsteignton Garden Community area are, in principle, appropriate as a collection of policies that aim to support and drive forward a range of developments in the area. However, modifications are required to Policy GC2 (Connecting to Nature – Green Infrastructure and Public Realm). The policy encourages 'meanwhile' uses in mineral areas, but to be justified, effective and consistent with national policy and the Devon Minerals Plan, clarification is needed that it relates to minerals safeguarding areas, to set out the relationship with the Bovey Basin Strategy in relation to restoration and to ensure that any meanwhile uses avoid the permanent sterilisation of the underlying mineral resource. **MM191** and **MM192** achieve this.

235. Policy GC3 was entirely deleted from the plan by the Council prior to submission and does not form part of the plan that has been examined.

236. The plan's strategy for the Garden Community includes site allocations for new homes, employment land and pitches for Gypsy and Traveller accommodation, which we consider in Issue 10.

Conclusion

237. Overall, and subject to the main modifications outlined above, we are satisfied that the plan is justified, effective and consistent with national policy in respect of its general policies for the Newton Abbot and Kingsteignton Garden Community.

Issue 10 – Whether the plan's site allocations are justified, effective, positively prepared and consistent with national policy?

238. The following consideration of site allocations complements our earlier assessments of the plan's strategy for the amount and spatial distribution of growth, the site selection process and key constraints associated with land supply under Issues 1 and 2. For the reasons given under those Issues, we are satisfied that the plan's strategy for growth is justified, and that sites to be allocated were selected using an appropriate methodology. Therefore, in general terms, each of the site allocations is justified. The site allocation policies set out an approximate amount of development to be provided on that site, together with specific criteria that the development would be expected to comply with alongside any other relevant policy requirements in the plan. The geographic extent of each allocation is shown on the policies map.

239. The approximate number of homes assumed for delivery by each site allocation is based on a consistent approach applying reasonable assumptions about the likely appropriate density of development and overall developable area of the site, considering its context and constraints in light of relevant policies in the plan. It is possible that some sites will be capable of delivering more homes while remaining in accordance with relevant policy requirements, while others may ultimately deliver fewer than the allocation anticipates. The final numbers are a matter to be determined through detailed design work and the normal development management process and therefore it is not necessary for soundness to modify the plan's approximate figures on the basis of general uncertainties pending those detailed processes.

240. For the avoidance of doubt and duplication, under Issue 10 we do not repeat discussion about the overarching strategy and other cross-cutting issues or any of the main modifications relating to those matters which have already been covered above. The following assessments therefore focus principally on site-specific issues. Where several sites are affected by a common issue, we group them together to avoid repetition. In instances where there are no significant issues and main modifications are not necessary for soundness, the site allocation policy is not specifically covered in this report.

Newton Abbot and Kingsteignton Garden Community Sites

For reasons set out in Issue 1, we have already concluded that the plan's spatial strategy, including a strategic focus on the Newton Abbot and Kingsteignton Garden Community area with a new neighbourhood development at Bradmore, Newton Abbot is appropriate and justified.

Policy GC13: Bradmore New Neighbourhood, Newton Abbot

241. Policy GC13 is a large strategic site allocation on the western side of Newton Abbot, allocated for residential-led mixed use development. The site is situated immediately west of a large extant mixed-use allocation at Houghton Barton (policy NA1 of the 2013-2033 local plan) on the north side of the A383. The policy provides for approximately 1,050 homes (with an extra-care housing scheme), of which a minimum of 20% of the homes would be affordable, together with a range of infrastructure including a neighbourhood hub for community and commercial facilities including retail and business units, land for a new secondary school campus and other education contributions, a range of green infrastructure including public open space at Newton Abbot Hilltop Park and play facilities, and a range of provisions for accessibility, active travel, and transport and highways mitigation.
242. Aside from a sports facility with several football pitches, the site consists predominantly of undulating farmland with an irregular field pattern interspersed with hedges and trees and some farm buildings. This largely surrounds an area identified as ancient woodland, known as Bradmores Wood, which is not included within the allocated site area. Much of the site falls within the settled valley floor landscape character area but the land rises towards the north and part of the site in the northwest falls in an area characterised for its wooded ridges and hilltops. This character extends out to the north and west beyond the site boundary as the land rises further towards Ingsdon Hill and Telegraph Hill.
243. The policy includes requirements for landscape mitigation measures informed by a Landscape and Visual Impact Assessment, including avoiding development on the upper elevations of the site. The explanatory text provides guidance on this point, including that upper slopes should be used for green space and roof heights should not exceed approximately the 100m contour line. It also advises that these expectations should be informed by, and may be varied by, a landscape and visual impact assessment at the planning application stage. In effect, this will mean that the northern extent of built development (but not the northern boundary of the allocation, which is set out on the policies map) will be determined at the planning application stage.
244. Given the landscape sensitivities, including potential effects receptors such as Dartmoor National Park, and the relatively elevated position these requirements are justified and consistent with national policy expectations that design should be grounded in an understanding and evaluation of the area's defining characteristics. Together with the design requirements of other policies in the plan, including for a site-specific design code, the submitted policy provides an appropriate grounding for design and consideration of the landscape. Its requirements are clear, appropriate and provide for a degree of informed flexibility. We are therefore satisfied that there is no need for soundness for the policy to be modified to set an express contour limit for development as this

approach would be unduly blunt in advance of detailed assessment and design work. Similarly, there is no need to curtail the site boundary to the north or west, as the policy requirements provide adequate controls to enable unsuitable development to be avoided in the more sensitive areas.

245. A high voltage (400kv) electricity transmission route runs across the site, with overhead powerlines supported on large tower pylons. Overhead powerlines are required to comply with electric and magnetic field exposure limits and on this basis the Government considers health risks in relation to new development to be low. While there are statutorily prescribed health and safety requirements, including safety clearances, when carrying out works near overhead powerlines there are currently no statutory requirements for separation distances between homes and overhead lines, and no such requirements in national planning policy. National Grid has published design guidelines for development near pylons and high voltage overhead powerlines, which advises that multiple factors will affect any appropriate design and layout and does not set out standard separation distances.
246. The policy requires a sufficient clearance between homes and the powerlines, to be based upon relevant National Grid and Health and Safety Executive advice, and a precautionary 'buffer' of not less than 40m from the outer powerline to the footprint of the new homes (the policy does not preclude other uses of the land beneath the powerlines within the buffer area). This is likely to be adequate to allow for operation and maintenance purposes and the policy does not require a larger buffer to be consistent with national policy or sound in other respects.
247. The site lies in the Holbeam Dam critical drainage area (CDA), where reducing development run off rates is part of the CDA strategy for alleviating pressures on the dam. Following flooding in Newton Abbot in 1979, the Holbeam retention dam was provided as key infrastructure for the storage of excess water and controlling the flow of the River Lemon to manage flood risk and protect over 1,100 properties in the town. However, climate change influences mean there have been incidents where the dam has overtopped.
248. The submitted policy includes requirements for land or financial contributions towards improvements at Holbeam Dam. However, we were advised at the hearing that it is no longer necessary for the Bradmore allocation to provide this, as land south of the A383 is being delivered through the Houghton Barton development to allow for raising the dam. **MM208** therefore removes this element from the policy's flood risk requirements, to ensure the policy is justified. The policy's other flood risk assessment and mitigation requirements remain relevant and justified.

249. As the development will be at the edge of Newton Abbot, services and facilities in the town centre would be several kilometres away. However, some facilities are available closer, and this allocation and the Houghton Barton allocation will also provide additional local facilities and improved links to the town. Policy GC13 also requires various walking and cycling routes within the allocation, including connecting to routes in the Houghton Barton development and elsewhere, and a mobility hub with space for buses to stop and wait. To clarify that routes within Bradmore should include a primary east-west route for active travel, and that the requirement is 'towards' rather than 'to' Mill Cross, **MM207** is necessary for the policy to be justified.
250. Together, these various measures will help to make active travel and public transport reasonably accessible and attractive for residents of the new neighbourhood at Bradmore and serve to promote sustainable transport as the NPPF requires. A new link road to connect the A383 and A382 is being constructed. Once completed, this improved connectivity, among other benefits for the operation of the local road network, should reduce and discourage 'rat-running' on local lanes.
251. As noted in our post hearing letter, the evidence shows that a new secondary school will be required at Newton Abbot to support planned growth. In the early stages of plan preparation, it was envisaged that this would be provided for at an alternative site to the east of Kingskerswell Road in the Decoy area of Newton Abbot. However, the land became unavailable for this use and emerging policy GC3 was identified to be deleted at the Addendum stage and does not form part of the submitted plan. Policy GC13 includes a requirement to provide at least 7 hectares within the site for a secondary school campus. We are satisfied that this is necessary, justified and appropriate, including because it will be reasonably accessible from the town and wider Newton Abbot area, there is no indication of significantly increased student travel costs being incurred overall, and no suitable and available alternative options remain available.
252. In addition, the policy requires the retention of the existing on-site playing pitches for community use. While this is generally justified in terms of overall playing pitch requirements and provisions in the area, it is inflexible and could impede other design and layout solutions at Bradmore. To enable an appropriate degree of flexibility for effectiveness, modification **MM209** is required to clarify that either retention or re-provision elsewhere on the site would be appropriate.
253. Based on a concept plan, the developer is of the opinion that the allocation's capacity is around 950 homes, plus a 50-bed extra care home. This reduced figure, from the 1,050 set out in the submitted plan, is argued on the basis of the on-site land requirements for a school and the retained or re-provided playing

pitches, together with uncertainty about the eventual northern extent of the developable area for housing.

254. The Council contends that the requirements for land for a school and playing pitches within the site area have been factored in as the submitted policy emerged, along with other constraints, applying the same overall approach to estimating the housing yield for this allocation as for the plan's other allocations. In the interests of taking a broadly consistent approach to all the allocations and given detailed assessment and design work is still to be completed, including in relation to the northern extent of the developable area, we are satisfied that the approximate 1,050 figure in the policy is justified.
255. Since the examination hearing finished, the Council has resolved to grant planning permission for up to 250 homes on a parcel of land that forms part of the Bradmore (GC13) allocation (referred to as "Application B"), together with up to 900 homes at Houghton Barton on the extant NA1 site allocation (referred to as "Application A"). As policy NA1 identified capacity for approximately 1,100 homes, Application A represents a shortfall which the developer advises has arisen from development constraints at Houghton Barton. Application B was therefore proposed as a means of addressing that shortfall by utilising land at GC13 to compensate. However, the developer now considers that if the 250 Application B homes are in effect functionally and viably linked to the Houghton Barton development it further reduces capacity for policy GC13. As result, they consider Bradmore has capacity for 707 homes, plus an extra care scheme.
256. Policy NA1 is not an allocation in this plan. However, it is included in the housing trajectory having been assumed to yield a further 915 homes during the plan period between 2026/27 and 2039/40. This assumption is broadly consistent with the further 900 homes at Houghton Barton in Application A. Notwithstanding any considerations made during the development management process for Applications A and B, which was separate from the examination of this plan, we are not persuaded that, for the purposes of this plan, the Application B homes need to be considered as 'accounted for' by policy NA1 rather than the plan's allocation at Bradmore. Accordingly, we remain of the view that the submitted plan's approximate level of housing provision set out in policy GC13 is sound.
257. However, several modifications are necessary to remove references in the policy and explanatory text to the Houghton Barton and Bradmore neighbourhood design code which, as set out in Issue 5, will not be included as part of the plan. Where appropriate the modifications refer, instead, to a site-specific design code as will be required by policy DW1. **MM204**, **MM205**, **MM210** and **MM211** provide the necessary changes to the policy and explanatory text, for effectiveness.

258. Some stewardship expectations for the public realm, green infrastructure and community facilities required by policy GC13, including in relation to the Newton Abbot Hilltop Park, were set out in the submitted neighbourhood design code. As this design code will not form part of the plan, **MM206** provides an additional requirement in policy GC13 to ensure effective arrangements for long-term stewardship will be put in place. While examples are cited as a trust or community interest company these examples are not exhaustive and so do not preclude other management models or mechanisms as may be shown to be appropriate for the benefit of the local community.
259. Development at Bradmore is a key component of the plan's strategy for growth and will make a substantial contribution towards meeting the identified needs in Teignbridge for housing, including affordable homes over the plan period.

Policy GC14: North of Howton Road, Newton Abbot

260. The site forms part of the wider Houghton Barton and Bradmore new neighbourhood area to the west of Newton Abbot. Allocated for approximately 70 homes it is appropriate in principle, but the elevated position requires particular consideration in detailed design and layout work, including in relation to sensitive receptors such as Dartmoor National Park. **MM213** is therefore necessary to ensure the design and landscape mitigation measures are informed by a Landscape and Visual Impact Assessment, so that the policy is justified and effective. **MM213** also updates the relevant education requirements, and **MM212** corrects a policy cross reference for effectiveness.

Policy GC15: Undercleave, Canada Hill, Ogwell

261. This site for approximately 25 homes is located to the west of Ogwell and within a minerals consultation area, with a small proportion of the site falling within the minerals safeguarding area. This is for limestone forming part of the Chercombe Bridge Formation, identified in the Devon Minerals Plan as a resource to safeguard. Chercombe Bridge limestone is currently worked elsewhere in the county and therefore the resource near Ogwell is identified by Devon County Council, the minerals planning authority, as having potential economic value.
262. Development of the site would introduce additional homes in proximity to the safeguarded mineral resource. The NPPF advises that development proposals should not normally be permitted in minerals safeguarding areas if they might constrain potential future use for mineral working. While there are existing homes in Ogwell that form constraints to future mineral working, the new homes at the Undercleave site would lie between established development and the safeguarded resource where their residents would be affected by extraction operations to a greater degree.

263. Policy M2 of the Devon Minerals Plan seeks to protect mineral resources and infrastructure within mineral safeguarding areas from sterilisation or constraint from non-mineral development within or close to those areas, except in certain circumstances including where it is demonstrated through a minerals resource assessment that it is not of current or potential economic or heritage value, or there is an overriding strategic need for the non-mineral development. The supporting text explains that an allocation in an adopted development plan will normally amount to an overriding strategic need for this purpose, which could exempt the proposed development from the need to be supported by a minerals resource assessment at the planning application stage.

264. No detailed minerals resource assessment has been carried out for the Undercleave site to inform the plan's preparation, and it will therefore be necessary in this instance for that to be carried out at the planning application stage. Given the identified importance of the Chercombe Bridge limestone resource and the national policy position for avoiding constraints to potential future mineral working, **MM215** and **MM216** are necessary to clarify the requirement for a minerals resource assessment to inform any proposed development and the consideration of a planning application. This is particularly so given that there may be implications beyond purely layout considerations including in relation to the developable area and number of homes that can be delivered on the site. This will ensure policy GC15 is justified and consistent with national policy. Finally, **MM214** updates the policy's education requirements to ensure it is justified and effective.

Policy GC16: East of Buckland Road, Newton Abbot

265. This site is located on the edge of Newton Abbot in an area of generally open countryside leading down towards the River Teign. To ensure the policy is justified and effective, it should require proposed development to be informed by a landscape and visual impact assessment taking account of sensitive receptors such as the Teign Estuary, which is achieved by **MM219**.

266. While the site may have some potential to deliver more than the identified number of approximately 30 homes, any such proposal would require more detailed assessment and consideration of a number of matters such as ecology, heritage assets, landscape and highways impacts, and any necessary mitigation, including with regard to relevant policies in the plan. For effectiveness, **MM220** clarifies the explanatory text in this respect, appropriately highlighting key areas for consideration in preparing a planning application. For the same soundness reason, **MM217** and **MM218** respectively clarify the education requirement and correct a grammatical error relating to the policy's ecological mitigation requirements.

Policy GC6: Cattlemarket, Newton Abbot

Policy GC7: Wolborough Street Car Park

Policy GC8: Highweek Way, Newton Abbot

Policy GC9: Coach Road, Newton Abbot

Policy GC10: Hopkins Lane Opportunity Area, Newton Abbot

Policy GC11: Forde Close Opportunity Area, Newton Abbot

Policy GC17: Berry Knowles, A382 Corridor, Newton Abbot

Policy GC18: North of Broadway Road Opportunity Area, Kingsteignton

267. The above housing site allocations are appropriate in principle but, to ensure they are justified and effective, they each require modification to ensure their requirement relating to education provision is clear and up to date, typically to include early years provision where necessary. This is addressed for the respective policies by **MM193**, **MM195**, **MM197**, **MM199**, **MM200**, **MM202**, **MM222** and **MM223**.

268. In addition, **MM196** and **MM221** provide grammatical corrections to the ecological mitigations requirements of policies GC7 and GC17, for effectiveness. The boundary of site Berry Knowles site (GC17) is shown incorrectly on the policies map and, as a result, there is an associated error with the settlement boundary for Newton Abbot. These corrections to the policies map were consulted upon alongside the main modifications and will be necessary for policy GC17 to be justified.

269. **MM198** sets out the requirements of policy GC8 in relation to air quality, which is necessary to ensure the plan is justified and effective because the site lies within a declared air quality management area. **MM201** adds a reference to other heritage assets in the design and layout requirement for policy GC11 to ensure it is justified and consistent with national policy in relation to the full range of heritage assets given there are multiple assets, in addition to the Grade I listed Old Forde House, in the general vicinity of the site. **MM203** provides explanatory text about the 20m buffer required by criterion 12 of policy GC11 in relation to climate change and flood risk, which is also necessary for effectiveness.

270. While there would be reduced town centre parking for the public resulting from the redevelopment of these sites, including parking options that may be favoured by some, the impact of this (and other car park redevelopment scenarios) has been assessed in the Newton Abbot Parking and Car Park Redevelopment Study (TRA008). This looked at existing on-street and off-street parking demand and usage and modelled future peak parking demands with sensitivity testing such as 'worst case' declines in public transport usage. The results show that these site allocations could be delivered while still providing sufficient parking capacity for likely future demands over the plan period. On this basis and balanced with the need to deliver homes in the Newton Abbot and

Kingsteignton Garden Community area, which ranks highest in the plan's settlement hierarchy, we are satisfied that the net loss of car parking is justified and appropriate.

Policy GC20: North of Forches and Perry Cross, Newton Abbot

271. This allocation of 13 hectares of land for employment development lies largely within the mineral consultation area and partly within the mineral safeguarding area for the Bovey Basin where there is significant ball clay resource. To ensure the policy is justified and consistent with national policy, modification **MM225** is necessary to ensure development of the site would not result in the permanent sterilisation of the underlying mineral resource. For effectiveness, **MM224** provides a grammatical correction to the policy's ecological mitigation requirement, and **MM226** updates the explanatory text in relation to the encouraged sizes and tenures of employment units.

Policy GC21: Ilford Park, Drumbridges, Newton Abbot

272. This is a large site of around 21 hectares allocated for mixed employment use, together with provision for 15 pitches for Gypsy and Traveller accommodation. The location is appropriate for both uses, including because of its accessibility to the nearby A38 transport corridor. However, **MM227** is required to the policy's requirements in relation to ecological mitigation for the South Hams SAC to correct terminology for effectiveness.

Edge of Exeter Sites

273. For reasons set out in Issue 1, we have already concluded that the plan's spatial strategy, including a focus on strategic developments at the edge of Exeter, is appropriate and justified.

274. Detailed concerns have been raised about the landscape impacts of locating a significant quantum of growth at the edge of Exeter, including because the site allocations are in existing areas of countryside where they will be visible from certain locations within the city. In addition, the Markham Village and Peamore and West Exe development sites are situated on the opposite side of the A30 which currently forms a limit between Exeter's built extent and part of the city's wider countryside setting and smaller settlements such as Ide and Shillingford Abbot which lie within Teignbridge.

275. Submitted landscape impact assessments, including those from the Council and from Exeter City Council, reach some differing conclusions about the degree of harm from the proposed edge of Exeter allocations. It is inevitable that the location of development on existing open and undeveloped land will result in encroachment into the countryside and urbanisation of greenfield land. Given there are insufficient brownfield sites available in Teignbridge to meet housing

need over the plan period, this is unavoidable and the NPPF does not preclude such an approach. Nevertheless, the plan recognises the landscape (and various other) sensitivities and constraints for its proposed developments on the south-western and western edge of Exeter, including the implications of building on valley slopes that form a small part of the broad countryside backdrop to the city. Policies EE1, EE2 and EE4 include specific requirements for landscape and visual impact assessment and measures to ensure effects on local and wider landscape character are minimised including, where relevant, avoidance of development on upper slopes and ridges.

Policy EE1: Markham Village

276. Policy EE1 is a large strategic site allocation at the south-western edge of Exeter, allocated for residential-led mixed use development. The site lies between Ide and Shillingford Abbot to the southwest of the A30, and close to the A30/A377 interchange (Ide roundabout) and the policy EE3 countryside park and SANG opportunity area. The policy provides for approximately 900 homes, of which a minimum of 20% would be affordable, together with a range of infrastructure including a neighbourhood hub for community and commercial facilities including a convenience store, land for a new primary school and financial contributions to education provision, an extra care housing scheme, formal and informal green infrastructure including play facilities, SANG at the policy EE3 site, and a range of provisions for accessibility, active travel, and transport and highways mitigation.
277. The allocation is appropriate in principle, but a number of modifications are necessary to various parts of policy EE1 and the explanatory text to ensure that it is justified and effective, as follows.
278. **MM228** is necessary to update a reference to the district design code. **MM229** is necessary to clarify the requirements for the provision of land for a new primary school within the site and **MM234** amends the explanatory text accordingly. **MM229** also corrects and updates the policy requirements for financial contributions towards other education provision. While the policy does not expressly state that the contribution requirements are to mitigate the impact of the development based on the most up to date evidence, this is not necessary for the soundness of this individual policy given the requirements set out in policy GP7 in relation to infrastructure capacity, and national policy and legislation for planning obligations including the tests set out in the Community Infrastructure Levy regulation 122. Detailed contributions and mechanisms to secure them are therefore a matter to be addressed at the planning application stage through the normal development management procedures.
279. **MM230** revises the required SANG ratio for consistency with other policies and guidance. The potential SANG capacity provided by policy EE3 will substantially

exceed the amount required to mitigate development at both Markham Village and Peamore and West Exe (policy EE2). Therefore, even if the anticipated future population for Markham Village fluctuates according to the final housing numbers and housing mix at the site, there is no need for soundness for policy EE1 to refer to alternative SANG solutions elsewhere.

280. In the light of the most recent strategic transport modelling work, we concluded under Issue 1 that, subject to the mitigation that the plan provides for including through the main modifications, the development proposed in the plan would be unlikely to have a severe, or otherwise unacceptable, impact on the strategic road network. In this regard, and in relation to more localised impacts, various specific mitigation measures for highway safety and the road network are included in policy EE1, some of which require modifications to ensure they are justified, effective and consistent with national policy.
281. To ensure the access and transport mitigation requirements of the policy are aligned with the NPPF tests, **MM231** provides amended wording consistent with the national policy that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
282. To help enable safe and suitable access for pedestrians and cyclists between Markham Village and the city, traffic lights and signalised crossing points across the northbound exit slip and southbound entry slip of the A30 (at Ide roundabout) will be necessary. **MM231** includes this requirement for effectiveness to ensure that, while there will also be an alternative route via Crabb Lane, those choosing to take a more direct route by crossing at the Ide roundabout can do so safely. **MM233** provides explanatory text in this regard and **MM232** removes superfluous text relating to rat-running routes.
283. Traffic modelling indicates that the A30 northbound exit slip to Ide roundabout may require future widening to mitigate traffic queueing on the main carriageway. As the site runs adjacent to the A30 corridor at this point, it is reasonable that an area of land should be safeguarded within it in so far as is necessary to ensure the allocation does not sterilise the potential for widening of the exit slip. **MM231** therefore makes this general provision. While details of the area to be safeguarded have not been determined, which will require assessment, it would be modest in relation to the overall site area. We acknowledge there is a degree of uncertainty at this stage, but we are satisfied that any requirement is unlikely to have significant implications for delivery of the allocated development and can be addressed through detailed assessment and design work and the development management process. Additional explanatory text is provided by **MM235**.

284. **MM231** also adds the former railway line to the list of locations to which new or improved links should be provided for pedestrians and cyclists through the site. This has potential to add to the connectivity of the development to Ide by offering a more informal or recreational option. The relevant section of former railway line, which leads towards Ide village on the opposite side of Polehouse Lane, does not adjoin the site. Any link to it beyond the site boundary would therefore need to be via existing adopted roads or other public rights of way. Any new more direct link would require third party land which may not be deliverable and so would not be a justified policy requirement. Similarly, the policy does not require improvements to the former railway line, which is in different ownership to Markham Village site.
285. Other walking and cycling routes or improvements and highway mitigations are desired by some but not required by the policy for a variety of reasons including because it is not demonstrated that they are specifically needed to mitigate the impacts of the development itself, they are primarily associated with wider background growth, or they are identified to be addressed by other means such as the infrastructure delivery plan, the local transport plan, or the local cycling and walking infrastructure plan. It therefore would not be justified for the policy to require their delivery. A particular example is the widening of the A377 which modelling indicates will be required due to wider growth and is included in the IDP with funding expected through pooled planning obligations. As this issue affects the Markham Village site, **MM236** provides updated explanatory text on the issue and **MM237** deletes the superseded text.
286. Development at Markham Village is a key component of the plan's strategy for growth and will make a substantial contribution towards meeting the identified needs in Teignbridge for housing, including affordable homes over the plan period.

Policy EE2: Peamore and West Exe

287. Policy EE2 is a large strategic site allocation at the south-western edge of Exeter, allocated for housing and employment development. The site lies between the A38 and the A30, close to the policy EE3 SANG opportunity area and the Exeter Ridgeway Park. The submitted plan provided for approximately 680 homes for the Peamore area, and approximately 150 live/work or essential workers' homes and 20 hectares of employment land for the West Exe area. The new homes and employment development, of which a minimum of 20% of the homes would be affordable, would be accompanied by a range of infrastructure including a neighbourhood hub and local shops, an extra care housing scheme, formal and informal green infrastructure including play facilities, financial contributions to education provision, and a range of provisions for accessibility, active travel and transport.

288. There are a number of heritage assets nearby, including the grade II listed Peamore Park which was added to the Register of Parks and Gardens of Special Historic Interest in July 2024, and amended in October 2024, after the plan was submitted. While, to a degree, the historic park area was recognised during plan preparation, principally as part of the setting of grade II listed Peamore House, the designation of Peamore Park and its extent, special interest, and heritage significance affect the site area and are important considerations for allocation of the site in the plan. A significant part of the designated area of Peamore Park was envisaged through illustrative concept plans to be retained for green infrastructure, and that part of the park was included in the allocation area as defined on the submission policies map (a further area of the designated park extended beyond the allocation boundary).
289. However, following relevant discussions at the hearing, we advised in our post hearing letter (ID-22) that the full extent of the designation included within the allocation area should be removed from it. This is necessary to ensure the allocation is justified and consistent with national policy for conserving and enhancing the historic environment. It necessitates a change to the submission policies map to remove the area designated as a registered park and garden from the site allocation. This will help to ensure that the significance of the registered park is conserved, together with the significance of Peamore House and its setting because the modified allocation will provide a 'buffer' in which development will be avoided. In addition, the policy requires the design and layout to be informed by a heritage impact assessment, which is justified due to the various heritage assets nearby in accordance with the aims of national policy.
290. While consideration of the significance of this and other heritage assets and their settings will be required at the planning application stage, the significance of Peamore Park is such that the development uses provided for by policy EE2 are not justified within this heritage designation. For the allocation to extend into this designation, even for flexibility purposes, would not set a positive strategy for the conservation and enjoyment of the heritage asset and therefore not align with the expectations of the NPPF for plans. Nonetheless, there may be opportunities for the allocated development to draw on the contribution made by the historic environment to inform and support the character of the allocation, subject to detailed design work including heritage impact assessment and the normal development management process.
291. Therefore, to acknowledge the designated status of Peamore Park and its significance, modifications are required to update criterion 6 of the policy and the explanatory text, which is addressed by **MM243** and **MM248**. A change to the submitted policies map is also necessary to identify the designated area of Peamore Park and to remove that area from the allocation boundary, where they overlap. This change, which is consistent with our post hearing advice letter, was consulted upon alongside the main modifications.

292. Concerns have been raised that other changes to the allocation boundary and associated settlement limit have been shown on the main modifications version of the policies map, specifically relating to two parcels of land on the eastern side of the site near the A30/A38/M5 intersection, which are shown on the policies map as outside the site boundary and settlement limit as areas of other green infrastructure. While there may have been various iterations of the site boundary and settlement limit shown on the policies map during the plan-making process, we are satisfied that the boundary and settlement limit in this area has not changed since submission, and we are not recommending any change to the extent of the submitted allocation other than the removal of Peamore Park.
293. The amended allocation boundary affects the overall amount of development that the site is likely to accommodate, and the general distribution of the development within the site, which necessitates a number of modifications to the policy to ensure it is justified, effective, positively prepared and consistent with national policy, as set out below. The capacity for on-site delivery of SANG may be reduced. However, the site is close to the West Exe Countryside Park SANGs Opportunity Area (policy EE3) and policy EE2 as submitted provides for SANG to be provided on site or within the EE3 opportunity area, so no modification is needed in this regard.
294. **MM238** and **MM239** reconfigure the overall location and number of residential units between the two main areas of the site (increasing the total yield by approximately 15 homes), introduce flexibility on the number of live/work and key worker homes required, and reduce the total employment land provision to around 19 hectares (from 20 hectares). **MM245** and **MM246** provide associated updates to the explanatory text. **MM238** also corrects a reference to the district design code.
295. **MM240** updates the policy to remove the requirement for secondary education, which has already been addressed by capacity at the new Matford Brook Academy, and to express the green infrastructure area requirement as a per dwelling ratio. For clarity, we have corrected a typographical error in **MM240** as consulted upon, to express the ratio unit as m² (metres squared). **MM241** revises the required SANG ratio for consistency with other policies and guidance. **MM242** clarifies that safe travel routes and connections on the A379 go over the A30 to the new south-west Exeter development, and **MM244** and **MM247** respectively add to the policy and update the explanatory text in relation to the requirements of policy GP7 for infrastructure provision as early as possible. **MM247** also updates the explanatory text in relation to cycle provision along the A379.
296. Peamore and West Exe is an important part of plan's strategy for growth and will make a substantial contribution towards meeting the identified needs for

housing, including affordable homes, and employment development over the plan period.

Policy EE3: West Exe Countryside Park SANGS Opportunity Area

297. This allocation provides land for the creation of Suitable Alternative Natural Greenspace, including a new countryside park, as required to support the delivery of new homes by off-setting recreational impacts on the Exe Estuary SPA and the Dawlish Warren SAC. The policy provides various criteria to ensure the countryside park created will meet the requirements necessary to form SANG. The approach is justified, but to ensure effectiveness the SANG should include areas where dogs may be exercised off the lead, which is addressed by **MM249**. For the same reason the management and maintenance of the SANGs provided should be secured indefinitely. **MM250** ensures this, and **MM251** provides associated updates to the explanatory text.

298. An area of land amounting to about 2.8 hectares is included within the site allocation boundary on the submitted policies map. As this area has been confirmed to be unavailable, it is not justified to include it. An amendment to the policies map is therefore required, which was consulted upon alongside the main modifications. Even with this land removed the allocation comprises around 100 hectares, providing a substantially larger opportunity area than the amount of SANG required to mitigate the relevant new homes in the plan. However, the surplus is justified as it offers greater certainty of delivery, potential to provide SANG for development elsewhere, and potential for an interconnected approach with the existing Exeter Ridgetop Park SANG.

Policy EE4: Attwells Farm

299. Policy EE4 is a strategic site on the western edge of Exeter, allocated for approximately 300 homes. The allocation is adjacent to the built-up area of the Exwick area of Exeter and the location is justified for new homes. However, several modifications are necessary to the policy's detailed requirements and the explanatory text to ensure the sustainable development of the site.

300. The policy's education requirements require updating, together with a modification in relation to the requirement to provide land adjoining Exwick Heights primary school for uses associated with the school, which is not justified as the land in question lies outside the allocation boundary. **MM253** addresses these points to ensure the policy is justified and effective. For effectiveness, **MM254** revises the SANG ratio to ensure the policy is aligned with national guidance, other references in the plan and the South East Devon European Sites Joint Mitigation Strategy. Also for effectiveness, **MM252** corrects the reference to the district design code.

301. In Issue 1 we have concluded that, in the light of the most recent strategic transport modelling work and subject to the mitigation that the plan provides for, the overall amount and spatial distribution of development proposed in the plan (including the Attwells Farm allocation) would be unlikely to have a severe, or otherwise unacceptable, impact on the strategic road network.
302. At the more local level, consistent with the approach for other site allocations where necessary, the policy includes various measures specific to this allocation which are intended to ensure safe and suitable access to the site, appropriate opportunities for sustainable transport modes including drawing on local cycling and walking infrastructure plans and ensuring any significant impacts on the transport network or highway safety are mitigated to an acceptable degree, as the NPPF expects. In relation to these measures, which are justified in principle, **MM255** clarifies that pedestrian and cycle links through the site towards Exwick Lane and the primary school are only related to the southern end of the site, given the land beyond that is outside the site boundary. It also clarifies that a planning application must be supported by a highways impact assessment, rather than full strategic highway modelling given that additional strategic level evidence has been carried out, to inform detailed design work, any necessary mitigation, and the normal development management process. These modifications are necessary to ensure the policy is justified, effective and consistent with national policy.
303. The development will be largely 'Exeter-facing' in terms of residents' access to infrastructure and services. While some facilities, such as the primary school, are relatively close by, other services in the city are significantly further. The policy includes various requirements for a low traffic neighbourhood with permeability and connectivity for pedestrians and cyclists, to contribute to the plan's sustainable transport objectives and the requirements of policy CC4. While many areas around Exeter are hilly the local highway authority reports fairly high levels of walking and cycling already take place across the city, in part facilitated by the uptake of electric bicycles. Census data shows that in Exeter around 50% of people already walk, cycle or take the bus to work.
304. Nevertheless, due to the combination of the distance to the city centre and local topography, buses will be an important component in enabling at least 50% of trips to be by non-car travel for this site. The policy is therefore justified in requiring the provision of bus stops and the extension of existing bus services to serve the development. Details of the nature of those provisions, and the mechanisms to secure their delivery and operation, can appropriately be addressed at the planning application stage through normal development processes.
305. The developer suggests that a yield of up to around 375 homes may be achievable subject to completion of various assessments and detailed design work. Such assessments are not limited to landscape sensitivity, and it is

therefore necessary for effectiveness to modify the explanatory text to remove any implied limitation, which is covered by **MM256**. The policy includes specific requirements for a landscape and visual impact assessment and minimising landscape impacts including on the setting of Exeter. While national policy expects developments to make optimal use of the potential of each site, the allocation does not set a maximum figure and detailed assessments and design are ongoing. On this basis, it is not necessary for soundness to modify the allocation to provide for a potentially higher figure.

306. The explanatory text refers to provision of a new community meeting area and community building, which are not required by the policy. **MM257** amends the text to ensure it is effective and consistent with the policy. Part of the overall site lies within the local planning authority area of Exeter City Council, including the proposed point of access leading from Kinnerton Way and part of the proposed pedestrian link from the new development to the primary school. Therefore, to provide clarification and inform the approach to the preparation of a planning application, **MM258** expands the explanatory text for effectiveness.

307. Preparatory work for a planning application has commenced, and the trajectory shows the allocated 300 new homes expected to be completed by 2031. Attwells Farm will make a significant contribution towards meeting the identified needs for housing, including affordable homes, and a useful contribution to housing land supply.

Coastal and Rural Towns Sites

Policy CT1: Langdon Business Park, Dawlish

308. Whilst this employment allocation is, in principle, justified, for effectiveness, **MM259** corrects a grammatical error relating to the policy's ecological mitigation requirements and **MM260** provides explanatory text in relation to the 20m buffer required by criterion 7 of policy CT1 in relation to climate change and flood risk.

Policy RT2: Bradley Bends, Bovey Tracey

309. Due to its edge of town location and the size of this allocation for approximately 190 homes, it would be likely to have some impact on the landscape setting of Bovey Tracey and more widely the setting of Dartmoor National Park. However, the policy includes appropriate requirements in this regard including that the design and layout is to be informed by a Landscape and Visual Impact Assessment. Furthermore, the site is suitably located for housing with access to local services in Bovey Tracey and will make a valuable contribution to housing land supply later in the plan period. We therefore consider that the benefits of the development would outweigh its likely harm.

310. In light of a minerals resource assessment, to ensure the policy is justified and consistent with national policy it needs an additional requirement to ensure the design and layout include appropriate measures to limit constraints to the future working of minerals in the Bradley long-term working area, which forms part of the Bovey Basin minerals safeguarding area. **MM263** provides this modification.
311. A modification is also required to the policy's education requirements, to ensure it is justified as up-to-date and based on an approach consistent with other policies in the plan, which is provided by **MM261**. **MM262** removes the policy requirement to safeguard an area of the site for a geothermal energy plant as this is no longer justified or necessary because the plant is to be provided elsewhere. Finally, for effectiveness, **MM264** clarifies the explanatory text regarding delivery of homes at the Bradley Bends site once sufficient primary school capacity is made available in Bovey Tracey.

Policy RT3: Inner Bell, Chudleigh

312. This allocation is specifically for custom build homes and, with a site capacity of approximately 30, it will be required to deliver a 25% proportion as affordable housing in accordance with policy H2. For effectiveness, it is therefore necessary for the expected approach to be covered in the explanatory text, which is addressed by **MM266**. To ensure it is justified and effective, **MM265** updates the policy's education requirements. We are satisfied that approximately 30 custom build dwellings on the site is appropriate, given the general level of demand for custom building in Teignbridge, which the Council confirmed at the hearing includes significant levels of demand at Chudleigh with around 59 people on the custom build register citing it as a preferred location.

Villages Sites

Policy V1: Ruby Farm, Abbotskerswell

313. The principle of this allocation for employment development is justified but, for clarification and effectiveness, **MM267** corrects an erroneous linkage to policy GC6 in the explanatory text.

Policy V2: Forder Lane, Bishopsteignton

314. This allocation for approximately 55 homes is situated on the edge of the village of Bishopsteignton and is within the undeveloped coast as defined by the 2013-2033 Local Plan. Consisting of three fields partly bounded by hedges, the undulating site rises from the A381 Newton Road towards Forder Lane and a number of existing homes. In allocating the site for housing, the policies map shows it removed from the undeveloped coast designation, making it consistent with the approach to the built settlement limit of the existing village. The Lawns

recreation ground to the east and a further field to the west of the site, in the fork between Newton Road and Forder Lane, remain within the undeveloped coast designation defined on the policies map.

315. Given the site's relatively prominent position, it is inevitable that housing development will bring significant changes and some harm to the landscape and its countryside character. Also, for reasons set out in Issues 1 and 2, and Issue 8 in relation to policy EN2, we are satisfied that the consideration and selection of this site for housing was not an unreasonable one in relation to landscape and undeveloped coast matters. Given the degree of landscape sensitivity and the adjacent undeveloped coast the policy includes a requirement for the design and mitigation measures to be informed by a specific landscape visual impact assessment. However, to ensure the approach is fully justified and effective by limiting development to the less-sensitive eastern side of the site, **MM271** is necessary together with **MM272** which expands the explanatory text in this regard. As a site for housing, it would not be appropriate or reasonable to continue to apply the undeveloped coast policy protections to the site itself and the removal of the site from that designation is justified in this instance.
316. The policy also includes requirements for ecological mitigation measures, which are necessary in the interests of the integrity of the Exe Estuary SPA, Dawlish Warren SAC and South Hams SAC. However, to ensure they are justified, consistent with national policy, and effective and consistent with other policies in the plan and with the South East Devon European Sites Joint Mitigation Strategy, it is necessary to remove the requirement for onsite provision of suitable alternative natural greenspace and to clarify the approach to financial contributions to off-site SANG. **MM268** and **MM269** do this, and for effectiveness **MM272** includes associated correction to the explanatory text and draws attention to the site's location within the South Hams SAC connectivity zone and to an important nearby maternity roost for which ecological mitigation is likely to be required.
317. Forder Lane and routes through the village are narrow in places and tend to be used as a 'rat run' particularly when the A381 is congested. However, the policy requires a number of measures to help ensure residents of the development would have safe and suitable access, including a walking and cycling connection into the village. Furthermore, the evidence indicates that, subject to detailed assessment and design work at the planning application stage, a development of 55 homes could be accommodated without unacceptable impact on highway safety or severe residual cumulative impacts on the road network or its existing users.
318. Notwithstanding localised incidents of surface water flooding in the vicinity and the stream along its western edge, the site lies within flood zone 1 and is identified through the strategic flood risk assessment (FRA001) as being an area at lowest risk of flooding in national policy terms. It is therefore reasonable

for flood risk and drainage management matters to be assessed and addressed through detailed site-specific design work and the normal development management process. Finally, **MM270** updates the policy's education requirement to ensure it is justified and effective.

Policy V3: Bakers Yard, Bishopsteignton

319. This brownfield site, for approximately 15 homes, is situated a short distance from the village, near the junction of Forder Lane with the A381. Like policy V2, the plan appropriately removes the site from the undeveloped coast as defined on the extant policies map. Policy BSE1 of the Bishopsteignton neighbourhood plan 2017 provides support for redevelopment of the long-disused industrial site, albeit with the objective of employment uses with residential provision as required to assist viability. The allocation's location is appropriate, but to ensure it is justified, effective and consistent with national policy **MM273** and **MM274** are needed to correct and clarify the requirements for SANG and **MM275** is needed to update the policy's education requirement.

Policy V4: Adjacent Easterways, Broadhempston

320. In respect of this allocation for approximately 15 custom build homes, a modification is necessary to update the policy's education requirements to ensure that it is justified and effective. **MM276** does this.

Policy V5: Tollgate Farm, Chudleigh Knighton

321. This allocation is justified, but as the site has planning permission and is under construction, for clarification and effectiveness, the explanatory text requires updating in relation to this status, which is achieved by **MM277**.

Policy V6: Field off Knights Mead, Chudleigh Knighton

322. This allocation, for approximately 15 custom build homes, is appropriate in principle, but for effectiveness and to ensure the policy is justified it is necessary to clarify the area of the site within which development should be avoided in the interests of preserving the setting and significance of the grade II listed building Teign Lawn. This is achieved by **MM279** and **MM280** which amend the explanatory text and add a plan to illustrate the relevant buffer area. **MM278** is necessary for effectiveness to provide explanatory text about the 20m buffer required by criterion 7 in relation to climate change and flood risk.

Policy V7: East Street, Denbury

323. This allocation for approximately 25 homes is justified and, as the site lies adjacent to Channings Wood prison, it is appropriate for the policy to require a suitable buffer between the prison site and the new homes. However, for effectiveness, modification **MM281** is required to clarify the expectations in this regard and that it is likely to include appropriate landscaping measures on the northeastern side of the site.

Policy V8: Adjacent to Burnt Meadow, Doddiscombsleigh

324. This policy for approximately 10 custom build homes is justified, but to ensure it is effective **MM282** is necessary to clarify the approach to SANG mitigation measures for the Exe Estuary SPA and Dawlish Warren SAC. **MM283** also corrects a typographical error in the explanatory text for effectiveness.

325. While the exact level of housing contribution varies somewhat between the villages, the plan's spatial strategy includes around 7% of Teignbridge's overall housing growth among the villages.

326. The Sustainable Village Development Strategy (HOU046) identifies a proportional increase for Doddiscombsleigh of 5% based on the village's basic level of services with no shop and poor accessibility rating, albeit there is a small primary school. As a percentage increase, this would equate to two new homes. While the allocation for 10 homes significantly exceeds this level, HOU046 is clear that it represents a starting point assessment. We are satisfied that the overall amount of growth remains reasonably modest when considered over the 20-year plan period and that the site is appropriate for this amount of housing, having regard to the overall site selection process. As set out in Issue 7, the Council has demonstrated significant levels of demand for custom building across Teignbridge, which are expected to continue.

Policy V10: Land West of Benedict's Road, Liverton

327. This allocation for approximately 30 homes is justified. However, **MM284** is necessary for the policy's effectiveness to provide explanatory text about the 20m buffer required by criterion 7 in relation to climate change and flood risk.

Policy: V11 Welcome Stranger Cross, Liverton

328. While this site, allocated for approximately 12 pitches for Gypsies and Travellers, was terraced a number of years ago and is significantly enclosed and screened by hedges and trees, the topography and its location within the setting of Dartmoor National Park require particular consideration in terms of its

detailed design and layout. The policy's requirement for a landscape and visual impact assessment to inform design is justified in light of the site-specific landscape sensitivity assessment (ENV019), the expectations of the NPPF for landscape and well-designed places, and the expectations of the PPTS regarding the protection of local amenity and local environment. To inform this requirement, **MM285** provides associated explanatory text to guide the appropriate development of the site including through avoiding the uppermost area other than as open space, which is necessary for effectiveness.

329. The PPTS advises that the Government's overarching aim is to ensure fair and equal treatment for Travellers, in a way that facilitates the traditional and nomadic way of life of Travellers while respecting the interests of the settled community. To achieve this, and while respecting the interests of the settled community, various aims are set out including that local plans should seek to reduce the number of unauthorised developments, identify land for sites to address under provision and maintain an appropriate level of supply, include fair, realistic and inclusive policies, enable suitable accommodation from which Travellers can access infrastructure and services such as education and healthcare, and reduce tensions between settled and Traveller communities.
330. While very close to the A38 Devon Expressway corridor the site has a generally rural character. However, there are other forms of built development in the vicinity, including the Welcome Stranger pub, a horticultural nursery, and a former quarry used as a caravan and boat storage area. The site is reasonably accessible to various local services, including Blackpool primary school. The settled population is quite sparse in the site's locality and while Liverton is identified as a village in the plan, other settlements nearby such as Bickington and South Knighton are smaller scale.
331. Typically, Traveller sites in Teignbridge are located close to the main road network which, in part, accounts for the element of concentration of sites with general proximity to the A38. However, this site is situated a reasonable distance from the nearest settlements and from the relatively few individual homes in the general vicinity, such that its use for Traveller accommodation would not be overbearing to the settled community. Furthermore, there is no evidence to demonstrate that the scale of development would place undue pressure on local infrastructure. We are therefore satisfied that, notwithstanding the existing sites for Gypsies and Travellers in the area, the scale of development at the allocation site would not dominate the nearest settled communities, and aligns with the PPTS expectations for sites in the countryside, even when considered in combination with existing sites in the area including those identified in the GTAA (HOU047).
332. The policy includes specific requirements relating to design and layout, ecological mitigation, green infrastructure, and suitable and safe access into and around the site for pedestrians, cyclists and vehicles. The site is within flood

zone 1, identified as being at lowest risk of flooding, and outside the Holbeam Dam critical drainage area. As the plan includes other policies such as for flood risk management and mitigation it is not necessary for the policy to include a specific requirement in this regard.

333. While there will be matters to consider and address, such as the narrow lane and drainage, there is no convincing evidence to demonstrate that suitable solutions could not be achieved through detailed design work and normal development management processes.

334. Identified as a strategic policy in the plan, V11 will make a significant contribution to the supply of specific deliverable sites against the pitch requirement set out in policy H10 and meeting the identified need for accommodation for Gypsies and Travellers, as required by national policy.

Policy V12: Little Liverton Business Park

335. While this allocation is justified, **MM286** is required, in the interests of effectiveness, to set out that this allocation relates to approximately 4 hectares of land for employment development, and **MM287** is necessary for the same reason to provide explanatory text about the 20m buffer required by criterion 6 in relation to climate change and flood risk.

Policy V16: Lamacroft Farm, Kennford

336. This location is justified for the allocation of 50 homes. However, a number of modifications are necessary to clarify and correct the policy's requirements and make associated amendments to the explanatory text to ensure it is justified, consistent with national policy and effective. This is achieved by **MM288**, **MM289** and **MM295** in relation to the provision of financial contributions to off-site SANG, **MM290** and **MM293** in relation to enhancements to the watercourse corridor, **MM291** in relation to education requirements, and **MM292** and **MM294** in relation to heritage assets.

Policy V17: Staplake Road, Starcross

337. While this allocation's location is justified, a number of modifications are necessary to correct the site's capacity and to clarify and correct the policy's requirements, and make associated amendments to the explanatory text, to ensure it is justified, consistent with national policy and effective. This is achieved by **MM296** which amends the capacity to approximately 10 homes, **MM297** and **MM298** in relation to the provision of financial contributions for off-site SANG, and **MM299** for a surface water strategy and mitigation regarding a possible tide-locked outfall.

Policy V18: Lower Uppacott, Tedburn St Mary

338. This policy allocates the site for approximately 40 homes. The Sustainable Village Development Strategy (HOU046) indicates a proportional increase for Tedburn St Mary of 15% based on the village's assessed above-basic level of services albeit it has a poor accessibility rating. As a percentage increase, this equates to around 40 new homes. Although HOU046 is clear that this figure represents a starting point assessment, and we note the absence of a doctor's surgery, the village has a number of local services and facilities including a primary school, pub, village store, village hall and veterinary clinic. Its 'above-basic' categorisation is not unreasonable relative to the assessment of other villages overall.
339. Acknowledging that services provided in any village may change over the plan period, we are nonetheless satisfied that the amount of growth allocated here is appropriate having regard to the Sustainable Village Development Strategy. It is also reasonable in terms of the anticipated development density of around 30 homes per hectare, which is consistent with the low end of the overall 30 - 70 housing density range set out in the plan's district design code. Given that the district's density range was informed by factors including the NPPF's need to make effective use of land, this is the case even though the existing edge of village density nearby is lower than 30.
340. The policy includes requirements for suitable and safe vehicle access and walking and cycling routes, including to the village centre. While the detailed design work for this is still to be done, and a small section of a possible footway route may not be highway land, there is no significant evidence to demonstrate that a suitable solution could not be achieved through the detailed design and normal development management processes.
341. However, to ensure the policy is justified and effective **MM300** is necessary to remove a criterion relating to soil and land surveys and mitigation, which is not justified as necessary specifically for this site and is, anyway, covered by the plan's environment policies and national policy. **MM301** removes an outdated and uncertain reference to a community land trust from the explanatory text, for effectiveness.

Appendix 5: Draft Concept Plans

342. Appendix 5 of the plan includes draft concept plans relating to several of the site allocations. As these plans are now mainly out of date and were originally intended as supporting evidence for the allocation rather than to set out any specific requirements in the plan, Appendix 5 is not necessary or justified. **MM427** therefore entirely removes Appendix 5 from the plan.

Conclusion

343. Subject to the main modifications outlined above, we are satisfied that the sites allocated in the plan are positively prepared, justified, effective and consistent with national policy.

Overall Conclusion and Recommendation

344. The plan has a number of deficiencies in respect of soundness and legal compliance 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 explained in the main issues set out above.

345. The Council has requested that we recommend main modifications to make the plan sound and legally compliant and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the appendix to this report the Teignbridge Local Plan 2020-2040 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

346. We further conclude that if adopted promptly (with the recommended main modifications) the plan establishes a five-year supply of deliverable housing sites. Accordingly, we recommend that in these circumstances the Council will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 75 and footnote 40 of the NPPF (September 2023). However, the implications of this for determining planning applications will need to be considered by the decision maker having regard to up to date national planning policy at the time.

Catherine Jack and Malcolm Rivett

INSPECTORS

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