

APPENDIX 3

Devon Structure Plan 2001 to 2016

Committee Resolutions regarding the consideration of objections to the Proposed Modifications

A.	Devon Structure Plan Joint Committee	10 May 2004
B.	Dartmoor National Park Authority Planning Committee	2 July 2004
C.	Plymouth City Council - Cabinet	13 July 2004
D.	Devon County Council - Executive Committee	12 July 2004
	Devon County Council – Council Meeting	22 July 2004
E.	Torbay Council – Council Meeting	22 July 2004

The Authorities have agreed to adopt the Plan proposals at the end of August 2004.

Devon Structure Plan Joint Committee

10 May 2004

MINUTES

Agenda for this meeting.

Present: -

Devon County Council:-

Councillors Giles, Greenslade, Mitchell, Owen

Plymouth City Council:

Councillors Bray and Wheeler

Torbay Council:-

Councillor Davis

Dartmoor National Park Authority:-

Councillor Mrs Marsh

58 Election of Chairman

RESOLVED that Councillor Mitchell (Devon County Council) be elected Chairman for the remainder of the municipal year.

59 Election of Vice-Chairman

RESOLVED that Councillor Wheeler (Plymouth City Council) be elected Vice-Chairman for the remainder of the municipal year.

60 Minutes

RESOLVED that the minutes of the meeting held on 27 January 2004 be signed as a correct record.

61 Urgent Business: Cornwall Structure Plan

(A) item taken under Section 100B(4) of the Local Government Act, 1972 which the Chairman had decided that the Joint Committee should consider as a matter of urgency in view of the implications for the Devon Structure Plan)

The Chairman of the Officer Steering Group reported on the Cornwall Structure Plan Proposed Modification published in March 2004 for comment by 13 April, 2004. The modifications included: the deletion of Broadmoor Farm; a reduction in the level of housing in Caradon (1000 dwellings) which needed to be seen in the context of the Devon EIP Panel recommendation to increase the housing provision in Plymouth by 1500 dwellings; and the inclusion of both Torpoint and Saltash within the Plymouth PUA.

RESOLVED to note that, from Devon's point of view, the Cornwall Structure Plan Modifications raise no specific matters of concern.

62 Devon Structure Plan 2001 to 2016:

Consideration to Comments made to the Proposed Modifications and Identification of Changes to Policies Prior to Adoption

(Councillor Greenslade declared personal interests during discussion on the following:

- * the location of the proposed science park under Policy ST19 - Strategic Development Sites - by virtue of his position as a non-executive director of Exeter and Devon Airport Ltd;
- * windfarm developments in North Devon under Policy CO12 - Renewable Energy Developments - by virtue of his membership of North Devon District Council)

The Committee considered the report of the Officer Steering Group on the objections and representations submitted in response to the Proposed Modifications published in February 2004.

The Joint Structure Plan Authorities had to consider all the objections made and decide if it was necessary to:

- propose further modifications that materially affected the content of the Plan;
- re-open the Examination in Public.

If there were no further material changes to be made to the Plan, the Joint Committee could recommend that the constituent authorities move towards formal adoption of the Alteration, and advertise their intention to do so.

During his presentation, the Chairman of the Officer Steering Group outlined the objections raised by the Government Office for the South West (GOSW) to Policy CO13 - Protecting Water Resources and Flood Defence; a further response from GOSW following discussions; and recommendations regarding Policy CO13 in the light of developments.

Issues relating to Policy ST19 - Science Park in East Devon and CO12 - Renewable Energy were debated.

RESOLVED

(a) to note the summary of the responses to the Proposed Modifications set out in Appendix 1 (column 2) to the report;

(b) to agree the minor changes to the policies, proposals and Key Diagram referred to in Section 4 of the report and highlighted in Appendix 1 (column 3), subject to:

(i) Policy ST19 - Science Park

An amendment to the explanatory text to clarify that the site is not site specific but should be in the East Devon part of the Principal Urban Area and be subject to further studies (in response to an issue raised by Cllr. Giles);

(ii) Policy CO12 - Renewable Energy - Key Diagram

(1) Recrawl Area of Search for wind based energy production south of Ilfracombe, possibly with a slightly different notation, clarifying that it is a limited area of search (in response to an issue raised by Cllr. Greenslade);

(2) a cross reference to Policy CO2 and CO3 and insert appropriate reference in the text and Key Diagram (in response to an issue raised by Cllr. Greenslade/Dartmoor National Park Authority);

(iii) Policy CO13 - Protecting Water Resources and Flood Defence

The deletion of "unacceptable" from sub-paragraphs 1), 2) and 4) as previously agreed; and in sub-paragraph 3 after "flood risk" the deletion of "as set out in Government Guidance" (ie. retaining the reference to "sequential risk to flood risk");

(iv) Key Diagram Inset B

Changing title of "Station for New Community" to "New Station east of Exeter";

(c) to unanimously agree the content of the report and to ask the Structure Plan Authorities in Devon to agree the Alteration (as now amended) for formal adoption in the summer of 2004.

63 Future Timetable - Programme Through to Adoption of Structure Plan

The Chairman of the Officer Steering Group reported that the programme was as follows:

(a) each Devon Structure Plan Authority to agree Devon Structure Plan Alteration for adoption/publication of notice of intention to adopt after 28 days - by end July 2004;

(b) each Devon Structure Plan Authority to formally adopt Plan by end August 2004 and publish notice of adoption (opportunity of High Court Challenge by the end of six weeks);

(c) publication and dispatch of Explanatory Memorandum - by mid October 2004.

64 Cost and Resources

The Chairman of the Officer Steering Group reported that the cost of completing the Alteration process in 2004/05 remained as £28,000 (the amount budgeted for) and would be apportioned between the authorities in the usual way.

65 Future Role of the Joint Committee

The Chairman of the Officer Steering Group reported that following the expected enactment of the Planning and Compulsory Purchase Bill in the summer, Structure Plans would be replaced by Regional Spatial Strategy. In the meantime the Structure Plan to 2016 would be saved for a period of three years or until such time as it was replaced by the Regional Spatial Strategy. Therefore it was unlikely that the Joint Committee would need to meet again.

The Chairman of the Joint Committee looked forward to the adoption of the Plan and thanked Joint Committee members and the Officers Steering Group for all the hard work they had put into preparing the Structure Plan 2001 to 2016.

RESOLVED: while recognising that if the adoption process progresses without any

mishap, there may be no need for the Joint Committee/Working Party to meet again, to agree that the Committee should continue in existence until the end of 2004 in case it is necessary to consider any further matters relating to the Structure Plan.

The meeting started at 10.00 a.m. and finished at 11.40 a.m.

ED/04/125/HQ

Devon Structure Plan Joint Committee

19 May 2004

Devon Structure Plan 2001 to 2016:

Consideration of Representations Made to the Proposed Modifications and Identification of Any Additional Changes to be Made Prior to Adoption

Report of the Officer Steering Group

Recommendation: It is recommended that the Joint Committee:**(a) Note the summary of the responses to the Proposed Modifications set out in Appendix I (column 2);****(b) Agree the minor changes to the policies, proposals and Key Diagram referred to in Section 4 of this Report and highlighted in Appendix I (column 3);****(c) Ask the Structure Plan Authorities in Devon to agree the Alteration (as now amended) for formal adoption in the Summer of 2004.****1. Purpose of the Report**

This report has regard to the objections and representations submitted in response to the Proposed Modifications published in February 2004.

The Joint Structure Plan Authorities must consider all the objections made and decide if it is necessary to:

- propose further modifications that materially affect the content of the Plan,
- re-open the Examination in Public.

If there are no further material changes to be made to the Plan, the Joint Committee can recommend that the constituent authorities move towards formal adoption of the Alteration, and advertise their intention to do so.

Members should note that if the Secretary of State considers the Plan to be unsatisfactory, particularly in terms of its interpretation of national or regional policies, he may direct the authorities to modify it at any time before it is adopted. Alternatively he may use his reserve power to call in all or part of the Plan at any time before it is adopted for a particular range of circumstances.

2. Background

- In July 2002 Devon Structure Plan 2001 to 2016 Deposit Draft was published for public comment by Friday 6 September 2002.
- In January 2003 Pre Examination in Public Changes to the Deposit Draft was published for public comment.
- In June/July 2003 an Examination in Public was held to before an independent Panel

appointed by the First Secretary of State.

- In November 2003 the Report of the Panel was published setting out their recommendations following their consideration of matters at the Examination in Public.
- In January 2004 Proposed Modifications to the Deposit Draft were published for public comment. The comments received are the considered in this report.

3. Analysis of Objections and Representations

Type of respondent

Just over 100 responses have been received from a variety of individuals, organisations, interest groups, and local authorities, resulting in about 550 separate comments.

Type of response	No of respondents
Interest Groups	50
Parish Councils	18
Local Authorities	10
Individuals	17
Other	10
TOTAL	105

All of the District Councils, except Mid Devon District Council, made representations on the proposed modifications, together with the Government Office for the South West, the Environment Agency, Regional Assembly, the Highways Agency, the Regional Development Agency and the Countryside Agency.

Scope of the Response

An analysis of the comments has indicated those sections of the Alteration that have been subject to the greatest number of comments.

In terms of the responses by Policy Area - Table 1 indicates that the highest number of objections related to the Strategy Policies. More than half of all comments received related to the Strategy Chapter which deals with the approach to development in the period 2001 to 2016.

Within the Conservation chapter the main areas of comment were related to renewable energy (Policy CO17). In respect of transport policies, there was a broad spread of comment received, with a number of responses relating to the strategic network proposals set out in Proposal TR17.

	Policy Area (Policy prefix)	Support	Objection	Other
(a)	Strategy Policies (ST)	151	122	8
(b)	Conservation Policies (CO)	32	52	5
(c)	Minerals Policies (MN)	2	1	-
(d)	Waste Management (WM)	3	7	-
(e)	Transport Policies (TR)	68	53	4
(f)	Shopping Policies (SH)	4	3	-
(g)	Tourism Policies (TO)	4	4	-

(h) Other	10	17	-
TOTAL	274	259	17

Table 1 - Analysis of Responses to the Deposit Plan by Topic

Full sets of the representations received have been placed in the DCC Members' Room and on deposit for inspection at the main planning offices of the Structure Plan Authorities and District Councils in Devon.

4. Suggested Changes to the Deposit Draft Policies and Proposals

Having carefully considered all of the representation received, it is recommended that no substantive further modifications are necessary or appropriate. The more substantive issues raised by objectors were related to matters fully debated at the EJP and addressed by the Panel at some length, and no new evidence has been put forward to support any further modifications materially affecting the Plan.

In a limited number of cases, however, the representations have highlighted instances where the detailed wording used is not as clear as it could be and where there could be a risk of misinterpretation.

The changes proposed to the policies and proposals are set out in **Appendix I**.

Column (1) shows the Proposed Modifications placed on Deposit in February 2004,

Column (2) provides a summary of the responses to the Proposed Modifications

Column (3) summarises the proposed decision and justification for that decision

Minor technical changes are proposed to the following Policies/Proposals/Key Diagram:

Policy ST5

The reference to the role of the Newton Abbot Sub Regional Centre as the focus for sub regional development could be confusing given the role of Torbay PUA in the south Devon sub region. It is suggested that the wording in ST5 be modified to refer to Sub Regional Centres as "a" focus for sub regional development, rather than "the" focus.

Proposal ST8

Also refer to a Park and Ride facility "accessible to the A3/9" within criterion 5 - to be consistent with Proposal 1R17. Both of the Park and Ride facilities relating to Sherford should be more accurately referred to as "Park and Ride Interchanges", and the illustration of the Public Transport links to the A38 and Langage should be clarified on Key Diagram Inset A.

Policy ST13

Reword to refer to an Inset to the Key Diagram relating to the Torbay PUA area. Reword the first sentence to read "At the Torbay PUA (as illustrated on Inset C to the Key Diagram), priority...."

Policy CO12

The wording of the first paragraph needs to be adjusted to avoid inferring that offshore renewable energy generation will contribute towards meeting the sub-regional target for Devon, which is not the case. The wording of the first sentence should be adjusted to read "...offshore developments, in the context of Devon's sub regional target of 151 MW of electricity production from land based renewable sources by 2010, subject...."

The Key Diagram should be adjusted to ensure that the extent of the Area of Search for wind based energy generation in North Devon does not imply a potential conflict with Policies CO2 and CO3, relating to areas adjacent to the National Parks and AONBs.

Policy CO13

Reference to other Government Guidance in (3) is unnecessary and should be omitted to avoid confusion.

In order to avoid a prescriptive interpretation of the Policy, the word "unacceptable" should be restated into criterion 1, 2 and 4.

Policy TR10

The reference to "main" in criterion 2 is an error and should be deleted, and the SRN in respect of Area Centres should more accurately refer to it providing links "to" such centres rather than simply "between" them.

Proposal TR17

Within Section B relating to rail investment, the reference to the Cattedown - Intermodal Freight Facility "Improvement" should be made clearer by referring to a "Rail Link (Improvement)".

Changes to Key Diagram/Insets

Key Diagram

- Adjust the extent of the Area of Search for wind based renewable energy in the North Devon area to avoid the implied inclusion within the priority area of locations close to the National Park and AONB.
- Include an Inset Area notation for the Torbay PUA (Inset C).

Inset A to the Key Diagram

- Show the diagrammatic public transport links from Sherford along both the A38 and A379 corridors and extending towards Langage.
- Show the rail link between Cattedown and the Inter Modal Freight facility at Marsh Mills more clearly.
- Include the A379 Park and Ride Interchange facility included in TR17.

Inset B to the Key Diagram

- Correct the Exeter City boundary alignment in the Pinhoe area.
- Adjust the shaded PUA area on the Exeter/Teignbridge boundary to avoid any implied specific extension of the existing Exeter PUA into Teignbridge.

Inset C to the Key Diagram (new)

- Include an Inset of the policies and proposals in the Torbay PUA area, adjusting the main key diagram accordingly.

Revised copies of the Key Diagram and Insets will be tabled at the meeting.

5. Recommendation

The minor changes to the Policies and Proposals (and Key Diagram) as set out in Appendix I are not considered to materially affect the content of the Plan, and there is no need to consider re-opening of the EIP. The Joint Committee is therefore recommended to approve the minor technical changes indicated and request the Devon Structure Plan Authorities (Devon County Council, Plymouth City Council, Torbay Council and Dartmoor National Park Authority) to agree the Devon Structure Plan Alteration for adoption. The individual Authorities will need to advertise their intention to adopt the Alteration, and arrange for the appropriate Committee to formally resolve to adopt the Plan, as amended, in Summer 2004.

Edward Chorlton, County Environment Director, Devon County Council

Nigel Pitt, Director of Development, Plymouth City Council

Mike Yeo, Director of Strategic Services, Torbay Council

Graham Wall, Director of Planning and Community, Dartmoor National Park Authority

Electoral Divisions: All

jk290404spa

cr/dso proposed modifications

3 hq 040504

APPENDIX 3 (B)
Dartmoor National Park Authority
DARTMOOR NATIONAL PARK AUTHORITY Planning Committee

PLANNING COMMITTEE

2 July 2004

DEVON STRUCTURE PLAN 2001-2016 : POLICIES AND PROPOSALS FOR ADOPTION

Report of the Director of Planning & Community

Recommendation : That the Committee agrees to adopt the policies and proposals of the Devon Structure Plan 2001-2016 (including the Key Diagram), as recommended by the Structure Plan Joint Committee at its meeting on 10 May 2004 and authorises the arrangements to proceed towards adoption of the Plan.

Background

1 As Members may recall, an Examination in Public (EIP) was held in the summer of 2003 before an independent panel appointed by the first Secretary of State to consider the policies and proposals of the Devon Structure Plan 2001-2016. The report of the panel was published in November and set out its recommendations on the matters discussed at the EIP. In February 2004, following consideration of the Panel's report at a meeting of the Joint Structure Plan Committee, proposed modifications to the deposit draft were published for public comment.

2 The recommendations in the panel's report were the subject of a report to this Committee in January 2004. In that report, it was noted that the panel's conclusions 'should give the Authority little cause for concern. However, the emphasis on recommending that ALL Local Planning Authorities should draw up areas of search for renewable energy is worrying insofar as it might suggest that a positive search for large scale wind to energy developments would be appropriate. This concern was acknowledged by the Joint Committee in considering the proposed modifications. Elsewhere, most of the Panel's recommendations were accepted by the Joint Committee and of the seven that were rejected, none were of any great significance for the National Park itself or were felt to be difficult for the Park Authority to support.

Proposed modifications

3 The proposed modifications generated about 550 separate representations of which approximately 50% were in support. The highest number of representations related to the policies which deal with the overall approach to development. Other policies which attracted significant levels of comment were the renewable energy policy (CO12) and the Strategic Transport Network proposals in Proposal TR17.

4 The Structure Plan Joint Committee met on 10 May to consider the response to the Proposed Modifications and to determine whether it was necessary to:

- propose further modifications to the plan
- re-open the Examination in Public, or
- make no material changes to the plan

5 It concluded that the representations did not raise any new issues that materially affected the content of the plan and that there was no need to re-open the Examination in Public. The Joint Committee did however propose minor technical adjustments to seven policies and proposals and a number of clarifications to the Key Diagram and inset plans. The nature of the policy changes is identified in the introduction to the schedule of policies and proposals recommended for adoption by the Joint Committee, which has been sent to Members. Of most significance is the decision to slightly reduce the extent of the area of search for wind power shown on the key diagram in the area to the north of Barnstaple. This has been done to avoid potential conflict with the interests of nearby nationally important landscapes (including Exmoor National Park). The Joint Committee has also agreed that in the supporting text to the renewable energy policy (CO12), there should be a cross reference to the key AONB (CO3) and National Park (CO2) policies to more generally reflect the need to avoid conflict with those policies in the application of CO12 to wind farm proposals.

Next Stages

6 The National Park Authority is the first of the four Structure Plan authorities to consider a report on the final schedule of policies and proposals and to be asked to agree them. It is expected that Devon, Plymouth and Torbay will consider similar reports during the course of July. Assuming all four authorities agree the schedule, a notice of intention to adopt the plan after 28 days will then be published and, subject to there being no intervention from the First Secretary of State, a notice of formal adoption will be published at the end of that period. It is expected that the Plan will be printed and published in October.

7 When adopted, the new Structure Plan will provide local planning authorities and other relevant organisations with an up-to-date strategic plan for the area. However, Members will be aware that, following the enactment of the Planning and Compulsory Purchase Bill, Structure Plans and Local Plans will be replaced by Regional Spatial Strategies and Local Development Frameworks. Under transitional arrangements, the Devon Structure Plan 2001-2016 will be saved for a period of three years and during that time, the Regional Planning Body will be able to consider whether elements of the Plan should be saved for a longer period. During the three year saved period, the Structure Plan will continue to be part of the Development Plan and will be a relevant consideration in the preparation of Local Development Frameworks.

Conclusion

8 The minor changes to the Plan made in response to the modifications stage are not considered to materially affect its content and, on this basis, there is no need to consider reopening the EIP. The Plan's major elements have gone through a comprehensive examination and have been consistently supported by the Authority. It is therefore considered that there is no reason for the Authority to stand in the way of its adoption.

GRAHAM WALL

(For further information please contact Phil Markham)

PLYMOUTH CIT COUNCIL
CABINET DECISIONS – 13TH JULY 2004
PART I (PUBLIC MEETING)

- 1. APOLOGIES**
- 2. DECLARATIONS OF INTEREST**

None.

15. DEVON STRUCTURE PLAN : ADOPTION

Report C012 04/05

Resolved that –

- (1) the summary of the responses to the Proposed Modifications – Analysed in Appendix A , and set out in Appendix 1 (column 2) of the report, be noted;
- (2) the specific changes to the policies, proposals and Key Diagram, recommended by the Structure Plan Joint Committee, referred to in Appendix B and highlighted in Appendix 1 (column 3) of the report, be approved;
- (3) the Policies and Proposals in full, as set out in Appendix II of the report, be approved for adoption, and, subject to the agreement of all four Devon Structure Plan Authorities, the arrangements to issue a Notice of the Authorities' intention to adopt the Plan with the view to the adoption becoming effective on 26 August 2004 be authorised.

CITY OF PLYMOUTH

Portfolio and Cabinet Member: Planning Policy & Regeneration
Councillor Mrs Nelder

CMT Member: Director of Development

Subject: Devon Structure Plan 2004 to 2016

Committee: Cabinet

Date: 13 July 2004

Author: Mike Palmer, Planning Policy Manager

Contact: Tel: 01752 304360
email: Mike.palmer@plymouth.gov.uk

Ref: MP/Devon S.P.

Part: 1

Executive Summary:

This report summarises the representations and objections received on the Devon Structure Plan Proposed Modifications (published in February 2004) and sets out the policies and proposals now recommended by the Structure Plan Joint Committee, for final adoption by Plymouth City Council as one of the Devon Joint Structure Plan Authorities.

Corporate Plan 2004-2007:

The Structure Plan contributes to achieving the Corporate Plan as a key element of delivering the objective of providing "a strong strategic framework to promote investment, guide development and safeguard our built and natural environment".

The Devon Structure Plan will also contribute to other objectives and targets of the Corporate Strategy, most notably:

- Ensuring an adequate supply of land for homes (including affordable housing) to meet Plymouth's housing needs to 2016.
 - Ensuring an adequate provision of employment land and premises, to meet the City's anticipated needs to 2016.
 - Identifying strategic infrastructure needs that helps secure Government and other funds for transport priorities.
 - Helping to improve development control performance, through providing an up to date strategic planning framework.
-

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land:**

The Structure Plan sets parameters for the amount of development in the City and its hinterland (the 'Principal Urban Area'). It can (indirectly) influence the value of land assets within and outside the City administrative boundary. It helps to determine the expenditure priorities and financial planning of a number of organisations besides the Council (eg. the Highways Agency).

There are human resource implications in that Members and officers participate in Structure planning processes through, for example, the Structure Plan Joint Committee and the Officer Steering Group.

The City Council contributes proportionately to the costs of Structure planning processes (for example, the Examination in Public into the Structure Plan which took place in Summer 2003) and publications.

Other Implications: e.g. Section 17 Community Safety, Health and Safety etc:

The Devon Structure Plan will support the promotion of community safety through the promotion of policies to influence the design and nature of physical development.

Recommendations & Reason for recommended action:

It is recommended that the Cabinet:

1. Note the summary of the responses to the Proposed Modifications – Analysed in Appendix A, and set out in Appendix 1 (column 2) of this report;
2. Agree to the specific changes to the policies, proposals and Key Diagram, recommended by the Structure Plan Joint Committee, referred to in Appendix B, and highlighted in Appendix 1 (column 3) of this report;
3. Agree the Policies and Proposals in full, as set out in Appendix II, for adoption, and, subject to the agreement of all four Devon Structure Plan Authorities, authorise the arrangements to issue a Notice of the Authorities' intention to adopt the Plan with the view to the adoption becoming effective on 26 August 2004.

Reason: to enable the Joint Structure Plan Authorities to proceed toward adoption of the Devon Structure Plan 2001 to 2016.

Alternative options considered and reasons for recommended action:

Alternative options to the Proposed Modifications have been considered through ongoing Structure planning processes, notably the Structure Plan Joint Committee on which the City Council is represented at Member level, and the 'Plymouth Sub-Region' sessions at the Devon and Cornwall Structure Plan Examinations in Public in June / July 2003.

Background papers:

Report of Director of Development and Transport & Planning Manager to Executive Committee, 23rd March 2004. *Proposed Modifications to the Deposit Draft Devon Structure Plan 2001 to 2016*

Background Report on the Proposed Modifications - *attached*

Proposed Modifications to the Deposit Draft Policies and Proposals Summary Leaflet (February 2004) - *attached*

Devon Structure Plan 2001 to 2016 - Proposed Modifications to Deposit Draft Policies and Proposals (February 2004)

Devon Structure Plan 2001 to 2016 - Examination in Public Panel Report on the Deposit Draft (November 2003)

Devon Structure Plan 2001 to 2016 - Deposit Draft (July 2002)

1. Purpose of this report.

The updating of the Devon Structure Plan First Review (1995-2011) to the new Devon Structure Plan 2001 to 2016 has been through a number of steps, and is now reaching its final stages towards adoption.

The purpose of this report is to advise members of the latest revisions to the Devon Structure Plan 2001 to 2016, and seek member's approval, (as the City is one of the four Strategic Planning Authorities for Devon), to the amended policies and proposals - so that the Devon Structure Plan can move forward to formal adoption.

2 Context.

The following main stages in reviewing the Devon Structure Plan have now been completed

- In July 2002 - the Devon Structure Plan 2001 to 2016 Deposit Draft was published for public comment.
- In January 2003 - Pre Examination in Public Changes to the Deposit Draft were published for public comment.
- In June/July 2003 - An Examination in Public was held before an independent Panel appointed by the Secretary of State.
- In November 2003 - The Report of the Panel was published setting out their recommendations following their consideration of matters at the Examination in Public.
- In February 2004 - The Proposed Modifications to the Deposit Draft were published for public comment by 25 March 2004. (An analysis of the Objections and Representations received is included as Appendix A to this report.)

Plymouth City Council's Executive on the 23 March 2004 considered the content of the Proposed Modifications and resolved to support the changes proposed, subject to some minor points of clarification.

The Structure Plan Joint Committee (consisting of Members of Plymouth City Council, Devon County Council, Torbay Council and Dartmoor National Park Authority) met on the 10 May 2004, to consider the response to the Proposed Modifications to determine whether it was necessary to:

- propose further modifications that materially affect the content of the Plan,
- re-open the Examination in Public, or
- make no material changes to the Plan

The Joint Committee did not consider the representations raise any new issues that materially affect the content of the Plan and that there is no need to for the re-opening of the Examination in Public. The Joint Committee have, however;

- a) proposed minor technical adjustments to seven Policies or Proposals, and
- b) proposed a number of clarifications/corrections to the Key Diagram.

On that basis the Joint Committee has now recommended that the Structure Plan Authorities approve the amended policies and proposals for formal adoption.

The content of this report reflects the consideration of the Joint Committee.

3. Main implications for Plymouth.

3.1 Housing Provision

The Structure Plan expects the City to accommodate an additional 10,000 dwellings by 2016. This allocation reflects the expectation that additional urban capacity will be realised in the city, and with the qualification that an early revision of development distribution will be undertaken if it appears that this potential is unlikely to be achieved.

Plymouth City Council's position

At the meeting of the Executive on 23/3/04, PCC accepted the principle that the Principal Urban Areas ought to take as much development as they reasonably can. This allocation of 10,000 dwellings for the City reflects the essence of the EIP Panel's recommendation, but also recognises that this needs to be tested through the Plan, Monitor and Manage approach advocated by the Government. (The Proposed Modifications require an early revision of provision for new dwellings if the assumptions about the capacity of Plymouth to accommodate 10,000 dwellings proves to be unachievable).

3.2 Sherford New Community in South Hams

The Structure Plan expects the 'new community' adjacent to Plymouth at Sherford in South Hams District to accommodate 4,000 dwellings to 2016. The 'new community' is expected to be linked to Plymouth at the outset of development by an effective high quality, high capacity public transport system, and Park and Ride provision is to be made in appropriate locations.

Plymouth City Council's position

At the meeting of the Executive on 23/3/04, PCC supported the need to accommodate additional growth outside the City boundary, but closely related to the existing urban area, and the identification of Sherford as the most appropriate strategic location in which to make such provision.

Changes to the Deposit Draft Policies & Proposals

In responding to the proposed modifications, PCC sought clarification to Proposal ST6 in terms of making reference to Park and Ride on both the A38 and A379. This change has now been made in these latest revisions to the Structure Plan.

3.3 Employment Land provision

The Structure Plan has made provision for some 160 hectares of employment land to meet the needs of Plymouth Principal Urban Area. Of this total, 80 hectares will be provided within the City boundary and a further 80 hectares in the South Hams part of the Plymouth PUA.

Plymouth City Council's position

At the meeting of the Executive on 23/3/04, PCC accepted these allocations, on the basis that in general it is important not to over-allocate employment land because this can limit the opportunities for redeveloping brownfield land for housing. The City also accepted that there is no hard factual evidence to support an employment land allocation which is higher than that indicated by past take-up rates.

Changes to the Deposit Draft Policies & Proposals

In responding to the proposed modifications, PCC sought clarification that there would be an early revision of provision for employment land if, for any reason, there proves to be a shortfall in the land available for that purpose. While this representation was considered it was felt that it was already covered - in that the

'Plan, Monitor and Manage' approach to planning is nationally adopted policy, and will be referred to in the lower case text

3.4 Transport Infrastructure

The Structure Plan makes a number of Plymouth-specific references to investment in strategic transport infrastructure in Proposal TR17 (Proposal T12 revised). These include:

- A386 corridor improvements including George Junction
- A379 / A374 Laira Bridge corridor improvements
- Cattedown Inter-Modal Freight Facility improvements
- new or improved Park and Ride facilities to serve the (Plymouth) A38 east, A379 east and A386 north
- runway extension at Plymouth Airport
- the Plymouth to the Dorset border National Cycle Network.

Plymouth City Council's position

At the meeting of the Executive on 23/3/04, PCC supported these infrastructure references as they reflect Plymouth's strategic transport infrastructure investment priorities.

3.5 Recommendation

The minor changes to the Policies and Proposals (and Key Diagram) as set out in Appendix I to this report are not considered to materially affect the content of the Plan, and there is no need to consider re-opening of the EiP. The Executive is therefore recommended to support the minor technical changes indicated set out in Appendix I and agree the Policies and Proposal set out in Appendix II for adoption at the end of August 2004.

4. Next Stages

4.1 Programme

Following agreement to adopt the Structure Plan by each Structure Plan Authority in Devon the programme leading to adoption and publication of the Structure Plan Explanatory Memorandum is as follows

End of July 2004	Publication on Notice of intention to Adopt after 28 days (i.e. end of August 2004)
End Aug 2004	Formal Adoption by Structure Plan Authorities
Early Sept 2004	Publication of Notice of Adoption (Opportunity for High Court Challenge by Mid Oct 2004)
End October 2004	Publication and Dispatch of Explanatory Memorandum (and Monitoring Report 2003)

4.2 The Planning and Compulsory Purchase Bill & the effect on the Structure Plan.

The Structure Plan Alteration to 2016, when adopted, will provide the Planning Authorities and other organisations in Devon with an up to date Structure Plan setting out the planning framework for the area

Members will be aware that following the enactment of the Planning and Compulsory Purchase Act in the summer, **the Structure Plans and Local Plans will be replaced by Regional Spatial Strategies and Local Development Frameworks.**

In accordance with the **transitional arrangements leading into the new system**, the Devon Structure Plan to 2016 will however be "saved" for a period of three years from its adoption. During this period, regional planning bodies (RPBs) will also be able to consider whether elements of the plan should be saved for a longer period. Where the RPB propose to do this it will put a case to the Secretary of State who will consider whether to direct that these policies should be saved for a further period.

During the three year saved period the Structure Plan will continue to be part of the Development Plan and will be a relevant consideration in the preparation of Local Development Frameworks. Structure Plan authorities will however still be able to make representations where they consider that the development plan document is inconsistent with the "saved" structure plan.

Appendix A Analysis of Objections and Representations to the Devon Structure Plan Proposed Modifications

Type of respondent

Just over 100 responses were received from a variety of individuals, organisations, interest groups, and local authorities, resulting in about 560 separate comments.

Type of response	No of respondents
Interest Groups	50
Parish Councils	18
Local Authorities	10
Individuals	17
Other	10
TOTAL	105

All of the District Councils, except Mid Devon District Council, made representations on the proposed modifications, together with the Government Office for the South West, the Environment Agency, Regional Assembly, the Highways Agency, the Regional Development Agency and the Countryside Agency.

Scope of the Response

An analysis of the comments indicated those sections of the Alteration that were subject to the greatest number of comments.

In terms of the responses by Policy Area - Table 1 indicates that the highest number of objections related to the Strategy Policies. More than half of all comments received related to the Strategy Chapter which deals with the approach to development in the period 2001 to 2016.

Within the Conservation chapter the main areas of comment were related to renewable energy (Policy CO12). In respect of transport policies, there was a broad spread of comment received, with a number of responses relating to the strategic network proposals set out in Proposal TR17.

Policy Area (Policy prefix)	Support	Objection	Other
(a) Strategy Policies (ST)	151	122	8
(b) Conservation Policies (CO)	32	52	5
(c) Minerals Policies (MN)	2	1	-
(d) Waste Management (WM)	3	7	-
(e) Transport Policies (TR)	68	53	4
(f) Shopping Policies (SH)	4	3	-
(g) Tourism Policies (TO)	4	2	-
(h) Other	10	17	-
TOTAL	274	259	17

Table 1 – Analysis of Responses to the Deposit Plan by Topic

Appendix B

The Joint Committee's Suggested Changes to the Deposit Draft Policies and Proposals

The Joint Committee, having carefully considered all of the representation received, recommend that no substantive further modifications are necessary or appropriate. The more substantive issues raised by objectors were related to matters fully debated at the CIP and addressed by the Panel at some length, and no new evidence has been put forward to support any further modifications materially affecting the Plan.

In a limited number of cases, however, the representations have highlighted instances where the detailed wording used is not as clear as it could be and where there could be a risk of misinterpretation.

The changes proposed to the policies and proposals are set out in **Appendix I**. [Column \(1\)](#) shows the Proposed Modifications placed on Deposit in February 2004, [Column \(2\)](#) provides a summary of the responses to the Proposed Modifications and [Column \(3\)](#) summarises the proposed decision and justification for that decision.

Minor technical changes are proposed to the following Policies/Proposals/Key Diagram.

Development Priority 2001 to 2016

Policy ST5 - The reference to the role of the Newton Abbot Sub Regional Centre as "the focus" for sub regional development could be confusing – given the role of Torbay PUA in the south Devon sub region. It is suggested that the wording in ST5 be modified to refer to Sub Regional Centres as "a focus" for sub regional development, rather than "the focus".

South Hams New Community Proposal

Proposal ST8 - Also refer to a Park and Ride facility "accessible to the A379" with a criterion 5 – to be consistent with Proposal TR17. Both of the Park and Ride facilities relating to Sherford should be more accurately referred to as "Park and Ride Interchanges", and the illustration of the Public Transport links to the A38 and Langage should be clarified on Key Diagram Inset A.

Torbay Principal Urban Area

Policy ST13 - Reword to refer to an Inset to the Key Diagram relating to the Torbay PUA area. Reword the first sentence to read "At the Torbay PUA (as illustrated on Inset C to the Key Diagram), priority....."

Renewable Energy Developments

Policy CO12 - The wording of the first paragraph needs to be adjusted to avoid inferring that offshore renewable energy generation will contribute towards meeting the sub-regional target for Devon, which is not the case. The wording of the first sentence should be adjusted to read "Offshore developments, in the context of Devon's sub-regional target of 151 MW of electricity production from land based renewable sources by 2010, subject...."

The Key Diagram should be adjusted to ensure that the extent of the Area of Search for wind based energy generation in North Devon does not imply a potential conflict with Policies CO2 and CO3, relating to areas adjacent to the National Parks and AONBs.

Protecting Water Resources and Flood Defence

Policy CO13 - Reference to other Government Guidance in (3) is unnecessary and should be omitted to avoid confusion.

Strategic Road Network

Policy TR10 - The reference to "main" in criterion 2 is an error and should be deleted, and the SRN in respect of Area Centres should more accurately refer to it providing links "to" such centres rather than simply "between" them.

Strategic Network Investment Proposals

Proposal TR17 - Within Section B relating to rail investment, the reference to the Cattedown - Intermodal Freight Facility "Improvement" should be made clearer by referring to a "Rail Link Improvement"

Changes to Key Diagram/Insets

Key Diagram

- Adjust the extent of the Area of Search for wind based renewable energy in the North Devon area to avoid the implied inclusion within the priority area of land on close to the National Park and AONB.
- Include an Inset Area notation for the Torbay PUA (Inset C)

Inset A to the Key Diagram

- Show the diagrammatic public transport links from Sherford along both the A38 and A379 corridors and extending towards Langage.
- Show the rail link between Cattedown and the Inter Modal Freight facility at Marsh Mills more clearly.
- Include the A379 Park and Ride Interchange facility included in TR17.

Inset B to the Key Diagram

- Correct the Exeter City boundary alignment in the Pinhoe area.
- Adjust the shaded PUA area on the Exeter/Teignbridge boundary to avoid any implied specific extension of the existing Exeter PUA into Teignbridge.

Inset C to the Key Diagram (new)

- Include an Inset of the policies and proposals in the Torbay PUA area, adjusting the main key diagram accordingly.

Revised copies of the Key Diagram and Insets are included within Appendix II.

**Devon County Council - Executive Committee
and Devon County Council – Council Meeting**

Devon County Council

Executive

12 July 2004

MINUTES

Agenda for this meeting.

Present:-

Councillors Mrs Channon (Chairman), Greenstead, Hart, S Huggins, Mornish, Shadcock, Smith, HX Spence and Spear

Attending in accordance with Standing Order 25(2):-

Councillors Cook, Gale, Giles, Mitchell and Mrs Rogers

***786 Minutes**

RESOLVED that the minutes of the meeting held on 29 June 2004 be signed as a correct record.

795 Devon Structure Plan 2001 to 2016 - Policies and Proposals for Adoption

(Councillor Mitchell attended and spoke to this item in accordance with Standing Order 25(2)).

The Executive considered the report of the County Environment Director (ED/D4/158/HQ) on the representations and objections received on the Proposed Modifications previously published in February 2004 and on the recommendations of the Joint Structure Plan Committee.

The Joint Committee had been of the view that the representations received did not raise any new issues which materially affected the content of the Plan and there was therefore no need to reopen the Examination in Public. The Joint Committee had, however, proposed a number of minor technical adjustments to seven Policies or Proposals as well as some minor clarifications/corrections to the Key Diagram which had been incorporated into the Policies and Proposals document for adoption by Devon Structure Plan Authorities.

RESOLVED that the Policies and Proposals be agreed in full as set out in the document "Devon to 2016 - Policies and Proposals for Adoption" and, subject to the agreement of the three other Devon Structure Plan Authorities, arrangements be made to issue a Notice of the Authorities intention to adopt the Plan, effective from 26 August 2004.

Devon Structure Plan 2001 to 2016: Policies and Proposals for Adoption

Report of the County Environment Director

Recommendation: It is recommended that the Executive agrees the Policies and Proposals in full, as set out the document "Devon to 2016 - Policies and Proposals" for adoption, and, subject to the agreement of the three other Devon Structure Plan Authorities, authorises the arrangements to issue a Notice of the Authorities' intention to adopt the Plan with the view to the adoption becoming effective on 26 August 2004.

1. Summary

This report summarises the scope of the representations and objections received on the Proposed Modifications (published in February 2004) and sets out the policies and proposals now recommended by the Structure Plan Joint Committee for final adoption by the Devon Structure Plan Authorities.

The Devon Structure Plan is a key plan which contributes towards the achievement of four key goals of the Devon Strategic Plan - achieving a prosperous Devon, creating safer and stronger communities, improving travel and communications and looking after Devon's environment, culture and heritage.

2. Background

- | In July 2002 - the Devon Structure Plan 2001 to 2016 Deposit Draft was published for public comment by Friday 6 September 2002.
- : In January 2003 - Pre Examination in Public Changes to the Deposit Draft were published for public comment.
- | In June/July 2003 - An Examination in Public was held before an independent Panel appointed by the First Secretary of State.
- : In November 2003 - The Report of the Panel was published setting out their recommendations following their consideration of matters at the Examination in Public
- : In February 2004 - The Proposed Modifications to the Deposit Draft were published for public comment by 25 March 2004.

Devon County Council's Executive on the 23 March 2004 considered the content of the Proposed Modifications and resolved to support the changes proposed.

The Structure Plan Joint Committee (consisting of Members of Devon County Council, Plymouth City Council, Torbay Council and Dartmoor National Park Authority) met on 10 May 2004, to consider the response to the Proposed Modifications to determine whether it was necessary to

- i propose further modifications that materially affect the content of the Plan,
- ! re-open the Examination in Public, or
- | make no material changes to the Plan

The Joint Committee did not consider the representations raised any new issues that materially affect the content of the Plan. They concluded that there was no need to reopen the Examination in Public. The Joint Committee have, however:

- a) proposed minor technical adjustments to seven Policies or Proposals, and
- b) proposed a number of clarifications/corrections to the Key Diagram.

On that basis, the Joint Committee has now recommended that the Structure Plan Authorities approve the amended policies and proposals for formal adoption.

3. Analysis of Objections and Representations

Type of Respondent

Just over 100 responses were received from a variety of individuals, organisations, interest groups, and local authorities, resulting in about 550 separate comments.

Type of response	No of respondents
Interest Groups	50
Parish Councils	18
Local Authorities	10
Individuals	27
Other	10
Total	105

All of the District Councils, except Mid Devon District Council, made representations on the proposed modifications, together with the Government Office for the South West, the Environment Agency, Regional Assembly, the Highways Agency, the Regional Development Agency and the Countryside Agency.

Scope of the Response

An analysis of the comments indicated those sections of the Alteration that were subject to the greatest number of comments.

In terms of the responses by Policy Area - Table 1 indicates that the highest number of objections related to the strategy policies. More than half of all comments received related to the strategy chapter which deals with the approach to development in the period 2001 to 2016.

Within the conservation chapter the main areas of comment were related to renewable energy (Policy CO12). In respect of transport policies, there was a broad spread of comment received, with a number of responses relating to the strategic network proposals set out in Proposal TR17.

	Policy Area (Policy prefix)	Support	Objection	Other
(a)	Strategy Policies (ST)	151	122	8
(b)	Conservation Policies (CO)	32	62	5
(c)	Minerals Policies (MN)	2	1	-
(d)	Waste Management (WM)	3	7	-

(e)	Transport Policies (TR)	68	53	4
(f)	Shopping Policies (SH)	4	3	-
(g)	Tourism Policies (TO)	4	4	-
(h)	Other	10	17	-
	TOTAL	274	259	17

Table 1 - Analysis of Responses to the Deposit Plan by Topic

Full sets of the representations received were placed in the DCC Members' Room and on deposit for inspection at the main planning offices of the Structure Plan Authorities and District Councils in Devon

4. Suggested Changes to the Deposit Draft Policies and Proposals

The Joint Committee, having carefully considered all of the representations received, have recommended that no substantive further modifications are necessary or appropriate. The more substantive issues raised by objectors were related to matters fully debated at the EIP and addressed by the Panel at some length, and no new evidence has been put forward to support any further modifications materially affecting the Plan.

In a limited number of cases, however, the representations highlighted instances where the detailed wording used was not as clear as it could be and where there could be a risk of misinterpretation. Minor adjustments have therefore been made in order to improve clarity and avoid misinterpretation.

The complete set of Structure Plan Policies and Proposals, together with copies of the Key Diagram and Insets are enclosed with the agenda papers for this meeting.

5. Next Stages

a) Programme

Following agreement to adopt the Structure Plan by each Structure Plan Authority in Devon the programme leading to adoption and publication of the Structure Plan Explanatory Memorandum is as follows:

End of July 2004	Publication on Notice of Intention to Adopt after 28 days (i.e. end of August 2004)
End Aug 2004	Formal Adoption by Structure Plan Authorities
Early Sept 2004	Publication of Notice of Adoption (Opportunity for High Court Challenge by Mid Oct 2004)
End Oct 2004	Publication of Explanatory Memorandum

b) The Planning and Compulsory Purchase Bill and the effect on the implications for the Devon Structure Plan.

The Structure Plan Alteration to 2016, when adopted, will provide the Planning Authorities and other organisations in Devon with an up to date Structure Plan setting out the planning framework for the area.

Members will be aware that following the enactment of the Planning and Compulsory Purchase Act in the summer, the Structure Plans and Local Plans will be replaced by Regional Spatial Strategies and Local Development Frameworks.

In accordance with the **transitional arrangements leading into the new system**, the Devon Structure Plan to 2016 will however be "saved" for a period of three years from its adoption. During this period, the regional planning body (RPA) will also be able to consider whether elements of the plan should be saved for a longer period. Where the RPA proposes to do this it will put a case to the Secretary of State who will consider whether to direct that these policies should be saved for a further period.

During the three year saved period the Structure Plan will continue to be part of the Development Plan and will be a relevant consideration in the preparation of Local Development Frameworks. Structure Plan authorities will therefore continue to make representations on Local Plans (or Local Development Frameworks) where they consider that these plans are inconsistent with the 'saved' structure plan.

6. Racial Equality Considerations

The Structure Plan relates to land use planning, conservation and transport and there are no specific implications for racial equality.

7. Options/Alternatives

The policies and proposals in the Structure Plan have been prepared jointly by four authorities. They have been subjected to public examination. The County Council has the option of adopting the policies and proposals or proposing further modifications. Any new modifications would need to be the subject of further consultation and publication, and might require the reopening of the Examination in Public, thereby leading to significant delay in publication.

8. Reasons for Recommendation/Conclusion

The County Council has a statutory obligation to provide strategic planning guidance.

The minor changes to the Policies and Proposals (and Key Diagram) now incorporated in the document are not considered to materially affect the content of the Plan, and there is no need to consider reopening of the EIP. The Executive is therefore recommended to agree the Policies and Proposals for adoption at the end of August 2004.

Edward Chorlton

Electoral Divisions: All

Executive Member for Resources,

Councillor Brian Greenslade

Local Government Act 1972

List of Background Papers

Contact for enquiries: Joe Keech

DEVON COUNTY COUNCIL

22 July 2004

Present:-

Chairman: Councillor M H Knight

Vice Chairman: Councillor N Clarke

Councillors Mrs Bamsey, Barker, Barton, Berman, R S Cann, W G Cann, Mrs Channon, Clatworthy, Collins, Connelly, Cook, Drake, Fowler, Giles, Glanvill, Greenslade, Hart, Hawes, Hawkins, Hobden, BCJ Hughes, S Hughes, Leadbetter, Lee, Mrs Madigan, Mrs Marsh, Nicholson, Owen, Rawlinson, Rogers, Shadrick, Smith, Spear, Mrs Spence, Mrs Squires, Symons, Mrs Taylor, Mrs Turner, Westlake, Wickham and Yabsley.

483 **Prayers**

Prayers were offered by the Reverend Keith Wyer, Rector of Combe Martin.

484 **Minutes**

The Chairman of the Council **MOVED and it was duly SECONDED** that the minutes of the meeting held on 27 May 2004 be signed as a correct record.

The Motion was put to the vote and declared **CARRIED**.

485 **Announcements**

The Chairman reported the death of Alderman J Isaac who had represented the South Molton Rural Division from 1974 to 1977 and 1981 to 1989 and who had been appointed an Honorary Alderman in 1993. Members stood in silence.

The Chairman, on behalf of the Council, also:

(a) congratulated Mr R Butler, Group Manager for Countryside Services in the Environment Directorate, who had recently been presented with 'The Bowland Award' by the Association of Areas of Outstanding Natural Beauty in recognition of his outstanding personal contribution to the development of AONBs in Devon;

(b) congratulated Mr D Westlake, who works in the Finance & IT Directorate and would be taking part in the 2004 Paralympics as a member of the Great Britain team;

(c) congratulated the Devon County Rugby Team on winning the County Championship Final on 29 May 2004 and commiserated with the Under 20s who had lost their final on 30 May and indicated that he would be hosting a Civic Reception for both teams on 4 August 2004;

(d) had written to Alderman Mrs R Hobson on the occasion of her 90th Birthday conveying congratulations and best wishes;

(e) congratulated all those people in Devon who had received awards in Her Majesty's Birthday Honours list and, in particular, Mr R Goddard MBE, a former employee of this Council, for his services to health, education and community in Exeter.

486 Questions from Members of the Council

The Member nominated by the Devon and Cornwall Police Authority and Executive Members responded to 5 questions submitted by Members of the Council in accordance with Standing Order 17.

[NB: Questions and answers are appended to the signed minutes and are available on the Council's Website, at <http://www.devon.gov.uk/dcc/committee/mingifs.html>]

487 Questions from Members of the Public

The appropriate Executive Member responded to 2 questions submitted by a member of the public in accordance with the Council's Public Participation Rules.

[NB: Questions and answers are appended to the signed minutes and are available on the Council's Website, at <http://www.devon.gov.uk/dcc/committee/mingifs.html>]

488 Framework Decisions

(a) Joint Agency Best Value Review of Services for People with Physical Disabilities and /or Acquired Brain Injury

The Council considered the recommendations of the Executive held on 29 June 2004 relating to the Joint Agency Best Value Review of Services for People with Physical Disabilities and/or Acquired Brain Injury set out at Minute 778 of the Executive, together with the report of the Director of Social Services and the Best Value Review Group Report.

Councillor Clatworthy **MOVED and it was duly SECONDED** that the recommendation of the Executive be adopted and that the recommendations of the Joint Agency Best Value Group and the detailed Action Plans for implementation incorporating required outcomes and timescales be approved together with the additions proposed by the Community Services Overview/Scrutiny Committee.

The Motion was put to the vote and declared **CARRIED**.

(b) Devon Structure Plan 2001 to 2016: Policies and Proposals for Adoption

The Council considered the recommendations of the Executive held on 12 July 2004 relating to the adoption of the Devon Structure Plan 2001 to 2016, set out at Minute 795 of the Executive, together with the report of the County Environment Director and the proposed Policies and Proposals for Adoption.

Councillor Greenslade **MOVED and it was duly SECONDED** that the recommendation of the Executive be adopted and that the Policies and Proposals be agreed in full as set out in the document "Devon to 2016 – Policies and Proposals for Adoption" and, subject to the agreement of the three other Devon Structure Plan Authorities, arrangements be made to issue a Notice of the Authorities intention to adopt the Plan, effective from 26 August 2004.

The Motion was put to the vote and declared **CARRIED**.

489 **Executive Member Reports**

The Council received reports from Executive Members on matters of interest or service developments relating to their remits that had occurred since the previous meeting or were likely to have an impact in the future, as set out below.

(a) **Policy**

Councillor Mrs Channon reported on the relevance and inter-relationship of various plans published by the Council and in particular the Council's Strategic Plan, the Achievements Report and the Best Value Performance Plan. She also commended to members the document 'Focus on Devon' which underpinned the soon to be published Devon Community Strategy;

(b) **Resources**

Councillor Greenslade reported on the Government's recent Comprehensive Spending Review announcement and its implications for the County Council's budget for the next three years and on the Government's Balance of Funding Review;

(c) **Social Affairs & Health (Adults)**

Councillor Clatworthy circulated a report on the Social Services Modernisation Programme;

(d) **Economic Regeneration**

Councillor Spear circulated a report on meetings or events attended (other than meetings of the Executive or County Council Committees) in his capacity as Executive Member since the previous meeting and on service issues including the impact of the Government's revised Index of Multiple Deprivation, the EU's 3rd Cohesion Report and applications for Objective 2 European Funding. He also reported on the Government's recent announcement on its Rural Strategy.

490 **Minutes of Committees**

The Chairman of the Council **MOVED and it was duly SECONDED** that the Minutes of the under mentioned meetings of Committees be approved:

Public Rights of Way	-	11 May 2004
Development Control	-	9 June 2004
Appeals	-	9 June & 7 July 2004
Procedures	-	21 June 2004
Standards	-	30 June 2004
Health Overview/Scrutiny	-	11 June 2004
Environment & Economy Overview/Scrutiny	-	14 June 2004
Community Services Overview/Scrutiny	-	21 June 2004
Policy & Resources Overview/Scrutiny	-	24 June 2004

The motion was put to the vote and declared **CARRIED**.

491 **Notices of Motion**

(a) **Air Pollution**

Councillor Cook formally **MOVED** and it was duly **SECONDED**:-

“(a) the County Council expresses concern at recent examples of dilution by the Government of data and actions relating to air pollution and energy conservation, for example a draft report on the environment by the Office of National Statistics and the removal of clause three of the Energy Bill;

(b) accordingly the Council resolves to ask the Environment & Economy Overview/Scrutiny Committee to consider and report on the implications of such actions for the Devon environment.”

In accordance with Standing Order 6(6), the Notice of Motion was referred, without discussion, to the Executive for consideration.

(b) **Exeter to Salisbury Railway Line**

[Councillor Westlake declared a personal interest in this item by virtue of his employment in the Railway industry].

Councillor Giles **MOVED** and it was duly **SECONDED** that in accordance with Standing Order 6(6), the Notice of Motion be considered at this meeting.

The motion was put to the vote and declared **CARRIED**.

Councillor Giles formally **MOVED** and it was duly **SECONDED**:-

“This Council acknowledges the vital economic, social and strategic importance of the Exeter to Salisbury railway line in East Devon in particular, and Devon in general. This Council believes that the line should be used to its full potential but regrets that this is not possible at present because of the mainly single track line. This Council calls on the Strategic Rail Authority to agree a programme of dualling the Exeter to Salisbury railway line together with essential signalling works at the earliest opportunity. To help bring about these improvements the Council asks local Members of Parliament to use their best endeavours in support of achieving improvements at an early date”.

Councillor Greenslade **MOVED** and it was duly **SECONDED** that the Notice of Motion be amended by the deletion of the sentence commencing *“This Council calls ..”* and the insertion therefor of the words:

“This Council continues to lobby for the Strategic Rail Authority to agree a programme of track improvements (long passing loops) which would allow for the introduction of more frequent services between Exeter and Waterloo”

and the addition, after the word *“Parliament”* of the words *“and the Regional Assembly”*.

Councillor Giles indicated his willingness to accept the amendment and

Councillor Mrs Channon then **MOVED and it was duly SECONDED** that the Notice of Motion be further amended by the addition of the following words as (b):

“that a detailed report on the issues raised during the course of this debate be considered by the Executive at its meeting on 7 September 2004”.

Councillor Giles indicated his willingness to accept the further amendment and the Chairman of the Council then **MOVED and it was duly SECONDED** that:

“(a) This Council acknowledges the vital economic, social and strategic importance of the Exeter to Salisbury railway line in East Devon in particular, and Devon in general. This Council believes that the line should be used to its full potential but regrets that this is not possible at present because of the mainly single track line. This Council continues to lobby for the Strategic Rail Authority to agree a programme of track improvements (long passing loops) which would allow for the introduction of more frequent services between Exeter and Waterloo. To help bring about these improvements the Council asks local Members of Parliament and the Regional Assembly to use their best endeavours in support of achieving improvements at an early date

(b) that a detailed report on the issues raised during the course of this debate be considered by the Executive at its meeting on 7 September 2004”.

The motion was put to the vote and declared **CARRIED**.

492 Members Allowances

The Council received and considered the Report of the Independent Review of Members' Allowances Panel for 2004.

Councillor Mrs Channon **MOVED and it was duly SECONDED**:

“(a) that the Report of the Independent Review of Members' Allowances Panel be received and the principles set out in the recommendations of the Panel be accepted;

(b) that as no budget provision is currently available the recommendations of the Panel be considered alongside the Panel's outstanding recommendations as part of the Medium Term Financial Strategy;

(c) that the Panel be thanked for their work”.

Councillor Owen **MOVED and it was duly SECONDED** that the motion be amended by the addition of the following words as (d):

(d) that the financial implications be examined by the Policy & Resources Overview/Scrutiny Committee.”

Councillor Mrs Channon indicated her willingness to accept the amendment and the motion, as amended, was put to the vote and declared **CARRIED**.

The meeting started at 2.15pm and finished at 5.07pm.

[NOTE: Minutes of the various Committees referred to above are available on the Devon County Council "Information Devon" Website at <http://www.devon.gov.uk/dcc/committee/minutes.html>].

Torbay Council
22 July 2004

**Devon Structure Plan 2001 to 2016: Policies and Proposals for adoption
Consideration of Representations to the Proposed Modifications and Identification of
additional changes prior to Adoption**

Report of the County Environment Director

Recommendation: It is recommended that the Council;

- (a) Note the summary of the responses to the Proposed Modifications set out in Appendix I (column 2);**
- (b) Agree to the specific changes to the policies, proposals and Key Diagram, recommended by the Structure Plan Joint Committee, referred to in Section 4 of this Report and highlighted in Appendix I (column 3);**
- (c) Agree the Policies and Proposals in full, as set out in Appendix II, for adoption, and, subject to the agreement of all four Devon Structure Plan Authorities, authorise the arrangements to issue a Notice of the Authorities' intention to adopt the Plan with the view to the adoption becoming effective on 26 August 2004.**

1. Summary

This report summarises the representations and objections received on the Proposed Modifications (published in February 2004) and sets out the policies and proposals now recommended, by the Structure Plan Joint Committee, for final adoption by the Devon Structure Plan Authorities.

2. Background

- In July 2002 – the Devon Structure Plan 2001 to 2016 Deposit Draft was published for public comment by Friday 6 September 2002.
- In January 2003 - Pre Examination in Public Changes to the Deposit Draft were published for public comment.
- In June/July 2003 - An Examination in Public was held to before an independent Panel appointed by the First Secretary of State.
- In November 2003 - The Report of the Panel was published setting out their recommendations following their consideration of matters at the Examination in Public.
- In February 2004 – The Proposed Modifications to the Deposit Draft were published for public comment by 25 March 2004.

Devon County Council's Executive on the 23 March 2004 considered the content of the Proposed Modifications and resolved to support the changes proposed.

The Structure Plan Joint Committee (consisting of Members of Devon County Council, Plymouth City Council, Torbay Council and Dartmoor National Park Authority) met on the 10 May 2004, to consider the response to the Proposed Modifications to determine whether it was necessary to:

- propose further modifications that materially affect the content of the Plan,

- re-open the Examination in Public, or
- make no material changes to the Plan

The Joint Committee do not consider the representations raise any new issues that materially affect the content of the Plan and that there is no need to for the re-opening of the Examination in Public. The Joint Committee have, however;

- proposed minor technical adjustments to seven Policies or Proposals, and
- proposed a number of clarifications/corrections to the Key Diagram.

On that basis the Joint Committee has now recommended that the Structure Plan Authorities approve the amended policies and proposals for formal adoption.

The content of this report reflects the consideration of the Joint Committee.

3. Analysis of Objections and Representations

Type of respondent

Just over 100 responses were received from a variety of individuals, organisations, interest groups, and local authorities, resulting in about 550 separate comments.

Type of response	No of respondents
Interest Groups	50
Parish Councils	18
Local Authorities	10
Individuals	17
Other	10
TOTAL	105

All of the District Councils, except Mid Devon District Council, made representations on the proposed modifications, together with the Government Office for the South West, the Environment Agency, Regional Assembly, the Highways Agency, the Regional Development Agency and the Countryside Agency.

Scope of the Response

An analysis of the comments indicated those sections of the Alteration that were subject to the greatest number of comments.

In terms of the responses by Policy Area - Table 1 indicates that the highest number of objections related to the Strategy Policies. More than half of all comments received related to the Strategy Chapter which deals with the approach to development in the period 2001 to 2016

Within the Conservation chapter the main areas of comment were related to renewable energy (Policy CO12). In respect of transport policies, there was a broad spread of comment received, with a number of responses relating to the strategic network proposals set out in Proposal TR17.

Policy Area (Policy prefix)	Support	Objection	Other
(a) Strategy Policies (ST)	151	122	8
(b) Conservation Policies (CO)	32	52	5
(c) Minerals Policies (MN)	2	1	-
(d) Waste Management (WM)	3	7	-
(e) Transport Policies (TR)	68	53	4
(f) Shopping Policies (SH)	4	3	-
(g) Tourism Policies (TO)	4	4	-
(h) Other	10	17	-
TOTAL	274	259	17

Table 1 – Analysis of Responses to the Deposit Plan by Topic

Full sets of the representations received have been placed in the DCC Members' Room and on deposit for inspection at the main planning offices of the Structure Plan Authorities and District Councils in Devon.

4. Suggested Changes to the Deposit Draft Policies and Proposals

The Joint Committee, having carefully considered all of the representation received, recommend that no substantive further modifications are necessary or appropriate. The more substantive issues raised by objectors were related to matters fully debated at the EIP and addressed by the Panel at some length, and no new evidence has been put forward to support any further modifications materially affecting the Plan.

In a limited number of cases, however, the representations have highlighted instances where the detailed wording used is not as clear as it could be and where there could be a risk of misinterpretation.

The changes proposed to the policies and proposals are set out in **Appendix I**.

Column (1) shows the Proposed Modifications placed on Deposit in February 2004.

Column (2) provides a summary of the responses to the Proposed Modifications

Column (3) summarises the proposed decision and justification for that decision

Minor technical changes are proposed to the following Policies/Proposals/Key Diagram:

Development Priority 2001 to 2016

Policy ST5 - The reference to the role of the Newton Abbot Sub Regional Centre as 'the focus' for sub regional development could be confusing – given the role of Torbay PUA in the south Devon sub region. It is suggested that the wording in ST5 be modified to refer to Sub Regional Centres as 'a focus' for sub regional development, rather than 'the focus'

South Hams New Community Proposal

Proposal ST8 - Also refer to a Park and Ride facility "accessible to the A379" within criterion 5 – to be consistent with Proposal TR17. Both of the Park and Ride facilities relating to Sherford should be more accurately referred to as "Park and Ride Interchanges", and the illustration of the Public Transport links to the A38 and Langage should be clarified on Key Diagram Inset A.

Torbay Principal Urban Area

Policy ST13 - Reword to refer to an Inset to the Key Diagram relating to the Torbay PUA area. Reword the first sentence to read "At the Torbay PUA (as illustrated on Inset C to the Key Diagram), priority....."

Renewable Energy Developments

Policy CO12 - The wording of the first paragraph needs to be adjusted to avoid inferring that offshore renewable energy generation will contribute towards meeting the sub-regional target for Devon, which is not the case. The wording of the first sentence should be adjusted to read "...offshore developments, in the context of Devon's sub-regional target of 151 MW of electricity production from land based renewable sources by 2010, subject....."

The Key Diagram should be adjusted to ensure that the extent of the Area of Search for wind based energy generation in North Devon does not imply a potential conflict with Policies CO2 and CO3, relating to areas adjacent to the National Parks and AONBs.

Protecting Water Resources and Flood Defence

Policy CO13 - Reference to other Government Guidance in (3) is unnecessary and should be omitted to avoid confusion.

Strategic Road Network

Policy TR10 - The reference to "main" in criterion 2 is an error and should be deleted, and the SRN in respect of Area Centres should more accurately refer to it providing links "to" such centres rather than simply "between" them

Strategic Network Investment Proposals

Proposal TR17 - Within Section B relating to rail investment, the reference to the Cattedown - Intermodal Freight Facility "Improvement" should be made clearer by referring to a "Rail Link Improvement".

Changes to Key Diagram/Insets

Key Diagram

- Adjust the extent of the Area of Search for wind based renewable energy in the North Devon area to avoid the implied inclusion within the priority area of locations close to the National Park and AONB.
- Include an Inset Area notation for the Torbay PUA (Inset C).

Inset A to the Key Diagram

- Show the diagrammatic public transport links from Sherford along both the A38 and A379 corridors and extending towards Langage.
- Show the rail link between Cattedown and the Inter Modal Freight facility at Marsh Mills more clearly.
- Include the A379 Park and Ride Interchange facility included in TR17.

Inset B to the Key Diagram

- Correct the Exeter City boundary alignment in the Pinhoe area.

- Adjust the shaded PUA area on the Exeter/Teignbridge boundary to avoid any implied specific extension of the existing Exeter PUA into Teignbridge.

Inset C to the Key Diagram (new)

- Include an Inset of the policies and proposals in the Torbay PUA area, adjusting the main key diagram accordingly.

Revised copies of the Key Diagram and Insets are included within Appendix II.

5. Next Stages

a) Programme

Following agreement to adopt the Structure Plan by each Structure Plan Authority in Devon the programme leading to adoption and publication of the Structure Plan Explanatory Memorandum is as follows

End of July 2004	Publication on Notice of intention to Adopt after 28 days (i.e. end of August 2004)
End Aug 2004	Formal Adoption by Structure Plan Authorities
Early Sept 2004	Publication of Notice of Adoption (Opportunity for High Court Challenge by Mid Oct 2004)
End October 2004	Publication and Dispatch of Explanatory Memorandum (and Monitoring Report 2003)

b) The Planning and Compulsory Purchase Bill and the effect on the Structure Plan.

The Structure Plan Alteration to 2016, when adopted, will provide the Planning Authorities and other organisations in Devon with an up to date Structure Plan setting out the planning framework for the area

Members will be aware that following the enactment of the Planning and Compulsory Purchase Act in the summer, **the Structure Plans and Local Plans will be replaced by Regional Spatial Strategies and Local Development Frameworks.**

In accordance with the **transitional arrangements leading into the new system**, the Devon Structure Plan to 2016 will however be "saved" for a period of three years from its adoption. During this period, regional planning bodies (RPBs) will also be able to consider whether elements of the plan should be saved for a longer period. Where the RPB propose to do this it will put a case to the Secretary of State who will consider whether to direct that these policies should be saved for a further period.

During the three year saved period the Structure Plan will continue to be part of the Development Plan and will be a relevant consideration in the preparation of Local Development Frameworks. Structure Plan authorities will however, still be able to make representations where they consider that the development plan document is inconsistent with the 'saved' structure plan

6. Recommendation

The minor changes to the Policies and Proposals (and Key Diagram) as set out in Appendix I are not considered to materially affect the content of the Plan, and there is no need to consider re-opening of the EIP. The Committee is therefore recommended to support the minor technical changes indicated set out in Appendix I and agree the Policies and Proposal set out in Appendix II for adoption at the end of August 2004.

Edward Chorlton, County Environment Director, Devon County Council

Electoral Divisions: All

Minute of Torbay Council Meeting – 22 July 2004

153. Devon Structure Plan 2001 to 2016: Policies and Proposals for Adoption.

The Council considered a report summarising the representations and objections received on the Proposed Modifications (published in February 2004) to the draft Devon Structure Plan and set out the policies and proposals recommended by the Structure Plan Joint Committee for adoption by the Devon Structure Plan Authorities.

It was proposed by Councillor Davis and seconded by Councillor Charwood:-

- (i) that the summary of the responses to the proposed modifications to the draft Devon Structure Plan, as set out in Appendix 1 to Report Env/43/04, be noted;
- (ii) that the specific changes to the policies, proposals and key diagram (recommended by the Structure Plan Joint Committee) highlighted in section 4 and set out in Appendix 1 to Report Env/43/04, be approved;
- (iii) that the policies and proposals set out in Appendix 2 to Report Env/43/04 be approved, and
- (iv) that subject to the agreement of the other three Devon Structure Plan Authorities, arrangements be made to issue a notice of the Authorities' intention to adopt the Plan (with a view to the adoption becoming effective on 26th August 2004).

On being put to the vote, the motion was declared CARRIED."

Local Planning Authority Addresses

Structure/Unitary Planning Authority

Devon District Planning Authority

Devon County Council
Environment Directorate
Yacombe House
County Hall
EX1 1SR
EX2 4QW
Tel: 01392 382275
Fax: 01392 382135
email:
structureplanning@devon.gov.uk
Website: www.devon.gov.uk

East Devon District Council
Environment Directorate
Council Offices
Knowle
SIDMOUTH
EX10 5HL
Tel: 01395 516551
Fax: 01395 517509
email: localplanning@eastdevon.gov.uk
Website: www.eastdevon.gov.uk

South Hams District Council
Forward Planning
Pollaton House
Plymouth Road
TOTNES
TQ9 5NF
Tel: 01803 861234
Fax: 01803 861166
email:
localplanning@south-hams.gov.uk
Website: www.south-hams.gov.uk

Plymouth City Council
Department Development
Civic Centre
PLYMOUTH
PL1 2TW
Tel: 01752 305475
Fax: 01752 304231
email:
structureplanning@plymouth.gov.uk
Website: www.plymouth.gov.uk

Exeter City Council
Forward Planning
Economy and Dev't Directorate
Civic Centre
EXETER
EX1 1EN
Tel: 01392 277888
Fax: 01392 265165
email: localplanning@exeter.gov.uk
Website: www.exeter.gov.uk

Teignbridge District Council
Directorate of Planning and
Environment
Ferde House, Henge Road
NEWTON ABBOT
TQ12 4XX
Tel: 01626 361101
Fax: 01626 215760
email: planning@teignbridge.gov.uk
Website: www.teignbridge.gov.uk

Torbay Council
Environmental Services Directorate
Rochuck House
Abbey Road
TORQUAY
TQ2 5TF
Tel: 01803 208888
Fax: 01803 208882
email: strategic@torbay.gov.uk
Website: www.torbay.gov.uk

Mid Devon District Council
Forward Planning and Conservation
Phoenix House
Phoenix Lane
TIVERTON
EX16 6PP
Tel: 01884 255255
Fax: 01884 234908
email: jplanning@middevon.gov.uk
Website: www.middevon.gov.uk

Torridge District Council
Planning and Technical Services
Riverbank House
HIDEFORD
EX39 2QG
Tel: 01237 428700
Fax: 01237 424971 475849
email: local.plans@torridge.gov.uk
Website: www.torridge.gov.uk

Dartmoor National Park Authority
Packer
Haytor Road
Bovey Tracey
NEWTON ABBOT
TQ13 9EQ
Tel: 01626 832093
Fax: 01626 834684
email: ForwardPlanning@dartmoor-
npa.gov.uk
Website: www.dartmoor-npa.gov.uk

North Devon District Council
Senior Policy Planner
Civic Centre
BARNSTABLE
EX31 1EA
Tel: 01271 385288
Fax: 01271 324638
email: localplanning@northdevon.gov.uk
Website: www.northdevon.gov.uk

West Devon Borough Council
Planning and Development
Onglucks Drive
OKELHAMPTON
EX20 1LE
Tel: 01822 813600
Fax: 01822 813635
email: localplanning@westdevon.gov.uk
Website: www.wilde.gov.uk

Cornwall Addresses

Government Office South West

Cornwall County Council
County Hall
TRURO
TR1 3AY
Tel: 01872 323466
Fax: 01872 323808
email: structureplanning@cornwall.gov.uk
Website: www.cornwall.gov.uk

Caradon District Council
Luxstow House
LISKIARD
Cornwall
PL14 3DZ
Tel: 01579 341009
Fax: 01579 341001
Email: pgs@caradon.gov.uk
Website: www.caradon.gov.uk

GoSW (Plymouth Office)
Mast House, Shepherds Wharf
24 Sutton Road
PLYMOUTH
PL4 0HD
Tel: 01752 635000
Fax: 01752 227647
email: gosw@metrobell.co.uk
Website: www.gosw.gov.uk

