



# **Draft Mid Devon Eastern Urban Extension Area B Supplementary Planning Document**

## **Strategic Environmental Assessment Screening Report**

**December 2019**

## 1.0 Mid Devon Eastern Urban Extension Area B Supplementary Planning Document (SPD)

### *Purpose, scope and content*

- 1.1 The Tiverton Eastern Urban Extension (EUE) Area B Masterplan sets out the relationship between the Adopted Masterplan SPD and Area B Masterplan whilst identifying its purpose as bridging the gap between high level policy aspirations and delivery on the ground. This is to ensure that the development achieves high quality design and sense of place in a coordinated manner.
- 1.2 The Area B Masterplan is set out in 6 Chapters. A brief description of each part is provided below:

#### Introduction

This sets out the relationship between the Adopted Masterplan SPD and Draft Area B Masterplan and the purpose the Masterplan.

#### About the Site

This introduces the site within the wider context of the EUE. It provides background and context including land ownerships, constraints and opportunities across Area B.

#### Vision and Objectives

This outlines the overarching ambition for the development of Area B as an attractive, well designed garden neighbourhood that will create a positive future both for those who reside in the new development and the wider Tiverton area. This is borne out in four development concepts and guiding principles.

#### Creating the Structure

This provides specific detail for the Masterplan area whilst providing an Illustrative Framework Plan and land use budget embedded in a costed viability assessment.

#### Creating the Place

This chapter seeks to communicate the varied character that will be required for the new development including the green Infrastructure. Eight distinctive locations are described in more detail alongside a series of street sections which are important to convey the varied character and response required in different areas of the masterplan area.

#### Delivering Place

This takes a specific look at the infrastructure requirements for Area B and the delivery of it including S106 contributions and their triggers as well housing delivery rates and phasing of development.

### *Relationship with the National Planning Policy*

- 1.3 The National Planning Policy Framework (2019), in 'Identifying Land for Homes' paragraph 72 sets out the following:

*"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the*

*necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:*

*a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains;*

*b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;*

*c) set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;*

*d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and*

*e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size."*

- 1.4 Tiverton Eastern Urban Extension was identified as part of the Mid Devon Local Plan Review (2013-2033) as an urban extension to Tiverton town as it is considered to be well located and supported by the necessary infrastructure and facilities. Policies TIV1-TIV5 are consistent with the National Planning Policy Framework. The Tiverton Eastern Urban Extension Area B SPD provides further detail on the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains. It ensures the community has sufficient access to services and employment opportunities within the development itself as well as setting out clear expectations for the quality of the development to ensure there are a variety of homes to meet the needs of different groups in the community. It also makes a realistic assessment of likely rates of delivery.

*Relationship with the Mid Devon Local Plan*

- 1.5 The Council is preparing a new local plan for Mid Devon. The Mid Devon Local Plan Review 2013-2033 ("Local Plan Review") is at an advanced stage in its preparation. It is currently being examined by an Inspector appointed by the Planning Inspectorate and is currently subject to a main modifications stage. It is anticipated it will be adopted in the spring 2020. Once adopted the Local Plan Review will replace the current Mid Devon Local Plan, which includes:

- Core Strategy (adopted 2007)
- Allocations and Infrastructure Development Plan Document (adopted 2010)
- Development Management Policies (adopted 2013)

- 1.6 The Local Plan Review Policies TIV1-TIV5 Tiverton Eastern Urban Extension will provide the policy baseline for the more detailed guidance included in the Mid Devon Tiverton Eastern Urban Extension SPD:

***Policy TIV1***

***Eastern Urban Extension***

**A site of 153 hectares east of Tiverton is allocated for mixed use development as follows:**

- a) 1580 to 1830 dwellings;**
- b) A proportion of affordable dwellings subject to further assessment of viability to include at least five pitches for gypsies and travellers;**
- c) At least 30,000 square metres commercial floorspace;**
- d) 47 hectares strategic green infrastructure;**
- e) Highway mitigation measures and transport provision to ensure appropriate accessibility for all modes;**
- f) Environmental protection and enhancement;**
- g) Community facilities to meet local needs arising, including a new primary school and neighbourhood centre;**
- h) An agreed strategy to bring forward development and infrastructure in step and retain the overall viability of development; and**
- i) Compliance with the adopted masterplan and completion of a public Masterplanning exercise in respect of the southeast of the site (Area B in the adopted masterplan).**

***Policy TIV2***

***Eastern Urban Extension Transport Provision***

**To support the Eastern Urban Extension, the following transport infrastructure will be provided:**

- a) Provision of a new grade-separated junction to the A361 and road links into the site;**
- b) Traffic calming and environmental enhancement between Heathcoat Way and Putson Lane, including Blundell's Road;**
- c) Provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes travelling within, into and out of the area;**
- d) Cycle and pedestrian links to the Railway Walk, Grand Western Canal and nearby public rights of way;**
- e) Implementation of Travel Plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts;**
- f) Bus service enhancements between the main residential areas of Tiverton and the employment areas within the Eastern Urban Extension;**
- g) Bus service enhancements between Exeter, Tiverton Bus Station, the Eastern Urban Extension and Tiverton Parkway Station; and**

h) New and improved offsite pedestrian and cycle links including improvements to a wider green infrastructure network.

### ***Policy TIV3***

#### ***Eastern Urban Extension Environmental Protection and Green Infrastructure***

As part of the Eastern Urban Extension, the following environmental protection and enhancement measures will be implemented at the expense of all new development in the Eastern Urban Extension:

- a) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- b) Provision and management of 47 hectares of land for strategic green infrastructure on the western and southern edges of the urban extension, including management and funding arrangements for the protection and enhancement of Tidcombe Fen Site of Special Scientific Interest, its catchment and land west of Pool Anthony Bridge;
- c) Areas of equipped and laid out public open space, totalling 2 hectares of children's play, 8 hectares of sports pitches and 2 hectares of allotments;
- d) A strategic landscaping and tree planting scheme to mitigate landscape impact, enhance biodiversity and the character of development;
- e) Appropriate provision of a sewerage system to serve the development and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- f) The provision of a strategic Sustainable Urban Drainage Scheme provided in step with development to deal with all surface water from the development, paying particular attention in relation to runoff into Tidcombe Fen SSSI in terms of quality and quantity of water entering the fen, and arrangements for future maintenance of the scheme;
- g) Detailed archaeological investigation and measures to record, and where necessary protect the archaeological interest of the site through appropriate design layout and mitigation; and
- h) Design solutions which respect the character and setting of heritage assets within and adjoining the site.

### ***Policy TIV4***

#### ***Eastern Urban Extension Community Facilities***

As part of the Eastern Urban Extension, the following community infrastructure will be provided at the expense of all new development in the urban extension area:

- a) One serviced site of 1.93 hectares for a primary school at no cost to the Local Education Authority;
- b) Construction cost for one primary school of 420 places and early years provision;
- c) A site of 2.0 hectares for a shopping and community centre, of which 1.0 hectare will be for community buildings at no cost to the provider;

- d) Contribution to new and improved facilities at the secondary school; and
- e) Construction cost of appropriate community facilities and buildings including youth and children's provision and a community hall.

***Policy TIV5***

***Eastern Urban Extension Phasing***

The development of the Eastern Urban Extension must be carried out in accordance with an approved phasing strategy, to ensure that the development and infrastructure come forward in step, minimising the impact of the development and taking account of the need for development to remain viable. Detailed justification must be provided if there is any proposed deviation from the following requirements:

- a) The provision of on and off slip roads on the south side of the A361 to a standard suitable to form construction access prior to any development;
- b) The provision of the completed on and off slip roads on the south side of the A361 (forming the southern element of the A361 junction) and the highway link between this junction and Blundell's Road prior to the occupation of any development;
- c) The occupation of no more than 200 dwellings or 4,000 square metres employment floorspace before the provision of a 'Phase 1' traffic calming scheme at Blundell's School and improvements to the roundabouts at Heathcoat Way and Lowman Way, as set out in the adopted masterplan;
- d) Prior to the commencement of construction south of Blundell's Road the transfer of land for the primary school and its access to the Local Education Authority;
- e) Prior to the first occupation of development south of Blundell's Road the servicing of the site for the primary school;
- f) The occupation of no more than 400 dwellings before the construction of the first phase of the primary school;
- g) The occupation of no more than 400 dwellings before the provision of temporary open space on the future school and neighbourhood centre site;
- h) The occupation of no more than 600 dwellings or 10,000 square metres commercial floorspace before the completion of the full movement grade separated junction to the A361 and completion of the traffic calming and environmental enhancement of Blundell's Road between Putson Lane and Heathcoat Way;
- i) The occupation on no more than 600 dwellings before the implementation of arrangements for the management and funding for the Green Infrastructure west of Pool Anthony Bridge;
- j) The occupation of no more than 600 dwellings before the implementation of bus service enhancements;
- k) The occupation of no more than 600 dwellings before the provision of a 2.0 ha serviced neighbourhood centre site;
- l) The occupation of no more than 1000 dwellings before the provision of Green Infrastructure between Pool Anthony Bridge and Manley Railway Bridge within Area A as defined in the adopted masterplan, with necessary management and funding arrangements;
- m) The occupation of no more than 1250 dwellings before the provision of Green Infrastructure between Pool Anthony Railway Bridge and Manley Railway Bridge within

the Area B as defined in the adopted masterplan, with necessary management and funding arrangements; and

n) Phased delivery of cycle and pedestrian links to the railway walk, Grand Western Canal and nearby public rights of way.

- 1.7 At the time of preparing the Mid Devon Eastern Urban Extension Area B SPD, the Council has followed post examination hearings advice from the Planning Inspector and has proposed Main Modifications to Policy TIV3 and TIV4. These include the following amendments:

***TIV3: Eastern Urban Extension Environmental Protection and Green Infrastructure***

Amend criterion e) as follows:

Appropriate provision of sewerage system to serve the development ~~and a Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance~~

***TIV4: Eastern Urban Extension Community Facilities***

Replace criterion b) as follows:

**“Construction cost for one primary school of 410 places and early years provision Provision of a 420-place primary school with early years provision and a children’s centre service delivery base funded by appropriate contributions from developers;”**

Add additional policy criterion as follows:

**“f) Contributions towards a new recycling centre to serve Tiverton”**

- 1.8 The Mid Devon Local Plan Review (2013 – 2033) has been subject to a Sustainability Appraisal (SA) , which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.

*Status of the Mid Devon Eastern Urban Extension Area B SPD*

- 1.9 The Mid Devon Eastern Urban Extension Area B SPD will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

**2.0 SEA and SEA Screening**

*Strategic Environmental Assessment*

- 2.1 The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country

planning or land use purposes and which sets the framework for future development consent of certain projects.

### *Screening*

- 2.2 The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.
- 2.3 In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have 'significant environmental effects'. This is done through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.
- 2.4 A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.



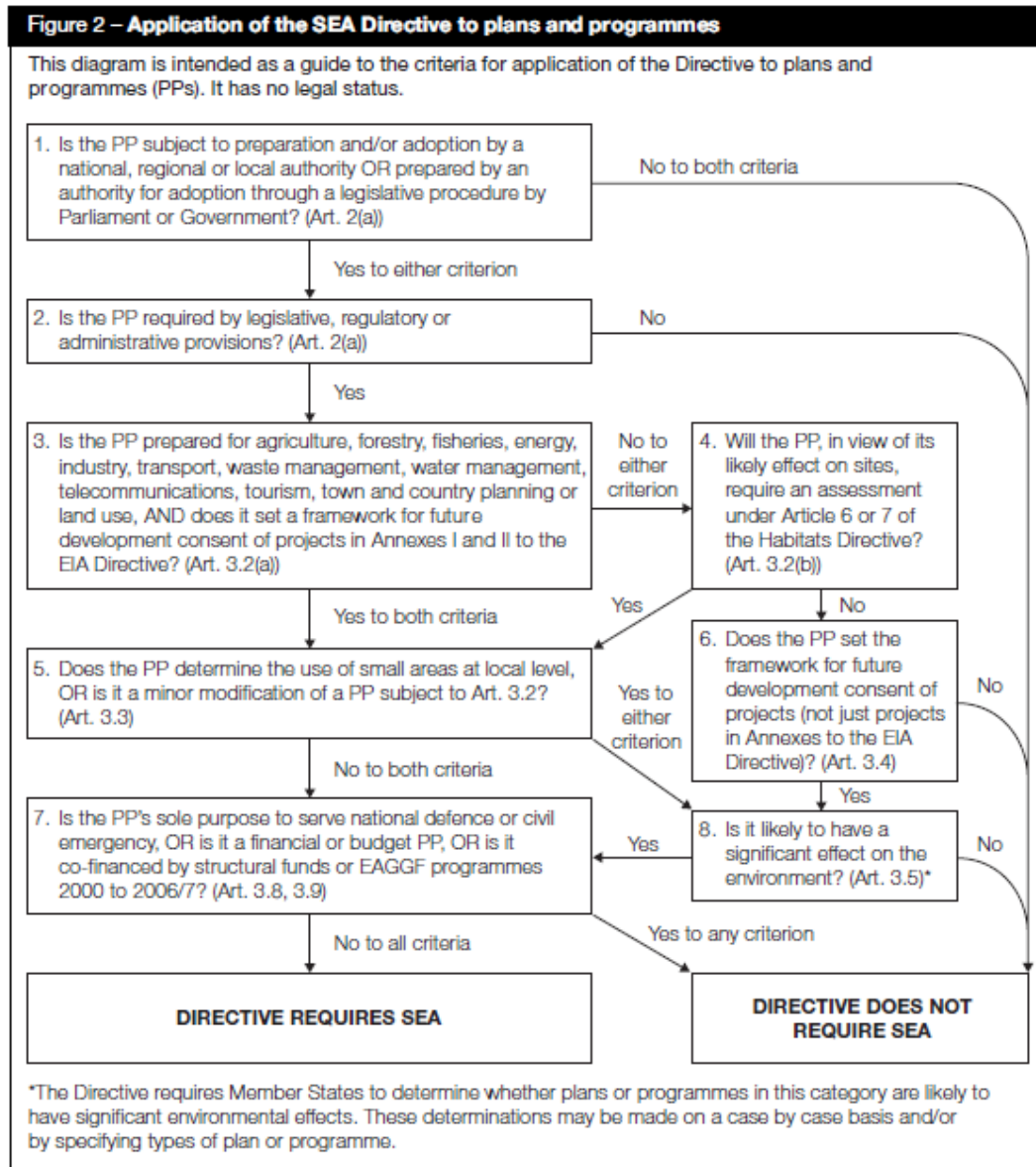


Diagram 1: Application of the SEA Directive to plans and programmes (Figure 2 extracted from ‘A practical guide to the Strategic Environmental Assessment Directive’)

- 2.5 Table 1 below sets out the Council’s response to the above questions in order to clearly assess the whether there is a requirement for the Mid Devon Eastern Urban Extension Area B SPD to be subject a full SEA.
- 2.6 Table 2 provides the Council’s assessment of likely significant effects of the Mid Devon Eastern Urban Extension Area B SPD on the environment, in accordance with the screening report process in Table 1.

**Table 1: Screening of the Mid Devon Eastern Urban Extension Area B SPD**

Stage	Y/N	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art.2(a))	Y	<p>The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012.</p> <p><b>Go to STAGE 2</b></p>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	<p>Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will add further detail to the policies in the Local Plan and will be a material consideration in planning decisions. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.</p> <p><b>Go to STAGE 3.</b></p>
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Y	<p>The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan Review (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to the site allocation Tiverton Eastern Urban Extension.</p> <p>The area covered comprises approx. 58ha to provide approx. 680 dwellings. Although the SPD does not create new policy or identity specific sites for development.</p> <p><b>Go to STAGE 5</b></p>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	<p><b>Not Applicable</b></p> <p>The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.</p>	
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or	Y	<p>'The SPD will be material consideration in planning applications for new developments. It provides detailed guidance to adopted Local Plan policy (minor modification).'</p>

programme subject to Art 3.2? (Art.3.3)		<b>Go to STAGE 8</b>
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	<b>Not applicable</b>	
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	<b>Not applicable</b>	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Part 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment.  <b>DIRECTIVE DOES NOT REQUIRE SEA</b> of the SPD

**Table 2: Determining the likely significance of effects of the Mid Devon Eastern Urban Extension SPD on the environment**

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	N	The SPD, if adopted will help implement the relevant Tiverton Eastern Urban Extension policies of the Local Plan and therefore contribute to the framework for future development consent. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	N	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan Review 2013-2033 policies. The SPD will not significantly influence other plans and programmes, it supplements the Local Plan which has been subject to SA and therefore SEA.
c) The relevance of the SPD for the integration of environmental considerations in particular with	N	The SPD will help the integration of environmental considerations with a view to promoting sustainable

a view to promoting sustainable development;		development as part of the development proposals. This includes retention of hedgerows and trees within the development as well as green spinal corridors, areas of open space, allotment and orchards. A 26ha site is identified for a Country Park retaining and enhancing existing habitats whilst strengthening links to the neighbouring Tidcombe Fen SSSI and Grand Western Canal Country Park and County Wildlife Site. .
d) Environmental problems relevant to the SPD; and	N	The environmental problems are consistent with those set out in the relevant Tiverton Eastern Urban Extension policies in the Local Plan which include flood risk, biodiversity and landscape. Planning policy in relation to these environmental problems is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review.  However, the SPD provides specific guidance on existing ecology (fauna and flora) and how net gains will be achieved through long term management and maintenance including planting of native species and managed water runoff etc.
e) The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	N	The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD has an overarching vision for an attractive and well-designed green garden neighbourhood. This will ensure the development has positive social and environmental impacts. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan Review

		2013-2033 and it is intended that the effects will have a positive cumulative effect in the area enhancing biodiversity, achieving ecological net gain and sense of well-being for future residents.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The SPD seeks to provide good practice in the delivery of Green Infrastructure, and its long term management and maintenance for ecological net gain.
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality accommodation and development. There are no significant risks to human health.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	N	The SPD is limited to approx. 680 dwellings (estimated popn. at 2.4 occupants per dwelling: 1630).
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	Geophysical survey work undertaken prior to Masterplanning has revealed a number of areas of archaeological potential. There are a number of Listed Buildings and built features in reasonable proximity as well as the Former Railway Line and Grand Western Canal Conservation areas. The SPD seeks a positive approach to maintain, or improve the setting of these assets through careful consideration of landscape and settlement form. The SPD seeks to guide development in keeping with the principles of national, regional and local strategic policy and seek to prevent over intensive development.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The Tidcombe Fen SSSI is a protected natural landscape area. The Area B Masterplan addresses its protection through sensitive design and development and managed water run-off.

### **3.0 Conclusions**

3.1 This SEA screening has identified that the draft Mid Devon Eastern Urban Extension Area B SPD is unlikely to have significant effects on the environment.

3.2 The SEA screening has also found that there is no requirement for the Mid Devon Eastern Urban Extension Area B SPD to be subject to a full SEA.

### **4.0 Next steps**

4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

4.2 The screening opinion will be published alongside the Draft Mid Devon Eastern Urban Extension Area B SPD and will also be subject to public consultation.