



**Sustainability Appraisal (SA) of the implications of the Council's proposed draft Main Modifications in relation to the housing trajectory and the remedies suggested by the Inspector**

**July 2019**

## 1.0 Introduction

- 1.1 Main hearings for the examination of the Mid Devon Local Plan Review 2013 – 2033 were held in February 2019.
- 1.2 The Inspector issued his post hearing advice note on 21<sup>st</sup> May 2019. In this advice note he expressed concern about the housing trajectory in the early years of the Plan in particular, and he suggested remedies to maintain a five-year supply of deliverable housing sites (that may require potential Main Modifications to the Plan).
- 1.3 The Council has prepared in draft a Housing Land Supply Update (June 2019) indicating its proposed response to the Inspector’s post hearings advice note. This sets out proposed draft Main Modifications that follow the Inspector’s suggested remedies to address his concerns about the housing trajectory.
- 1.4 This Sustainability Appraisal report assesses the Sustainability Appraisal (SA) implications of the Council’s proposed draft Main Modifications in relation to the housing trajectory and the remedies suggested by the Inspector.
- 1.5 All of the sites assessed in this Sustainability Appraisal report have previously been assessed as part of the Council’s Sustainability Appraisal (SA) of the Mid Devon Local Plan Review 2013 -2033<sup>1</sup> (i.e. they are not new sites that have not previously assessed by the Sustainability Appraisal). The purpose of this Sustainability Appraisal report is to assess whether the proposed draft Main Modifications affecting those previously assessed sites have significant implications for the Sustainability Appraisal.
- 1.6 In summary, the findings of this Sustainability Appraisal report are that the Council’s proposed draft Main Modifications will not have a material change on the previous assessment of those sites in the Sustainability Appraisal. Additionally, the findings of this Sustainability Appraisal report are that the assessment of further “reasonable alternatives” is not necessary.
- 1.7 In particular, the Council’s proposed draft Main Modifications seek to expedite development on two sites at Colebrook, Cullompton (Policy CU21) and at Higher Town, Sampford Peverell (Policy SP2). These two sites, have previously been assessed in the Council’s Sustainability Appraisal for the Mid Devon Local Plan Review 2013 - 2033. The proposed draft Main Modifications affecting these two sites do not result in environmental or other effects that are of significance in relation to the objectives of the Sustainability Appraisal. However,

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<sup>1</sup> The Procedure Guide for Local Plan Examinations (June 2019) advises at paragraph 6.10 that if MMs are likely to involve the allocation of additional sites that did not appear in the submitted plan, the Inspector may ask the LPA to undertake SA and consultation on the additional sites as a separate process, before the schedule of MMs is agreed.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/813316/Procedure\\_Guide\\_for\\_Local\\_Plan\\_Examinations\\_June\\_2019\\_-\\_Final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/813316/Procedure_Guide_for_Local_Plan_Examinations_June_2019_-_Final.pdf)

some factual updating to the Sustainability Appraisal is needed, particularly to reflect new information provided at the examination hearings from Highways England and Devon County Council in relation road improvements to the A361 and also at Cullompton.

- 1.8 For completeness, this Sustainability Appraisal report assesses Sustainability Appraisal implications of the suggested options for remedy from the Inspector to maintain a five-year supply of deliverable housing sites that the Council has not proposed as draft Main Modifications to the Plan. These suggested options for remedy that the Council does not propose to make includes bringing forward the contingency site at Tidcombe Hall, Tiverton (TIV13) and extending the site allocation WI1 at Willand. There are no significant implications for the Sustainability Appraisal in terms of not proposing Main Modifications in relation to these two sites.
- 1.9 It is noted that the Inspector's advice seeks to bring forward *deliverable* sites to boost the delivery of housing in the early years of the Plan, and it does not seek to increase the overall housing requirement for the district. In this specific context, sites that do not have a realistic prospect of yielding completions within five years cannot be considered as reasonable alternatives to the measures proposed.
- 1.10 In the case of the site at Tidcombe Hall (TIV13), the Council has reason to believe that there may be land assembly issues. Planning permission has been refused for increased housing numbers at Willand (WI1), which is currently the subject of a planning appeal (19/000019/WR). Larger urban extensions, or additions to allocated urban extensions, are not considered by the Council to be deliverable in five years.

## **2.0 Proposed Draft Main Modifications**

- 2.1 The Inspector's post hearings advice note identifies where Main Modifications are necessary or will be required to the Mid Devon Local Plan Review 2013 – 2033 that is under examination. The Council is currently preparing its response to this advice note on matters the Inspector has identified in addition to the housing trajectory. Reference numbers given to proposed draft Main Modifications referred to in this Sustainability Appraisal Report reflect the Council's preparatory work.
- 2.2 All proposed draft Main Modifications and a further Sustainability Appraisal update will be subject to a future public consultation.

Sustainability Appraisal (SA) of the implications of the Council's proposed draft Main Modifications in relation to the housing trajectory and the remedies suggested by the Inspector					
Inspector's suggested remedies to housing land supply	Proposed draft MM (provisional draft MM reference)	Justification	Outcome of proposed draft MM	SA implications	Amendment(s) needed to the SA
<p><i>"Bringing forward other allocated sites that are currently restricted in terms of timing with no good reason"</i></p> <p>SP2 Higher Town, Sampford Peverell</p>	<p>Yes</p> <p><b>Draft MM01</b> – Replace Table 6: Housing forecast 2013 – 2033</p> <p><b>Draft MM41</b> - Remove tie to the M5 Junction 27 allocation from Policy SP2</p> <p><b>Draft MM42</b> - Remove need for improvements to A361 from Policy SP2 through the deletion of criterion b) and deletion of paragraph 3.224c</p>	<p>In response to the Inspector's post hearings advice note:</p> <p>"...Given that the Policy SP2 allocation is designed to address part of that overall housing requirement, the tie serves no purpose. Reference to it should be removed."</p> <p>In response to the Inspector's post hearings advice note:</p> <p>"It was clear from the helpful submissions of the Highway Authority, that the limitation on</p>	<p>Bring site allocation SP2 Higher Town, Sampford Peverell forward into years 2018/2019 – 2022/2023 of the Table 6: Housing forecast 2013 - 2033</p> <p>The proposed commencement and build out for the Higher Town site has therefore been amended to take account of the removal of any restriction on the timing of its delivery and align with the HELAA market conditions model assumptions. The</p>	<p>The site allocation SP2 Higher Town, Sampford Peverell has previously been assessed through the SA Update 2017, Document SD03 (pp144-146 and pp 309-312). These are consolidated into the SA Update 2018 (incorporating proposed amendments) - Document SA-02 (pages 201-203 and 366–369).</p> <p>The assessment scoring for the site allocation SP2 Higher Town, Sampford Peverell against the Sustainability</p>	<p>Modify SA Update 2018: SA-02 P52. Amend text as follows:</p> <p><u>"The Highway Authority <del>has</del> previously advised that any development of the site should be phased until after improved access to the A361. However it has subsequently advised that development of the site at Higher Town is not dependent upon improved access works to the A361."</u></p> <p>Amend text at pp368-9</p> <p>i) Delivering the necessary infrastructure as follows:</p> <p>p368-9 <u>"The Highway Authority <del>has</del> previously advised that any development of the site should only commence once Improvements to the A361 junction at Sampford Peverell have been implemented. It has subsequently advised that these junction improvements are not necessary in order for the development to proceed. There is a footpath...."</u></p>

		<p>development until the completion of improved access works to the A361 is unnecessary. Criterion b) needs to be removed.”</p> <p>This site is currently subject to an outline planning application for 60 dwellings (17/01359/MOUT).</p>	<p>site is therefore anticipated to fully built out within the initial five year period rather than commencing delivery in 2022/23. This results in 60 dwellings in the five year supply for 2018/19 – 2022/23, a net increase of 48 compared with the position set out in the January 2019 HLS update (Hearing statement MH-MDDC-1-5).</p>	<p>objectives is not affected through proposed draft main modifications MM01, MM41 and MM42</p> <p>However, amendments will be necessary to SA02 SA Update 2018 (incorporating proposed amendments) at pages 368 and 369 to reflect that Devon County Council has advised that the limitation on development until the completion of improved access works to the A361 is unnecessary.</p>	<p>Amend mitigation column at PP368/9  “Improvement of the site access would improve visibility. <del>Policy requires no development until the completion of improved access works to the A361.</del>  Overall a neutral effect is considered.”</p> <p>P369.Secondary/Cumulative/synergistic effects. Amend text as follows:  “The cumulative impacts of the development of this site may have an impact on traffic. <del>The policy requires no development until the completion of improved access works to the A361 to ensure the cumulative effect on the A361 is mitigated for.</del> <u>However, DCC as the Highway Authority has advised that development of the site at Higher Town can come forward without access improvements to the A361.</u>”</p>
<p>“Bringing forward the contingency sites”</p> <p>CU21 Colebrook, Cullompton</p>	<p>Yes</p> <p><b>Draft MM01</b> – Replace Table 6: Housing forecast 2013 – 2033</p> <p><b>Draft MM34</b> - Remove contingency</p>	<p>Devon County Council’s Hearing Statement, has recommended that the supporting paragraph (3.149) to Policy CU21 be amended to include additional text</p>	<p>Bring site allocation CU21 Colebrook forward into years 2018/2019 – 2022/2023 of the Table 6: Housing forecast 2013 – 2033</p>	<p>The contingency site CU21 Colebrook, Cullompton has previously been assessed through the SA (pages 298 – 302 of the SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and</p>	<p>Modify 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations) at pages 298 to 302:</p> <p>P298. Amend title: “Policy CU21 Land at Colebrook (<u>Former Contingency site</u>)”</p> <p>P301. Amend I) Delivering the</p>

	status	<p>(italicised) after the words “Site commencement will also need to be deferred until after the completion of the through route linking Willand Road to Tiverton Road, which is being provided as part of the North West Cullompton allocation <i>unless satisfactory evidence or mitigation to address air quality and highway capacity can be sustained</i>”.</p> <p>Devon County Council has advised in its hearing statement that 100 dwellings at Colebrook can come forward without the Town Centre Relief Road (TCRR)</p> <p>This site is currently subject to an outline</p>	<p>The proposed build out for the Colebrook allocation follows HELAA market conditions model assumptions. This results in an additional 62 dwellings in the supply for the years 2018/2019 – 2022/2023</p>	<p>Town Allocations). A more extensive site comprising 400 dwellings was considered but rejected at PP147-9 of the 2018 Update (SA-02).</p> <p>The 2015 SA assessment scoring for the contingency site at CU21 Colebrook, Cullompton against the Sustainability objectives is not affected through proposed draft Main Modifications MM01 and MM34</p> <p>However, amendments will be necessary to SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations) at pages 298 to 302 to reflect that the contingency status of the site has been removed following advice provided by Devon</p>	<p>necessary infrastructure ‘Commentary’:</p> <p>“The width of Colebrook Lane from Swallow Way may present difficulties with access and would need to be substantially upgraded. Development in this location would increase traffic on Tiverton Road, <del>so would not be permissible until a new road linking Tiverton Road to Willand Road has been provided under Policy CU1.</del> <u>However, DCC has indicated that 100 dwellings can come forward without the Town Centre Relief Road. The requirements for a transport assessment is an uncertain effect. A planning application will need to be supported by a transport assessment demonstrating that highway impact is acceptable.</u>”</p> <p>P301. Amend I) Delivering the necessary infrastructure ‘Mitigation’:  “Criteria within the policy seeks provision of two points of access from Siskins Close. <del>Further mitigation criteria within the policy state that no development should occur until the Town Centre Relief Road has been provided.</del> Given the mitigation measures set out in criteria within the</p>
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		<p>planning application (19/00118/MOUT) for 105 dwellings.</p>		<p>County Council that the site is not dependent upon significant additional highways infrastructure.</p> <p>The text at ‘temporary / permanent effects: Timescale...’ will need to be updated through the deletion of reference to the need for the Town Centre Relief Road to be completed before the development of the site at CU21 Colebrook.</p>	<p><del>policy and the fact that infrastructure would need to be in place prior to development beginning and revised advice from DCC about the Town Centre Relief Road</del>, an overall neutral impact has been assumed.</p> <p>Page301 I) Delivering the necessary infrastructure –‘Mitigation’. Add to end of section:  “Policy S8 also provides mitigation by setting out that developers will be expected to contribute to, or bear the full cost of, new or improved infrastructure and facilities; overall a neutral effect is considered. <u>Because s106 contributions will be sought towards increasing education capacity, removing the contingency site status from Colebrook to bring development forward is not considered to materially change the SA scoring.</u>”</p> <p>P302 ‘Temporary/permanent effects’. Amend the text:  “Within the short term, construction traffic associated with the development will contribute towards traffic increase in the town. <del>However, as the site could only come forward once the Town Centre Relief Road is in place,</del></p>
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					development is only likely to take place in the medium long term. Once completed the development will be permanent.”
<p><i>“Bringing forward the contingency sites”</i></p> <p>TIV13 Tidcombe Hall, Tiverton</p>	No	<p>No new evidence or advice has been provided by participants at the examination hearings in relation to this contingency site as part of their submissions made for the examination hearings</p> <p>The Council’s HLS update June 2019 can demonstrate that a five year supply of deliverable sites will be maintained over the initial five years and subsequent periods with the proposed draft Main Modifications, without the need to bring forward the TIV13 Tidcombe Hall contingency site</p>	Retain the contingency status of TIV13 Tidcombe Hall to provide flexibility within the Local Plan Review	<p>The contingency site TIV13 Tidcombe Hall has previously been assessed through the SA (pages 222 – 226 of the SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations) and P116-9 and 289-293 of the 2018 Update (SA-02)</p> <p>No amendment is needed to the SA</p>	N/A



<p>CU7 – 12 Cullompton East</p>	<p>Yes</p> <p><b>Draft MM01 –</b> Replace Table 6: Housing forecast 2013 – 2033</p>	<p>Advice has been provided to the examination hearings in the Statement of Common Ground between Mid Devon District Council, Devon County Council and Highways England (SCG10). This makes clear that based on technical modelling reports provided (in Devon County Council’s hearing statement), Devon County Council and Highways England conclude the first 500 dwellings at East Cullompton (part of CU7 – CU12 Cullompton East) require the delivery of the proposed Town Centre Relief Road (TCRR)</p> <p>A planning application for the TCRR is expected in autumn</p>	<p>The amended trajectory for the East Cullompton allocation sees completions from the initial phase beginning in 2023/24. This is outside the initial five year period so it is not anticipated that the East Cullompton allocation will contribute to the initial five year housing land supply</p>	<p>Policies CU7 -12 Cullompton East have previously been assessed through the SA (pages 264 – 271 of the SA 2015 SD04b Appendix 2 (Part 1 Strategic Policies and Town Allocations)</p> <p>No amendment is needed to the SA</p>	<p>N/A</p>
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		2019. The Council is currently working on the precautionary assumption, for Local Plan Review housing trajectory purposes, that the TCRR will be delivered by the very latest in 2023			
<i>“Extending existing allocations to accommodate more dwellings (the policy W11 Willand for example)”</i>	No	The Council’s HLS update June 2019 can demonstrate that a five year supply of deliverable sites will be maintained over the initial five years and subsequent periods with the proposed draft Main Modifications, without the need to extend existing allocations to accommodate more dwellings	Not applicable	<p>There are no SA implications since no draft Main Modifications are proposed to extend existing allocations.</p> <p>Willand has been considered as part of the SA process (p385 of the January 2018 SA Update (SA-02)</p> <p>Planning application reference 18/00175/MOUT was refused on 9<sup>th</sup> October 2018 for 125 dwellings at Meadow Park, Silver Street, Willand as being out of scale and size to the settlement and</p>	N/A

				available facilities in the settlement. It is therefore inconsistent with the Local Plan's strategy for the distribution of development. It is noted that this application is currently the subject of appeal. Pending the outcome of the appeal, the site is not a reasonable alternative.	
<i>"Increasing densities to allow for more dwellings on allocated sites that are less constrained"</i>	No	The Council's HLS update June 2019 can demonstrate that a five year supply of deliverable sites will be maintained over the initial five years and subsequent periods with the proposed draft Main Modifications, without the need to increase densities for more dwellings on allocated sites that are less constrained	Not applicable	There are no SA implications since no draft Main Modifications are proposed to increase densities on allocated sites that are less constrained  It would be difficult to assess the overall impact of increased densities at Plan level, as the impact will be different on a site to site basis. Seeking a blanket increase across	N/A

		<p>Site allocation densities have been assessed at an average of 30-50 dwellings per hectare for the net developable area, allowing for internal roads, landscaping . Strategic urban extensions have been subject to masterplanning that has provided a more detailed assessment of potential development capacity.</p> <p>Higher density ranges were considered in urban areas (see pp5-6 of the Exeter HMA SHLAA Methodology HOU01a). The most appropriate density within these ranges is considered on a site by site basis (see HOU01b-h)</p>		<p>the Plan could not rule out harmful impacts. Density is probably more appropriately considered on a site by site basis at planning application stage.</p>	
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		Eventual densities achieved will be dependent on detailed planning proposals stage			
<i>“Allocating a new, large site not constrained by the link road (or motorway junctions) that can come on stream quickly and bolster supply in the early years of the Plan while infrastructure is provided elsewhere”</i>	No	<p>The Council’s HLS update June 2019 can demonstrate that a five year supply of deliverable sites will be maintained over the initial five years and subsequent periods with the proposed draft Main Modifications, without the need to allocate a new, large site</p> <p>Large sites are unlikely to contribute to the housing land supply in the first five years of the Plan due to the need for infrastructure provision, site preparation. They would also need</p>	Not applicable	There are no SA implications since no draft Main Modifications are proposed to allocate a new, large site	N/A

		masterplanning and potential land assembly. Reasonable alternative site options have previously been assessed through the preparation of the Local Plan Review and tested through the Sustainability Appraisal			
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