

Planning Consultation (DPD)

From: Jonathan Chick
Sent: 11 April 2018 17:33
To: Planning Consultation (DPD)
Subject: Mid Devon Local Plan Review: Schedule of Amendments to Sustainability Appraisal Consultation (February 2018)
Attachments: Local Plan Review Sustainability Appraisal Consultation - Tiverton LVA LLP reps.pdf; Appendix 1 - Site Location Plan.pdf; Appendix 2 - Sustainability Plan.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

On behalf of our client Tiverton LVA LLP, please find attached representations in relation to the above consultation.

As required our name and full postal address are set out in the attached.

I would be grateful if you could confirm receipt.

Kind Regards,
Jonathan

Jonathan Chick
Senior Planner



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Our Ref: PR. 263
Date: 11th April 2018

Sustainability Appraisal Consultation 2018
Forward Planning
Mid Devon District Council
Phoenix House
Tiverton
EX16 6PP

Dear Sir/Madam,

Consultation on the Local Plan Review: Schedule of Amendments made to the Sustainability Appraisal update 2017

The following representations have been prepared by Walsingham Planning Ltd (WP) on behalf of Tiverton LVA LLP (LVA) and relate to the consultation on the Local Plan Review: Schedule of Amendments made to the Sustainability Appraisal update 2017 published in January 2018.

LVA controls land at Tidcombe Hall which in part is identified as a contingency allocation in the adopted Allocations and Infrastructure Development Plan Document (AIDPD) for residential development comprising 200 dwellings (Policy AL/TIV/21). The contingency allocation is proposed to be carried forward in the Local Plan Review proposed submission document (January 2017) for residential development comprising 100 dwellings (Policy TIV13). Our client also controls land to the east of the contingency allocation. The full extent of their ownership is shown on the site location plan attached at **Appendix I**.

We note that there have been a number of versions to the Sustainability Appraisal published on the Local Plan Review website as set out below:

- Scoping Report (2013);
- Interim Report (2014);
- Sustainability Appraisal Proposed Submission Report (2015);
- Sustainability Appraisal Update (January 2017);
- Sustainability Appraisal Update (incorporating LUC recommendations) (January 2018).

Reference is made to these documents where relevant.



General comments

It is recognised that this consultation relates to the Schedule of amendments to the Sustainability Appraisal update 2017 only (and the Local Plan Review remains unchanged), however we would like to express the following general concerns as we have not been able to comment on previous consultations.

Through these representations, LVA supports the contingency allocation of the TIV13 site for development in the Local Plan Review, however has concerns that the full potential of the site to deliver sustainable residential development to meet growth needs is not being recognised. The quantum of housing proposed to be delivered on a contingency basis under Policy TIV13 has been significantly reduced to 100 units from the 200 units previously established in the adopted AIDPD (Policy AL/TIV/21), although this change is not supported by robust evidence. In light of the significant housing shortage and past delivery problems in Tiverton and Mid-Devon District as a whole (the Local Planning Authority accept that it cannot demonstrate a five year land supply of sites which was initially confirmed by an appeal on land West of Harvesters, Uffculme [Ref: APP/Y1138/W/15/3025120]) it is crucial that sites in sustainable locations such as this are developed to their maximum potential.

The Tidcombe Hall site was identified in the SA Proposed Submission Report (2015) as a contingency allocation for 100 dwellings. However, it is unclear why the site has been assessed in relation to the development for 100 dwellings from the outset (instead of 200). LVA consider the option for a lower density development should have been considered as a reasonable alternative to the option for 200 dwellings (where the principle of development has already been accepted by its existing allocation in the AIDPD).

In the SA update (2017) two reasonable alternative options were proposed; alternative 1: to delete the policy altogether or alternative 2: allocate it for 200 dwellings. The impact of these options on the Sustainability Appraisal is set out in the table on page 116. For alternative 2 (200 dwellings) it states:

“In reconsidering this site for the higher number of dwellings presented during the Local Plan Review Options consultation given the reasons for reduction in total dwellings based on the SHLAA panel and HEA recommendations, the site scores more negatively than the preferred policy in objectives A), B) and I) predominantly due to the greater scale of development proposed within the allocation and the limitations of mitigation options as reflected in the latest evidence.”

Further reasoning for discounting the option for 200 dwellings (alternative 2) is set out on page 117 as follows:

“Alternative 2 would result in greater negative impacts on the sustainability objectives A) natural environment, B) built and historic environment and I) delivering the necessary infrastructure and is therefore not preferred. New information presented in the Historic Environment Appraisal would not change the pre or post mitigation scores for the proposed submission policy which already recognises the elements set out in the HEA .”



It is considered that the SHLAA panel and HEA recommendations referred to in the SA text above do not provide a clear justification to reduce the quantum of development to 100 dwellings (from 200 dwellings). It is important to note that the historical setting of the site has always been known and is reflected in the adopted AIDPD policy for 200 dwellings which requires the 'Protection of the setting of the Grand Western Canal Conservation Area and of Tidcombe Hall'. The HEA notes Tidcombe Hall as a potential heritage asset although it should be noted that it is an unlisted building. The SHLAA panel minutes (June 2014) simply state that 100 dwellings are achievable on the Tidcombe Hall site with a year 6 start date. It is not clear whether there is any other evidence supporting the reduction in dwellings proposed in Policy TIV13.

LVA consider there are weaknesses in the Council's SA assessment and question the ranking chosen for a number of sustainability objectives (as shown in the SA Report 2015 and the SA Update 2017). This is particularly the case for objective B (protection and promotion of a quality built and historic environment). The SA suggests there will be no difference in 'impact score' and 'post-mitigation score' in relation to the 200 dwellings option (only for the 100 dwelling option). LVA intend to pursue a planning application for the site in due course once pre-application advice has been sought. However, it should be noted that the undesignated heritage asset (Tidcombe Hall) is currently in poor condition and through the development there is an opportunity to improve the building and integrate enhanced public open space for the public along the canal. Overall, LVA consider that the impact on Tidcombe Hall can be adequately mitigated through sensitive design and would result in less of an impact on objective B and the post mitigation score should be updated accordingly. This will be confirmed through the submission of heritage information to support any future planning application.

In terms of the objective to protect the natural environment (Objective A) and the negative post mitigation score shown for the option for 200 dwellings, it should be noted that there is potential for a planning application to include retained/enhanced green buffers in the canal area and around Tidcombe Hall along with other measures to ensure this area is mitigated. The Sustainability Plan (**attached at Appendix 2**) shows how a retained/enhanced green buffer and a green infrastructure route could potentially be accommodated along the northern part of the site to protect the setting of the canal and conservation area.

In addition, LVA question why the sustainability objective to meeting housing needs (Objective G) is scored the same for both the option to provide 100 dwellings and the alternative option to provide 200 dwellings (i.e. +3: result in significant positive contribution). Clearly the option to provide 200 dwellings should result in a higher score than providing 100 dwellings. This is especially significant given the current housing shortage in Mid Devon and the need for market and affordable housing to meet future needs.

Finally, we note the scoring in relation to the objective to 'delivering the necessary infrastructure' (Objective I). The post-mitigation score for the 100 dwellings option is neutral but for the 200 dwellings option is -2 (negative impact). Inevitably a higher quantum of development will result in a higher impact on the local highway network which is suggested in the SA text. However, this does not necessarily mean this amount of development is unacceptable in transport terms. Indeed, a higher



quantum is likely to result in higher developer contributions to make the scheme acceptable in planning terms.

Overall, whilst we acknowledge that the above comments are not directly relevant to the particular focus of the consultation they are important considerations which we think should be taken into account during the Local Plan Review Examination process. We have provided comments below specifically in relation to the current consultation.

Schedule of Amendments to Sustainability Appraisal 2017

We raise specific comments in relation to a number of items set out in the Mid Devon District Council response to the LUC recommendations (January 2018) in terms of proposed amendments to the SA. This is set out below.

Item 4 – Summary table of reasonable alternative options that have been appraised and specific modifications

The addition of a table summary is useful and we note this repeats information which has already been set out in the original SA update (2017). However, we question why the option to provide 200 dwellings at Tidcombe Hall has been discounted and is not the most appropriate strategy as the principle for this quantum of development has already been established in the adopted AIDPD.

Item 8 – Provide a summary of what revised appraisal work was carried out in the SA update

As above, the addition of a summary table is useful but we question why 200 dwellings is not the most appropriate strategy.

Item 10 – Work undertaken to date should be collated and used to inform a review of the decision making process regarding which sites to allocate in relation to the Junction 27 proposal.

This item relates to the additional 260 dwellings requiring allocation as a result of the proposed modification in the Local Plan Review to allocate the Junction 27 proposal for 71 hectares of mixed commercial floorspace.

We raise concern why sites proposed as contingency allocations in the Local Plan Review have not been considered as reasonable alternatives in this process. In our view these should be at the front of the queue in terms of being the most sustainable sites available and could easily be reverted to ‘full allocations’. Indeed, the principle of development on the Tidcombe Hall allocation for 200 dwellings (Policy TIV13) has already been established through its existing allocation in the AIDPD. Other sites (next in the queue) should then be proposed as contingency allocations.

The Tidcombe Hall allocation proposed under Policy TIV13 has the potential to accommodate 200 dwellings (as established under AIDPD Policy AL/TIV/21). In addition land to the east of the allocation



is also under our client's control which is available for development. Assessment work is currently taking place to establish the capacity of the unallocated land to the east but initial studies confirm there is potential to accommodate a significant number of additional dwellings. Apart from being located outside the settlement limit for Tiverton this land is not subject to any designations which would seek to restrict development, the land is in a sustainable location providing access to the allocated land, and immediately available to accommodate further residential development. As mentioned above, the land across the north of the site could also potentially include areas of public open space and retained/enhanced green buffers in the canal area as shown on the Sustainability Plan (**attached at Appendix 2**). This plan also shows the LVA site is in a sustainable location in close proximity to existing facilities in Tiverton.

If it is possible we would wish to take part in the forthcoming examination.

Yours sincerely

Jonathan Chick MA (Hons) MRTPI
Senior Planner

