

To: Robert Young (FAO MDDC and the Inspector). **5/9/19**

From: Jamie (RBC) Byrom, 16 Paultet, Sampford Peverell

Re: Comments on Examination documents E20 and E21

Dear Mr Young.

You wrote on 16/8/19 to explain that the Inspector had extended the deadline for the Council to respond to him on comments that it had received on documents ED20 and ED21.

I realise that the deadline you refer to is for a response from MDDC officers but I have noted some new information that I believe is relevant. I therefore ask the Inspector and officers to consider this as they move into the next phase of the examination process.

Point A –

- i. This relates to Section 1 of my response of 7/8/19 where I (and my two neighbours) argued that a secure supply of housing is in place for the first five years of the plan without the inclusion of SP2.
- ii. Since making my response on 7/8/19, **significant new information has been received**. Site Wi1 in the proposed plan was subject to an appeal from a developer who has submitted an outline application to build up to 125 houses on the site where on 42 were allocated in the proposed Plan.
- iii. That appeal (3214685) was upheld last week. This means that the view in paragraph 1.10 of MDDC's draft response ED21 is now out dated. **Wi1 should now be considered for extra housing within the first 5 years**.
- iv. In theory, up to an extra 83 houses could be built on Wi1. As planning permission has been secured, it is clearly further ahead than SP2 which is currently 'undeliverable'.
- v. This in turn, **reinforces the argument that there is no need to bring SP2 forward in the build-out sequence**.
- vi. When site SP2 was allocated, officers argued that sites at Willand should not be considered as reasonable alternatives on the grounds that '*sites in Willand were not recommended as Devon County Council had advised that development of these sites would exacerbate traffic problems prior to planned future improvements*'. (SA update 2018, page 58).
- vii. The Willand appeal shows that, despite the explanation above, the LHA did not object to the application for 125 houses on a site that the Local Plan would have limited to 42.
- viii. This new information raises doubts about the SA process and the grounds given by officers for not considering Willand in the allocation process that led to the inclusion of site SP2.

Point B –

- i. This relates to Section 4 of my response of 7/8/19 where I (and my two neighbours) argued that SP2 is no longer sustainable as an allocation if its tie to J27 is cut.
- ii. I wish to press that argument further by showing that it has significant implications for the Sustainability Appraisal.
- iii. The Inspector has ruled that the tie that currently exists in Policy SP2 and Policy J27 should be cut. He has decided that *‘the Policy SP2 allocation is included so that the overall housing requirement can be addressed’*. He thereby dismisses any special relationship between the SP2 site and the J27 allocation.
- iv. The SA shows that when SP2 was allocated it was one of a limited number of sites to be considered. The criteria listed for possible additional housing sites included a requirement that these had to be *‘proximate to the development proposal at Junction 27’*. (See eg SA Update 2018, pages 26 and 41).
- v. As the Inspector has decided that the tie between SP2 and J27 is unsound, it follows that the criterion cited in (iv) above was also unsound.
- vi. Even if the criterion about proximity to J27 was in some way sound in September 2016 when it was applied, but not sound now, the fact remains that **removing the SP2 tie to J27 now must require that the site allocation process should be re-run and that reasonable alternative sites be considered from across the full Mid Devon district.**
- vii. In ED21, MDDC had proposed to make no changes to the SA with regard to cutting the tie between SP2 and J27. Far from leaving the text unchanged, the actual allocation process should be re-run. **Following that lengthy process, the SA text must be amended to show which site has been chosen from the full range of deliverable sites across Mid-Devon.** This only applies if it is believed that the 60 houses allocated at SP2 are still needed within the life of the proposed Local Plan.

It may well be that officers and the Inspector are already aware of these points and are taking appropriate action. I am not in a position to know that now. I will not know whether they have been considered until the point when comments on the initial draft Main Modifications and changes to the SA are published online.

I was concerned that precious time could be lost if they were to be made a later stage and then needed, as I suspect, significant work to be done. I therefore decided to submit this note even though I realise there is no formal request for comments at this point.

Yours sincerely

Jamie Byrom
(RBC Byrom)