

# Response to Natural England's consultation responses on the Sustainability Appraisal of the Proposed Changes to East Devon's Local Plan

- 1.1 LUC has undertaken Sustainability Appraisal (SA) work on behalf of East Devon District Council for the new Local Plan (formerly the Core Strategy) since 2009. The most recent SA work undertaken was the publication of an SA Addendum in relation to the Proposed Changes in April 2015.
- 1.2 Natural England has raised concerns in relation to the SA of the proposed changes to the Local Plan. These concerns fall into two categories:
  - Procedural matters; and
  - Evidence taken into account in the SA.
- 1.3 This note sets out LUC's response to Natural England's comments in relation to the SA.

## Procedural matters

- 1.4 In its consultation response (letter to Matthew Dickins dated 11th June 2015, ref: 151154) Natural England noted that the SA work for the proposed changes was undertaken after the proposed changes were published and therefore the SA could not have contributed to decision making with regards to the proposed changes. However, as described in paragraph 1.10 of the April 2015 SA Addendum, earlier SA work relating to high level options for the proposed changes was undertaken in February 2015 and this fed into the Council's decision making.
- 1.5 Natural England also notes that the April 2015 SA Addendum does not address all of the requirements of the SEA Regulations. As described in paragraph 1.2 of the SA Addendum, the document is intended as an addendum to supplement the full SA report (November 2012) which addresses all of the requirements of the SEA Regulations (see Table 1.1 in the November 2012 SA Report).
- 1.6 In its consultation response Natural England states that not all of the proposed changes to the policies have been assessed, but it is not clear which proposed changes this statement refers to. As described in the SA Addendum at paragraph 1.14,, each proposed change has been reviewed to determine whether the change affects the SA findings reported on previously (as set out in Appendix 1 of the SA Addendum) and where this is the case, a clear description of the sustainability implications of the changes is provided. Where significant changes are made or new policies introduced, a full SA matrix is provided in Appendix 2 of the SA Addendum. Consideration was also given to whether the cumulative effects of the Local Plan are affected by the full suite of proposed changes (paragraphs 1.33 and 1.34).
- 1.7 In relation to the quantum of housing development proposed in east Devon, Natural England commented that reasonable alternatives to the housing figure of 17,100 were not considered in the SA work. The option of a higher figure was considered in the February 2015 SA work which appraised early options for the proposed changes. At that time, it was anticipated that the housing figure may increase to 19,300. As the 17,100 figure is based on the evidence in the updated SHMA which has since been published, the 19,300 option was discounted by the Council.
- 1.8 Natural England also commented that the April 2015 SA Addendum considered that the revised housing figure of 17,100 was not a significant change and concluded no significant effect that would require that policy to be assessed in more detail. In fact, the SA Addendum (Appendix 1) did consider the impacts of the revised housing figure, and states that the proposed change to the total housing figure would have the same range of likely significant effects as described in the

November 2012 SA Report for the policy prior to the proposed changes (see also Appendix 3 of the 2012 SA Report).

- 1.9 Natural England stated that the evidence base for additional growth at Cranbrook and the West End must be robustly examined through the SA. In the early options appraisal work that LUC undertook in February 2015 in relation to the Council's emerging proposed changes, a range of spatial distribution options for the additional growth were considered, including the option of focussing the additional growth at the West End or elsewhere in the District.
- 1.10 In relation to the proposed changes to Strategy 27, Natural England considers the SA work to be inadequate. Its consultation response refers to the statement that 'development resulting from this strategy is likely to be mainly infill development or the reuse of existing buildings, meaning that positive effects on the wise use of land are likely to result.' Natural England considers that this deduction cannot be made from the evidence base as the majority of previous considered sites were greenfield sites. This is noted as a valid point and this policy appraisal will be reviewed during any further SA work to be undertaken at the Main Modifications stage.
- 1.11 Natural England also commented that the SA Addendum reports that biodiversity impacts of Strategy 27 are 'unknown until the specific sites for development come forward at a later stage' but that impacts on the Beer Quarry and Caves SAC should have been noted due to the proximity of the SAC to Beer. The impacts on biodiversity are still considered to be uncertain until specific sites are proposed for development at the villages. However, it is a valid point that the proximity of some of the villages named in Strategy 27 to designated biodiversity sites should be recognised, and the appraisal for this policy will be reviewed during later SA work, to recognise this point.

#### **Evidence taken into account in the SA**

- 1.12 Natural England makes specific comment on the failure of the Sustainability Appraisal to make use of "all the evidence now available". The SA drew on a range of evidence sources at each stage, based on what was available at that time. Natural England specifically refers to "the villages' landscape assessment and our response to it". This landscape assessment work was indeed undertaken and was done in support of the emerging Villages Development Plan Document (DPD). For information on the landscape appraisal and wider work on the Villages DPD please see the Council web site at:

<http://eastdevon.gov.uk/planning/planning-policy/document-libraries/village-document/technical-evidence/#article-content>

- 1.13 The landscape work was an assessment of sites at villages submitted through the Strategic Housing Land Availability assessment process. It was an assessment of sensitivity to development and it did not advocate that sites should or should not be allocated for development.
- 1.14 Strategy 2 of the local plan includes changes that show 1,123 houses are to be provided across the 2013 to 2031 period at villages and rural areas. East Devon District Council has advised that nearly all of these (bar the allocation of a predominantly Brownfield site at Clyst St Mary) already have planning permission, a resolution to grant permission, or are already built. Through the Villages DPD the local plan is not, therefore looking to allocate sites for development. The Council's expectation is that further provision arising from Strategy 2, for the small town and villages, will be for nil or zero development (other than for existing commitments and windfall schemes in boundaries or exception site outside).
- 1.15 At Development Management Committee on 16 June 2015 authority was received to undertake consultation on the methodology for defining Built-up Area Boundaries for villages, see:  
<http://eastdevon.gov.uk/media/1162155/160615-combined-dmc-agenda-compresed.pdf>
- 1.16 The methodology proposed for boundary definition explicitly falls in line with proposed local plan policy and the commentary above. The very first consideration (to be consulted on) for determination of boundaries reads:

*'Boundaries should reflect the existing scale and core built form of the settlement and should not seek expansion to facilitate additional development.'*

- 1.17 As the Local Plan does not allocate sites at the villages, none were subject to SA. If sites had been considered for allocation at the villages, the villages' landscape assessment would have been an appropriate source of evidence to inform the appraisal against the SA objective relating to landscape.

LUC  
June 2015