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From: Local Plan Review
Subject: FW: 170209 Local Plan Review proposed submission consultation - Highways England comments
Attachments: DOC_0A4C9755.pdf

-----Original Message-----

From: Gallacher, Gaynor [REDACTED]
Sent: 09 February 2017 14:00
To: Local Plan Review
Cc: Parish, Sally; [REDACTED]
Subject: 170209 Local Plan Review proposed submission consultation - Highways England comments

Dear Local Plan team
Please find attached Highways England's response to your latest local plan consultation.
Kind regards
Gaynor

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9th February 2017

Dear Sir/Madam

M5 : Mid Devon Local Plan Review - proposed submission (incorporating proposed modifications) consultation

Thank you for providing Highways England with the opportunity to comment on the Mid Devon Local Plan Review Proposed Submission (incorporating proposed modifications) consultation document. Highways England is responsible for operating, maintaining and improving the Strategic Road Network (SRN), which in Mid Devon comprises the M5. It is on the basis of these responsibilities that the comments that follow in this letter have been made.

Highways England is keen to ensure that policy takes account of the need for transport and land use planning to be closely integrated. In this respect, your attention is drawn to DfT Circular 02/2013 which sets out how we will engage with the planning system to deliver sustainable development.

Highways England recognises that prosperity depends on our roads, so aims to support growth and facilitate development, based on an understanding of traffic conditions and behaviour, to manage the effects of development and ensure road safety. In order to constructively engage in the local plan-making process we require a robust evidence-base so that sound advice can be given to local planning authorities in relation to the appropriateness of proposed development in relation to the SRN and the strategic highway and the suitability of transport solutions put forward to support site allocations.

Paragraph 12 of Circular 02/2013 states that *'The preparation and delivery of Local Plans provides an opportunity to identify and support a pattern of development that minimises trip generation at source and encourages the use of sustainable modes of transport, minimises journey lengths for employment, shopping, leisure, education and other activities, and promotes accessibility for all. This can contribute to environmental objectives and also reduce the cost to the economy arising from the environmental, business and social impacts associated with traffic generation and congestion.'*

Paragraph 18 states that *'Capacity enhancements and infrastructure required to deliver strategic growth should be identified at the Local Plan stage, which provides the best*

opportunity to consider development aspirations alongside the associated strategic infrastructure needs. Enhancements should not normally be considered as fresh proposals at the planning application stage. The Highways Agency (now Highways England) will work with strategic delivery bodies to identify infrastructure and access needs at the earliest possible opportunity in order to assess suitability, viability and deliverability of such proposals, including the identification of potential funding arrangements.'

Responses to Local Plan consultations are also guided by other pertinent policy and guidance, namely the National Planning Policy Framework (NPPF) and Highways England's guide "The Strategic Road Network – Planning for the Future".

The NPPF requires that local planning authorities should work with other authorities and providers during the plan making process to assess the quality and capacity of infrastructure for transport and its ability to meet forecast demands (para 162). The aim of this cooperation is to arrive at a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development (para 181).

Pursuing sustainable development requires careful attention to viability and costs. The sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as infrastructure contributions or other requirements should provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable (para 173).

It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion (para 177). In terms of identifying the necessity of transport infrastructure, the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (para 32).

Highways England's guidance confirms that we will work with local planning authorities to identify the infrastructure requirements of the overall allocation.

In summary; in order for the transport evidence base to satisfy the requirements of NPPF and Circular 02/2013, it is necessary to establish:

- the transport impacts of the development allocations;
- the improvements necessary to ensure that the impacts are not severe;
- any land required for the delivery of the necessary improvements;
- the cost of the necessary improvements;
- any other deliverability constraints.

Our comments on the proposed modifications to the Mid Devon Local Plan are as follows:

Our understanding of the Local Plan Review

Our last involvement in the Local Plan was at the Local Plan Review Proposed Submission consultation stage in April 2015 in response to which Highways England made a number of comments. At that time we understood that it was intended that once these comments had been considered, the Local Plan Review would have been submitted to the Planning Inspectorate later that year.

However, as a result of the consultation we understand that there was the need for additional technical work to ensure that the evidence base would be more robust prior to submission, and since the spring 2015 consultation there have also been changes to national guidance and the supporting local plan evidence base which have led to the need for additional modifications. Therefore the plan has also been updated to reflect the Full Council decision taken on 22 September 2016 to propose an allocation of land at Junction 27 of the M5 for high quality tourism, leisure, retail and associated additional housing.

Development Strategy and Strategic Policies

Housing - We note the changes made to the housing provision. We understand that the Council is required to use an evidence based approach to ensure that the Local Plan meets its requirements in terms of objectively assessed needs for housing and that this is in the form of the SHMA. We understand that the Local Plan Review sets a target of 393 dwellings above the housing need set out in the SHMA which is a result of the additional need arising from job creation at Junction 27 of M5.

Commercial Development – We note the changes to the provision of commercial development are reflected in the figures. In the main this is a reflection of the provision of commercial floor space at Junction 27, for a high quality tourist and leisure focused development to meet the needs identified in the tourism study.

Policy S2 Amount and distribution of development - Highways England supports the principle of locating development in the most sustainable locations. Changes to the wording of this policy are generally, as we understand it, to meet a tourism/leisure need at Junction 27, suitable for its regional role with a controlled retail element supporting the tourism and leisure aspects of the proposal.

Site Allocations

Tiverton – As per previous comments made in respect of the Local Plan, Highways England is content that Tiverton will continue to develop in a balanced manner as a medium sized market town, welcoming the intention to increase self-sufficiency of the town by improving access to housing, employment and services. We are encouraged by the Council's intention to seek developers to enhance walking and cycling opportunities and bus services around the town, improving access to the town centre and Tiverton Parkway, Exeter and Taunton.

We note that the majority of the modifications are updates relating to the results of the evidence base in relation to the updated housing and commercial development provision.

Cullompton – As per our previous comments, the location of Cullompton and its close proximity to Junction 28 of the M5 means that development allocations in the Local Plan will impact on the SRN. An improvement scheme was completed at J28 in 2015, however a number of policies make reference to additional improvements which are required in this location. This will be expanded on below.

Policy CU2 North West Cullompton Transport Provision has several additions to it. We welcome the requirement for all new development in North West Cullompton to make financial contributions towards capacity improvements at Junction 28 of the M5. At this time the scale of these improvements have not been confirmed, and therefore without an identified scheme it is not possible to confirm that S106 contributions will cover the cost of these works.

We welcome the additional text in Policy CU6 North West Cullompton phasing with the additional requirement for the provision of M5 access improvements before any dwellings are occupied and thereafter broadly in step with development. This will help in ensuring that the new development does not adversely impact on the SRN. We welcome similar wording in a number of other policies that requires these works to Junction 28 before the occupation of other developments in Cullompton.

Land at Junction 27 – Highways England notes the addition of this site at Junction 27 comprising approximately 71 hectares for a high quality regional tourism, leisure and retail attraction supported by appropriate infrastructure. Further details are provided below.

Transport Evidence Base

Highways England has reviewed the Local Plan Review Site Specific Evidence Base, and specifically the evidence presented for the assessment of development impact at Junction 27. Highways England has been working collaboratively with Mid Devon, Devon County Council and the promoters of the development to agree the impacts of the proposed allocation and the necessary highway improvements to ensure the impact of the development is not severe. It is noted from the site specific evidence base that several technical notes produced by the promoters of the Junction 27 development have been included as the evidence base for the Local Plan Review.

These technical notes date back to 2014 and considerable further work has been done in the interim to agree the methodology to assess the likely impacts of this site. As this work has not been concluded, Highways England is not yet in a position to agree the impact, and therefore the likely scale of improvements necessary at Junction 27. Work is on-going with both Devon County Council and the promoters of the development to agree this methodology, but at this time we do not consider that the evidence base is sufficient for understanding the implications of the development in terms of road safety, and levels of congestion at Junction 27 and on the M5 mainline. Without this evidence, Highways England is unable comment on the adequacy of the transport infrastructure included in the plan for accommodating the development. We are hopeful that following further submissions that this position will change, and we are working pro-actively with relevant parties to ensure a robust Transport Evidence Base is produced in support of the Local Plan Review.

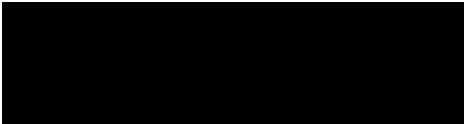
A number of policies for Cullompton make reference to improvements at Junction 28 of the M5. A recent improvement scheme in this location has provided additional capacity, however it is confirmed that this did not provide capacity for the full allocations within the Local Plan. Several mentions are made to on-going work with DCC to identify the scale of improvements necessary at Junction 28, however this evidence base has not been made available, and it is not clear from the evidence submitted at what stage this assessment is at. From the submissions available we are unable to comment on the adequacy of the transport infrastructure included in the plan for accommodating the development.

Conclusions

The Local Plan proposals and strategy seem to be some way ahead of the transport evidence base that is being used to support it. Highways England is concerned that there is significant further work necessary in order to establish transport impacts and therefore the necessary mitigation required to support development proposals set out in the Local Plan.

The comments in this response do not prejudice any future responses on site specific matters and Highways England would request that we are involved at an early stage in the consultation process going forward. In the meantime should you wish to discuss the above, please do not hesitate to contact me.

Yours faithfully



Sally Parish
South West Operations Division – Growth & Improvement
Email: 

Cc: Simon Shapland, CH2M



Our ref: Mid Devon LDF
Your ref:

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29 March 2017

Dear Sir/Madam

M5 : Mid Devon Local Plan Review - proposed submission (incorporating proposed modifications) consultation – Transport Evidence Base

Junction 27

Further to my letter of 9th February, Highways England has continued to work collaboratively with Mid Devon District Council, Devon County Council and the current promoters of the development at Junction 27 to agree the impacts of the proposed allocation and the necessary highway improvements. It is noted from the site specific evidence base that several technical notes produced by the promoters of the Junction 27 development have been included as the evidence base for the Local Plan Review.

Devon County Council has undertaken a review of the proposed impact at Junction 27 and Highways England is in the process of assessing the proposed impact in order to agree the likely scale of improvements necessary. Preliminary design work has indicated that the junction is capable of being improved and both Highways England and Devon County Council continue to work closely with the current promoters of the development site to identify a solution that offers no detriment to the current operation of the junction.

Junction 28

A number of policies for Cullompton make reference to the necessity for improvements at Junction 28 of the M5. A recent improvement scheme in this location provided some additional capacity, but we can confirm that it did not provide capacity for the full allocations within the Local Plan. Work is ongoing with Devon County Council and Mid Devon District Council to identify the scale of further improvements necessary at Junction 28, and we are currently awaiting further evidence before commenting on the adequacy of the transport infrastructure included in the plan to accommodate the proposed allocation.

Conclusions

Much work has been undertaken since my last letter to inform the evidence base needed to support the Local Plan proposals and strategy. Highways England is currently awaiting some further evidence before being able to identify and agree the necessary improvements at

Junctions 27 and 28, and will continue to work with both Mid Devon District Council and Devon County Council to conclude these assessments.

Yours faithfully

Yours faithfully
South West Operations Division – Growth & Improvement
Email:

cc: Simon Shapland, CH2M