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Local Plan Review
 Forward Planning
 Mid Devon District Council
 Phoenix House
 Phoenix Lane
 Tiverton
 EX16 6PP



12th March 2014

Dear Sir/Madam

Consultation on Mid Devon Local Plan Review – Representations on Behalf of C.J Parish & Sons, Mountstephen Farm, Uffcolme

Bell Cornwell LLP are planning consultants who act on behalf of C.J Parish & Sons, who farm and own a large area of land in the area around Mountstephen Farm, which encompasses 200 acres of land which lies between Junction 27 of the M5, to the north and the village of Willand, to the south. C.J Parish & Sons has farmed this land since 1939 and they therefore have a long standing and enduring interest in the land. Currently, the farm has a herd of 160 dairy cows and a flock of 30,000 free range broiler chickens. Our client has undertaken substantial and costly recent investment at the farm including the installation of a robotic milking system and the construction of an 80Kw anaerobic digestion waste-to-energy plant which provides green energy to the farm and the national grid.

Introduction

We note that as part of the draft local plan consideration is being given to the allocation of land to the enable the creation of new community. Of the two locations under consideration (around Junction 27/Willand and to the east of Junction 28), the proposal to develop land at M5 Junction 27 would include the whole of our client's land and would therefore lead to the total elimination of their business. Our client therefore MOST STRONGLY OBJECTS to this proposal. Notwithstanding the loss of their business, our client is firmly of a view that, for sound planning reasons, there is no need for a new community in the District and that delivery of the required level of housing and employment uses is best secured through an alternative

approach, based in the main on continuing growth of the existing towns. Our clients' reasoning in this regard is outlined in more detail, below.

Draft Policy S3 – Amount and Distribution of Development

Draft Policy S3 suggests two options regarding the distribution of development. In our client's view, the Council SHOULD ADOPT OPTION 1 (TOWN FOCUS) as its focus for identifying the future locations for growth as this presents the most practical option for meeting Mid Devon's requirements. This is for the following reasons:

1. A continued focus on the existing main towns would align most closely with the proposed Overall Strategy, as set out at page 16 of the draft Local Plan. In summary, this seeks to provide development which seeks to support the local economy, provides for sustainable growth and reduce social inequality. These objectives would clearly be best met through focusing growth towards the main towns as these are the locations where there is substantial existing social, economic and transport infrastructure but which at the same time are also suffering from decline due to competition from places like Exeter. Additional growth in such locations would therefore be in a fundamentally more sustainable location and would help to support the regeneration of these towns by providing them with greater critical mass.

By contrast, it is highly questionable whether a new settlement can ever have similar sustainability merits to the existing towns whilst the provision of economic facilities – required to provide a balanced community – are very likely to simply undermine the economies of the main towns as well as rural communities. Both these factors would run counter to the aims of the Overall Strategy and also the proposed strategy for the main towns.

2. Although development in any form brings with it practical difficulties, for example, in terms of infrastructure delivery, this will be a particularly significant obstacle for any new settlement. For development of this form (in this case for approximately 2,500 dwellings) to be anything more than simply a large housing estate, it will be necessary for the scheme to include the full range of social facilities ranging from shops to schools, open space to libraries and including local and strategic highways improvements. It is extremely difficult to foresee a situation where the cost of all this could be viably borne by the developers alone as to do so would inevitably render the development unviable. It is important to note that the Cranbrook new settlement in East Devon took an extremely long time to bring forward and required very substantial amounts of financial

public subsidy, for example from the SW Regional Development Agency, for it to begin. Such public investment is now extremely unlikely to be available, either now or in the future. In such circumstances, the only response to such pressures on viability by the relevant developers would be either to delay implementation of the scheme, secure a reduction in the level of community provision or other less viable uses or to seek a marked reduction in affordable housing. This latter in particular would clearly undermine the Council's own objectives for the delivery of the local plan with regard to affordable housing and social inclusion.

3. Within the existing towns, there is already a pool of sites available which have the potential to make a substantial contribution towards both housing and employment land supply. Under the adopted development plan, these are identified as contingency sites to be brought forward as necessary. Given that the merits and deliverability of these sites have already been tested and found fundamentally sound at examination by a planning inspector, it is appropriate for the Council to fully consider their use and their contribution towards meeting housing need before considering much more uncertain proposals for a new settlement. In their current form, the contingency sites are identified as having the ability to deliver 465 dwellings and 21,000sqm of employment. It is entirely possible that the amount of development achievable from these sites could be increased by either varying the land use mix, by selectively increasing densities or by expanding the sites themselves. The three contingency sites therefore have the potential to make a substantial and probably increased contribution to housing and employment land supply. In our clients view, it is therefore imperative that the use of these sites be considered well before any much more speculative solution such as a new settlement is considered.
4. It is also important that existing strategic developments in Mid Devon are not undermined by the prospect of an alternative approach. The Council and developers have already made a strong commitment to a number of strategic developments in the district, most notable of which is the Tiverton Eastern Extension which is intended to deliver up to 2,000 houses and 130,000sqm of employment space. Progress on this development has been slow – something which underlines the vulnerability of undertaking very large scale developments – but is now understood to be progressing. However, even with high rates of development delivery from this point onward, this scheme will not be completed for many years to come. Any proposal for a new settlement, especially of the size envisaged in Option 2 (approximately 3,000 dwellings) would inevitably undermine the existing strategic schemes especially those in Tiverton and Cullompton, towns which are located in relatively close proximity to either of the locations considered. Given the

timescales required to bring the Tiverton Eastern Extension, this impact would occur even if, as is suggested, implementation of any new community is restricted until the end of the local plan period.

5. It is proposed that if a new settlement is to be built then it would be required to provide 2,940 dwellings out of a total of 8,400 planned for the district as a whole. This represents 35% of the total requirement. This is a highly risky 'eggs in one basket' approach which would leave the delivery of Mid Devon's entire spatial strategy highly vulnerable in the event that one or more factors conspired to delay the required level of delivery. As we have noted above, developments of this nature are extremely prone to such delays given the impact of issues such as infrastructure requirements, land assembly and economic cycles on development. This risk is borne out by the delays which have been encountered at the Tiverton Eastern Extension, Cranbrook in East Devon and at Sherford in South Hams. The only solution to addressing such risk is to identify a wider range of more modest sites in the District.

Draft Policy J27 – Land at M5 Junction 27 and Adjoining Willand

Under Draft Policy S3, the draft local plan proposes a possible new settlement. Paragraph 2.15 indicates that two locations are under consideration, one close to Junction 27 (Willand) and one close to Junction 28 (Cullompton). As mentioned above, our clients land would be directly affected by the development at Junction 27 (Willand) should it be selected. Draft Policy 27 sets out the form of development which is proposed for any new settlement in this location, key points of which are:

- land for 3,000 homes
- 96 hectares of commercial floorspace of which:
 - o storage and distribution (25ha)
 - o outdoor leisure (13 ha)
 - o retail village (8ha)
 - o Devon produce centre (4.5 ha)

Notwithstanding our client's strong view that there is little justification for a new settlement of any form in Mid Devon, it is also their view that for the reasons set out below, if such a development is deemed necessary then the Junction 28 (Cullompton) option would be more appropriate for development than that around Junction 27.

1. Development to the east of Junction 28 would have a much better relationship to existing and already planned facilities. Although bisected from the majority of Cullompton by the M5, this land would effectively be an urban extension rather than a new settlement. It would therefore have a fundamentally better relationship with an existing urban area than would any development at Junction 27.
2. Development at Junction 28 would be well related to the substantial existing employment facilities at Kings Mill Industrial Estate and to the planned employment site at Week Farm at Site CU10. It would also relate well to the eastern-most part of Cullompton which runs along Honiton Road and to the emerging development of 120 houses at East Culm Farm. As a result, any development in this location would relate much better to existing built form. By contrast, development in the area of Junction 27 would be much more isolated and would therefore have a much more abrupt impact on the character of the area.
3. Suitability of the uses proposed for the Junction 27 (Willand) proposal. We note that as part of any new settlement in this area, it is proposed that a substantial amount of land would be allocated for a retail outlet/village (eight hectares), a Devon produce centre (4.5 hectares), a cinema complex (2.4 hectares) and a hotel and conference centre. Collectively, these elements of the proposal represent a very substantial provision of what are defined within national planning guidance as town centre uses. Given the degree of economic pressure which existing nearby centres, both towns and villages, are under the provision of substantial further uses in the vicinity as envisaged as part of the Junction 27 proposals will only contribute further to their decline. This would clearly run counter to good planning and to the wider objectives of both the existing and draft local plan. Whilst the Devon produce centre may sound on face value like a good proposition (and notwithstanding our client's concern about likely impacts on existing local centres outlined above), we would strongly question its overall viability. The nearest equivalent, Darts Farm in Clyst St George, is undoubtedly highly successful. However, its current form and success has come about as a result of incremental growth over a period of 40 years and its location close to very wealthy communities such as Topsham. By comparison, the prospects for a large and similar operation in this location must be questioned. Overall therefore, in the absence of any clear analysis which confirms that these uses will be beneficial and viable then it must be assumed that these aspects of the proposals will actually be in conflict with the economic and spatial objectives of the draft local plan.
4. Fragmented ownership. Our clients are aware that whilst some landowners in the area proposed for a new settlement around Junction 27 are supportive of this possibility, a

range are not. There must therefore be significant doubt as to whether a site of necessary size can be delivered. In addition to our client (who it should be noted is not solely a tenant farmer but also owns a substantial amount of land within the proposed area as well), we note that uncertainty or opposition has been explicitly expressed by a number of other parties whose land would be needed. The absence of the necessary certainty regarding land assembly undermines the credibility of any scheme at Junction 27.

Taking into account all these points, our client is strongly of a view that, even if there is justification for a new settlement, which appears unlikely, then THE MOST APPROPRIATE SITE WOULD BE THAT PROPOSED IN DRAFT POLICY CU11 FOR JUNCTION 28 AT CULLOMPTON. As such therefore, our client's view is that the proposed option for development at Junction 27 (Willand) should NOT be selected.

We trust that you will find these observations of use. We would be grateful if you could confirm receipt of this submission.

If you have any queries in the meantime, please do not hesitate to contact us.

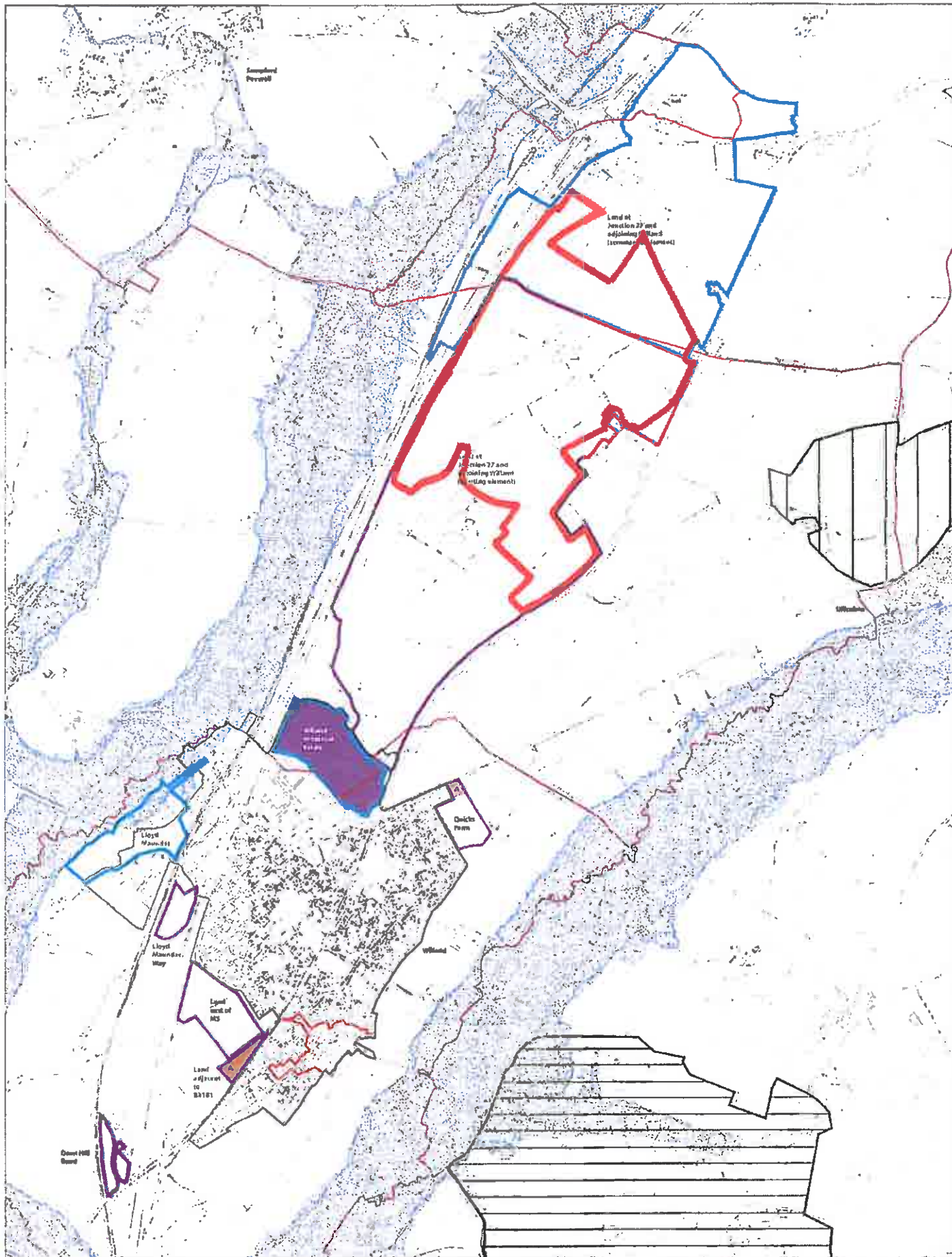
Yours faithfully
BELL CORNWELL LLP

Iestyn John
Senior Associate

Enc.

cc David Parish

DD: /
Email



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| Settlement Limit | | Existing Employment Allocations | | Floodplain | |
| Conservation Area | | Local Register of Historic Parks and Gardens | | Local Plan Review Housing Consultation Sites | |
| Existing Affordable Housing Allocation | | Historic Park and Garden | | Local Plan Review Employment Consultation Sites | |
| Parish Boundary | | | | | |

Local Plan Review

Policies Map - Options Willand / Junction 27

Scale 1:13000
January 2014

