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

Our Ref: 0071

Date: 24th March 2014

Dear Sir/Madam

Mid Devon District Council, Local Plan Review, Options Consultation, January 2014

We refer to the above.

We act on behalf of Messrs Bazeley, Cann, Labdon, Persey and the Cummings family all of which own land at Cullompton and within the option for development identified as CU11 in the Mid Devon District Council, Local Plan Review, Options Consultation, January 2014.

a) Introduction

This letter contains representations to the Plan and accompanying sustainability appraisal.

In preparing the representations, consideration has been given to the contents of the Plan; supporting evidence; and other considerations including, in particular, national planning policy guidance.

The key draft policy that needs to be examined in the context of this representation is draft Policy CU11 which makes reference to the East Cullompton Urban Extension. This is because the owners identified above are keen to pursue the development outlined within the Policy.

It should be noted at this stage that our analysis of the Options Consultation Plan (and the subsequent representations) focuses, in the main, upon draft Policy CU11 and at the outset we confirm that the Policy is supported. The analysis, in the main, considers the introduction of the Policy at a strategic level. However, it should be noted that the landowners, in due course, intend to undertake further analysis of the planning and technical issues which will create an additional evidence base required to support the Policy. We will be writing to the Council shortly to set out the landowners intentions in this respect.

At a strategic level and under draft Policy S3 a number of options are identified for the delivery of development across the District. These are:

- Option 1 – town focus;

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- Option 2 – new community split into a) Junction 27 and Willand or b) J28 at Cullompton.

Before examining the rationale behind each of the Options, it is necessary to understand how the Council has arrived at the quantum of development identified in draft Policy S3 which the Options stem from.

Our representation is therefore split into four main parts below. The first two relate to an analysis of the intended housing and employment provision in the Plan as they form the basis for any development justified in the context of draft Policy CU11. We then consider the merits of draft Policy CU11 as a concept. Finally, we also consider the general development management policies and sustainability appraisal.

b) *Housing Provision*

At the outset, we express significant concern as to the approach the Council is adopting in terms of understanding the housing requirements of the District. While we appreciate that the Council has issued the options for housing sites at this early stage, it is impossible to consider any individual site without the proper consideration of the wider issues of housing need. Until such time as the Strategic Housing Market Assessment (SHMA) is complete and published, we cannot properly assess the requirement for the allocation of sites within the context of the District housing requirement.

The NPPF makes it clear in para. 47 that local planning authorities should use their evidence base to ensure that Local Plans meet the full objectively assessed needs for market and affordable housing in the housing market area. Para. 159 states that local planning authorities should prepare a SHMA to assess their full housing needs working with neighbouring authorities where housing market areas cross administrative boundaries and confirms what it should contain. This approach is reinforced in the NPPG (Reference ID: 2a-001-20140306).

The Options set out in this document should be subject to further public consultation once the evidence is available and a proper analysis of the housing need in the District is completed having regard to the SHMA. It is only then that the allocation of sites can be fully assessed.

Notwithstanding this, the Options document sets a requirement for approximately 8,400 new dwellings in the period 2013 to 2033. This is the assumed interim housing requirement (paragraph 1.23), which is based on the Core Strategy (CS) target, adjusted to take into account any historic under delivery (paragraph 2.7) and then increased by 20% to accommodate increases in population. In producing these figures, the Council has assumed that the adopted CS is the starting point, rather than household projection figures produced by DCLG, which is the approach advocated in the NPPG (Reference ID: 2a-015-20140306).

While the CS has been objectively assessed, the evidence base was produced before the current population projection data (DCLG data from 2008 and 2011). This data was not included in the CS, which based its housing requirement on the Regional Spatial Strategy (RSS) figures (although it should be noted not the revised RSS figures from July 2008). The idea of using the CS as a basis for calculating the future housing requirement is therefore not a sound approach.

Moving forward, the Council's Allocations and Infrastructure DPD (adopted in October 2010) provides for the CS target plus 10% to allow for flexibility in the application of the CS but also takes into consideration the Housing Market Assessment for the Exeter Housing Market Area which identified a growth requirement of 440 dwellings per annum (against the Core Strategy target of 320 dpa). This delivery rate is more than that advocated in the Options Consultation document.

Furthermore, there is evidence available which suggests that there is high level of affordable housing need in the District. The Mid Devon Local Housing Need Survey (2011) sets a requirement for 335 affordable dwellings per annum. It is our view that the total housing requirement is an underestimate of the actual housing requirement in the District, considering these factors alone.

Taking the household projection figures as a starting point for the calculation of the housing requirement, as set out in paragraph 1.18 of the Options document, then 4,446 dwellings are required to meet increased population needs. A further 6,700 dwellings are required to meet housing need (Mid Devon Local Housing Need Survey 2011). Additional dwellings would need to be allocated to take into consideration any previous under delivery; the requirement to boost significantly the supply of housing (paragraph 47, NPPF); any market housing need arising; meeting cross-boundary needs; and, to reflect the pattern of in-migration in Mid-Devon. Therefore, as a starting point it is our view that the minimum number of dwellings to be allocated should be circa.11,100 plus an additional 10% allowance for flexibility.

In order that the Council meet a housing target (which has yet to be determined as part of the evidence base), the Options Consultation Plan should not leave the delivery of large strategic sites to after 2026 or once the first 5,460 units are delivered. Having assessed the Options put forward, there are issues of delivery in relation to a large number of sites. Adopting a strategy of releasing a site late in the plan period could result in a large undersupply of housing in the early years of the Plan. This is likely to be the case given the lack of funding for transport improvements required to deliver the majority of the sites in Cullompton, and the lower number of deliverable and available sites in both Crediton and Tiverton.

It should be the Council's objective to allow flexibility when the sites come forward and not to place unnecessary time restrictions on those sites that could make significant contributions to both market and affordable housing need. Large sites will come forward in phases and this should be allowed for over a longer time frame than the final seven years of the Options Consultation Plan. In postponing the delivery of the strategic sites, the Council is anticipating a rate of delivery which exceeds the total rate of delivery in the rest of the District. It would be better to manage the delivery of development envisaged at draft Policy CU11 through a phased masterplan approach over the life time of the Options Consultation Plan, linking delivery to key events such as employment delivery and construction of infrastructure, which would be in accordance with the other Policies in this Options Consultation Plan.

In reality, a site of circa. 3,000 dwellings will deliver approximately 100 units dpa (at a maximum). With a substantial lead in time required for the delivery of those units through the creation of suitable infrastructure, if the aim is for the strategic allocation to make a valuable contribution to meeting the housing needs of the District then it should be brought forward much earlier in the process.

c) *Employment Land Provision*

The Council's Employment Land Review (January 2013) only considers the employment needs of the District to 2026 (paragraph 1.3 of the Review). It therefore does not provide sufficient evidence to support the allocation of land in the Options Consultation Plan to 2033, although the 'Conclusions' make some recommendations to 2031. The overall conclusions are to plan for 30 to 40 hectares of employment land to 2031 but with existing allocations and permissions a rationalisation of space might be appropriate. Paragraph 2.32 of the Options Plan sets out that this would deliver employment space for around 4,000 jobs.

The Options Consultation Plan looks to move away from the Core Strategy policy of 1 job for every 1 house but the emerging Plan must recognise that sustainability is at the heart of the NPPF and a balance must be struck between the two. Sufficient employment space for the existing population and new communities should be allocated to prevent out commuting and provide more local jobs, to reduce the need to travel. Allowance should be made for vacant

space to be constructed to allow flexibility in the employment floorspace stock. Any allocations should come forward in line with or in advance of housing development.

Paragraph 3.72 of the Option Consultation sets out that the Employment Land Review (2013) suggests that the Council focus employment land provision around existing development at Kings Mill Industrial Estate. We support this approach in respect of allocation at Week Farm, and its relationship to draft Policy CU11.

c) Overall Spatial Distribution

We support Policy S2, Sustainable Development Priorities, and the Council's support of the development of the construction of sustainable communities. The Plan's focus on the expansion of the existing urban areas with the creation of a new community in a sustainable location adjacent to those towns would be in accordance with the requirements of the NPPF. Sustainable communities must provide a balance of facilities to meet the wider needs of the population beyond housing.

The site at draft Policy CU11, East Cullompton, is best placed to do this by virtue of its direct relationship to the existing town, and the benefits this close association would bring to both existing residents and the new community.

The Council recognises that the development of Tiverton is constrained and that there is a need to look to other settlements to increase the supply of housing across the District. The identification of sites in the Option Consultation for Tiverton totals 3,361 against sites for dwellings of 5,098 at Cullompton. A large number of sites can be found in the rural areas however, individually, these will not meet the housing requirements while the cumulative impact of allocating a large number of dwellings away from the main urban centres would be highly unsustainable.

While Tiverton has historically been the primary settlement in the District, this focus cannot prevent or constrain the supply of housing in the District if there are simply no suitable, available or deliverable sites in Tiverton. It would be appropriate to move development to the next largest settlement (Cullompton) to allow for expansion and growth where there are suitable, available and deliverable sites. While there may be an impact upon Tiverton as a result of this, the Council has not put forward any evidence on either what that impact may be of continuing to pursue a policy of a large amount of development at Tiverton to the detriment of any other settlement, or the overarching requirement for both employment and housing generally.

We believe that the allocation of a new community would best meet the District housing requirement. The most sustainable location to do this would be adjacent to an existing settlement. East Cullompton (draft Policy CU11) is well placed in relation to both the town but also the allocated employment sites in the Core Strategy. The Council has previously determined that employment allocations are suitable on the east side of the M5 (see below). The addition of housing to support these allocations would be appropriate.

We note that the option of developing east of the M5 has been put forward by the Town Council. The fact that the development in this location is community led gives it even greater credibility. Referring back to the Explanatory Text to Policy S3, which provides further explanation as to merits of this option, it sets out how Cullompton, as a town, performs in respect of its credentials as the District's second largest settlement. It states in para. 2.13 that the town has seen significant housing growth in recent years and it has a good supply of readily available employment land with access onto the M5 at Junction 28.

It seems appropriate therefore that if significant growth is planned outside Tiverton, that it should be at a town that already is well established and which has a range of services and facilities that already supports the local community. Providing any extension of the town is

undertaken in a properly planned way, then growth in this location i.e. around Cullompton, must be the preferred option particularly when considering the alternatives e.g. significant development around an isolated rural location at J27/Willand.

In examining the options for growth around the town, it is accepted that there are a number of constraints that will impact upon where and how development will come forward. We take the view that growth on the eastern side of the M5 is a credible option on the basis that there are already a number of established employment centres e.g. Kings Mill Industrial Estate/Mole Valley Farmers and existing residential development e.g. housing positioned alongside the A373, Honiton Road. Therefore there is already an expectation that in terms of meeting the future needs of the town this is likely to be the most acceptable scenario.

In the context of providing an urban extension to meet the needs of the town and the District as a whole, the merits of such an approach are set out in Paragraph 52 of the NPPF. The role of the local community is an important consideration if this option is to be chosen and it is interesting to note that this option has even greater credibility given that it is supported, potentially, by the Town Council.

It is recognised that the development of the site at draft Policy CU11 needs careful planning. It is also recognised that consideration needs to be given to a range of technical matters that will inform the development of the site. As stated at the beginning of this representation, we intend to shortly embark on a programme of technical work that will identify a series of issues and considerations that will need to be addressed as the plan for the site evolves. Part of this process will involve engagement with the local community. Further, in addition to this representation we will be writing to the Council setting out how we intend that this programme of work should be undertaken plus timescales for it to be carried out.

In addition we wish to comment on the following policies of the Plan:

- Para. 1.31 – We support reference to the NPPF and the presumption in favour of sustainable development. That said, it may be appropriate to highlight other key aspects of the Framework at the relevant Chapters in the Plan. For example, in the context of employment/economic development the NPPF makes it clear that there is a presumption in favour of sustainable economic growth and development. In para. 17 it states that plan making should, amongst other things, proactively deliver sustainable economic development responding to wider opportunities for growth. Plans should be succinct setting out a positive vision for the area. Paras. 18 to 22 make it clear that the Government is committed to securing economic growth and that local planning authorities should have a clear and economic vision and strategy for their area and support existing business sectors. Reference should also be made to the recently published NPPG.
- Policy S1 – Support in general terms;
- Policy S2 – Support in general terms;
- Policy S4 – We support the requirement for affordable housing. However there should be an additional part to the Policy to allow for flexibility in the application of the standard having regard to the wider economic circumstances as well as individual site viability and site constraints. The Council need to consider that the overall housing requirement of 8,400 dwellings only exceeds the level of affordable housing need by 1,700 units over the lifetime of the Plan. Without a step change in the delivery of homes, and an increase in the overall housing target, it is unlikely to deliver housing to meet the needs of the District.
- Policy S6 – The Policy should be amended to recognise circumstances where the "standard" rate of provision as identified in the Policy is not appropriate;

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- Policy S9 – The first sentence should be amended to make reference to the fact that the principal factor in guiding the location of development is the need to create sustainable patterns of development as set out in the NPPF. The policy suggests in the first sentence that development will be guided towards locations where there is a need for community facilities and where there are existing shortages. Surely it is the case that development should be located i) where the evidence base supports local needs being met and ii) where local infrastructure can withstand additional development albeit with improvements proposed where appropriate;
- Policy S15 – The policy test that development should “enhance” the countryside is too high. It should be the case the development should at the very least “preserve and where possible enhance” the countryside;

In assessing the Policies contained in the Plan we have also undertaken a review of the Sustainability Appraisal that accompanies it.

We have no comments to make at this stage regarding methodology assuming it is consistent with the legislative/procedural requirements regarding its production and the NPPF and the recently published NPPG.

In terms of the appraisal of policies and site options we note the conclusions identified in respect of Policy S3, Option 2 (Pages 8 to 10). At this stage in the process, we consider that it is extremely difficult to draw any realistic conclusions regarding the sustainability of this policy because it includes significant and substantial variations in terms of potential outcomes. The impact of development at the two alternative locations identified will differ significantly and whilst there has been analysis undertaken in respect of those options elsewhere in the Appendix, the conclusions identified ought to be reflected in the appraisal of Option 2 in addition to the overview given as to what this option means in overall sustainability terms and the impact it has on the Plan.

Further, in respect of Policy S12 (Pages 24 to 31) there is an analysis of each of the options in respect of growth specific to Cullompton reflecting the different options for growth. However, having regard to our representations on the Plan there should be an evaluation undertaken of the scenario whereby there is a mixture of options i.e. town focus and where a new community is needed to the east of the M5.

Finally, in respect of Policy CU11 (Pages 89 to 92), we understand that there is a need to provide a more robust assessment of this policy given that some of the technical evidence to support the development of this option has yet to be undertaken.

We would be grateful if you could acknowledge the receipt of these representations. Should you have any queries regarding their content please contact Ed Heynes of this firm.

Yours faithfully

Heynes Planning Ltd