

Local Plan Review Consultation
Mid Devon District Council
Phoenix House
TIVERTON

EX16 4PP

21st March 2014
Dear Sirs

Land at Junction 27 – policy J27

We act for David and Janet Disney who own parcels of land in the vicinity of junction 27 and we make representations on their behalf.

Support

D&J Disney support the concept of development at Junction 27. They would support a policy that delivers employment land in the absence of a new community or whereby the employment land is available at a much early timescale as suggested in **paragraph 3.116**.

Landowner's arrangements

D&J Disney's land form part of a wider consortium of landowners who are within the consultation area and have agreed to be included in a separate submission made by Turley who are primarily advising RABI, the major landowner in the area. So this submission is in addition to the Turley information.

Discussions are taking place to have a formal landowner's consortium currently consisting of about 80% of the combined residential and commercial consultation areas. This consortium would then formally appoint a competent promoter to advance discussions in this consultation to the next stage. The preferred promoter, already chosen by the landowners, will be making a parallel representation. It is fully recognised by the landowners that a combined approach by the majority would assist the process of providing the vital evidence and the funding required to support a comprehensive solution for junction 27. So it has become a priority to have a promoter who will be able and resourced legally in place as soon as possible.

It is further recognised that initial planning and data gathering work has already been carried out by another organisation with regard to the employment elements at J27 and the landowners are attempting to embrace such concepts as the process moves forward.

Employment Land: amount and distribution

The Options Consultation document has set about to reduce the amount of employment overall employment land in the district from the current 204,000sqm to 154,000sqm. This would be a policy change that makes the target more possible though in our opinion still very ambitious and the evidence base to arrive at any figure is not clear from the document.

The main thrust of policy S3 is then to distribute the allocations not only in the towns but also in the rural areas which could include J27.

If **policy S3 – option 1** is adopted, 53,000sqm of space is available for allocation in the rural areas (table S3 option1). Under this policy some of this allocation could be at J27 though that is not stated and is emphasised in table 22 where column 'policy s3 option 1 town focus' put a '0' in the commercial column. We would argue that table 22 could be changed to a positive figure for junction 27 even if the Option 1 is adopted in principle. Perhaps 25,000sqm (though any figure needs empirically testing) would be an appropriate figure and the amounts reduced in each of the towns proportionally.

Under **S3 option 2** the amount of commercial development for junction 27 alone is stated as 54,000sqm leaving a further 34,000sqm for the 'rural' areas. This gives a significant shift of the balance of development from towns to rural in the proportion 65,000sqm to towns and 88,000sqm to rural or 57% and 43% of the total allocation respectively. Again we are suggesting that these targets are high when compared with the take up rates over the last 25 years. The draft consultation does recognise that more land might be allocated than predicted to take up so this could be a reason.

The following table HK-ED confirms only 2.5% delivery of the allocated sites in the last 10 years and none in the last five years, and this included a period of good national growth and credit in the property business leading to high demand across the south-west.

Table HK-ED		
MDDC - Employment Land Delivery 2009 to 2014		
Analysis		
Allocation	Proposed	Delivered
AL/CL/1	40000	0
AL/CL/13	15000	0
AL/CRE/7	4150	0
AL/CRE/12	0	21000 0 contingency site
AL/BA/2	4000	0
AL/BO/2	1700	0
AL/BO/3	2100	0
AL/KE/1	500	0
AL/TV/1	130,000	0
AL/TV/9	7000	0
TOTAL	204450	0
EMPLOYMENT LAND DELIVERY 2002 to 2008		
Cullompton	39000	2000
Rural (Willand)	46900	3500
Tiverton	33000	0
Creddon	14000	0
	132900	5500

Source : MDDC local plan and HK research 2014

Paragraph 160 of the NPPF states that LPA's "should have a clear understanding of business needs within the economic markets operating across their area" and this should translate into an assessment of the floor space required. Such evidence will lead to an understanding of the required balance between town centre, edge of town and rural and to include a location such as Junction 27. The likelihood is that such research will lead to the conclusion that j27 has a place for commercial activity and therefore will meet the Vision and Spatial strategy set out.

The distribution of the rural employment sites is covered in **paragraph 3.111 page 98** and relies on Development management policies (para 3.110) to deliver sites on a more random basis and as the market demand dictates (para 2.74 Policy S15) . This is laudable as this is the way a rural economy is likely to demand sites, however the **Table 26** attempts to identify sites and states 201,000sqm at j27. It follows that some of this allocation can fall at j27 no matter which policy option (1 or 2) is adopted and so we support this initiative.

There is inconsistency between Table 26 and S3 option 2 as figures are respectively 201,000sqm and 34,000sqm for the apparently the same 'land at j27'. The 201,000sqm distorts other tables used in the document. Table 26 contradicts the basic tenet of the Vision and Spatial Strategy by prescribing locations.

We would go further and suggest that the following locations are unlikely to deliver the quantum suggested within the plan period

Bouchler Close Bampton – not in plan period

Bow – both sites outside plan period

Kentsbeare – uncertain

Morrels farm -- less than 10,000sqm

We suggest the policy on rural employment which is mentioned under Policy S8, Policy S15, Rural Areas page 97 and 98, and J27 has some better clarity by being encompassed more systematically in the document (accepting j27 may have its own policy eventually). This will bring clarity to the delivery of the intentions which as we say are broadly workable.

Masterplanning

The policy J27 h) is too prescriptive in two ways.

1) the word "public" implies that there would be widespread consultation on the way in which the masterplan might be derived. Experience (and recent history within the district) reveals that this makes the process unwieldy and lengthy and so is over prescriptive. Whilst a masterplan has to

undergo public scrutiny the policy must be framed so as to allow the most viable and appropriate design outcome to see delivery.

2) The master plan has to be sufficiently “loose” at the outset as the development will take place over many years. On the other hand the scheme must be sufficiently adept at predicting those future changes and so a masterplan has to secure at the outset the long term prospects on matters such as access, services and strategic landscaping. So it more important to understand phasing and delivery of parts of the site and this might have some direct relationship to the residential elements of the new community: as they are likely to derive the highest values and move at a different pace.

In paragraph 3.118 speaks of CIL and the J27 site would be a prime candidate for recelpts in order to deliver a viable scheme. It could make sense to absent a CIL charge from this scheme in the early years in order to pump prime the development.

Viability

Primarily, D&J Disney wish to see employment related development at J27 and to support the notion that commercial development may come well ahead of the new community, there needs to be an allocation that is flexible enough to promote such development.

The policy proposal Policy J27 is over prescriptive and does not give the flexibility required to generate a viable scheme.

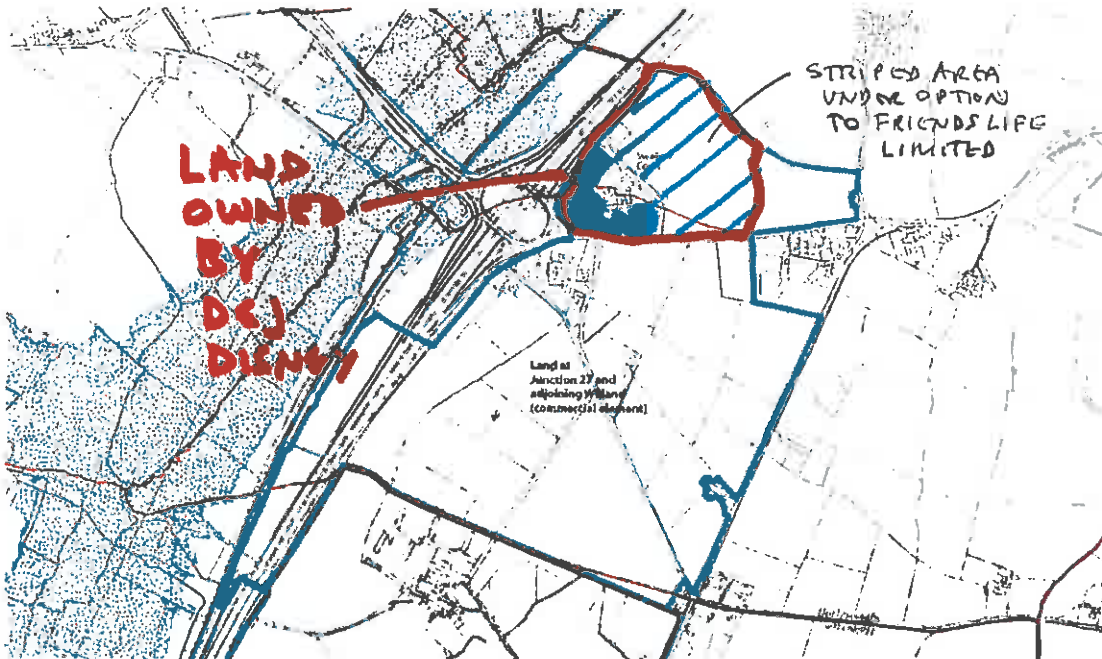
It is interesting to see that the thrust of Policy S7 Employment and S15 Countryside the sites within the countryside can come forward according to market demand yet Policy J27 attempts to predict uses which may or may not come to a particular location. This is inconsistent as no other policy attempts this level of detail and for this reason items b) 1 to 10 should be removed.

The viability of a scheme is paramount to the delivery of any such employment development. One of the main reasons as to why other sites across the district have failed to come forward is due to a lack of viability and Table HK-ED is evidence to this. Mainly the non-delivery has been because the value of the completed development is lower than the cost of development (even when the land element is put in at very low cost). Junction 27 is one of a very few locations within the District where this equation can be reversed and so it follows that development should come through in a way it has not been seen in the district for over 20 years. However, a doctrinalre attitude in terms expressed by the suggested policy is likely to produce a stagnant allocation cramped by unviable uses.

Good quality can be introduced regardless of actual use and it is more important to see the seeds of development commence in a viable and early way, perhaps reserving long term sites for aspirational uses, rather than fetter a policy at the outset.

Availability

We confirm the land as marked is available



Summary

Junction 27 provides an ideal opportunity in local and regional terms to give Mid Devon an employment hub that will come forward in the plan period. This need not be done at the expense of the towns which will have their own local markets provided on suitable sites subsidised by comprehensive planning. In that J27 is at a location desired by footloose and local 'rural' business it is likely to come forward, if allocated, at a very early stage in the plan. In turn this will reduce pressure on the more rural areas of the district as emerging and maturing business gravitates to a natural business centre in a location that speaks for itself.

A route to viability is essential and so (as is always the case without the certainty of future markets) the more open and flexible the policy is framed the more likely the policy will be fulfilled.

We would welcome further discussions during the preparation of the further plan if this submission has comment useful to the process.

Yours faithfully


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