



Bell Cornwell

CHARTERED TOWN PLANNERS

Bell Cornwell LLP
Oakview House, Station Road,
Hook, Hampshire RG27 9TP

Also at
Sowton Business Centre, Capital Court,
Biltem Road, Exeter, Devon EX2 7FW
T 01392 222111 F 01392 222107

St Mary's Court, The Broadway,
Amersham, Buckinghamshire HP7 0UT
T 0494 450000 F 0494 450001

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



Please reply to: Exeter

Our ref: 7006

20th March 2014

Dear Sir/Madam

Consultation on Mid Devon Local Plan Review Options Consultation Representations on Behalf of MJ Gleeson

Bell Cornwell LLP are planning consultants who act on behalf of MJ Gleeson, who are developers with interests in Mid Devon district concerning the land at Pedlerspool in Crediton. Our client has asked us to review the draft local plan and to submit some observations on the issues raised. We therefore have pleasure in enclosing a set of representations to this effect, sub-divided into the relevant sections.

We trust that you will find these observations of use and 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.

DD: ((
Email: _____

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

Policy S2 – Sustainable Development Priorities

Draft Policy S2 seeks to establish the overall strategy for future development in the District. As part of the strategy, it is proposed that the focus for development will continue to be at the three main towns of Tiverton, Cullompton and Crediton but with the possibility of a new community and with some limited growth in specific villages.

As part of the range of priorities identified, the draft policy identifies the need to strengthen the local economy; improve and diversify the retail offer in the main towns; promote sustainable forms of travel; provide a wide choice of high quality homes and promote healthy communities through the delivery of social, recreational and sporting facilities.

Observations on Draft Policy S2

Our client strongly SUPPORTS the overall approach of continuing to focus growth on the three main towns. This approach provides the most practical and logical way of meeting the District's future needs in a way which is both sustainable – for example in terms of both access to and supporting existing services and facilities - and which will reinforce the vitality of the main towns. In our client's view, every effort should therefore be made to optimise the amount of development which can be provided in these locations.

However, our client OBJECTS to the possibility of a new community, as suggested in draft Policy S2. Although we can understand that the Council would wish to have a 'fall back' option to allow for the under delivery of development in the future, our view is that making provision for a new community will only serve to undermine the key approach of focus on the main towns and will simply generate uncertainty. Experience also strongly suggests that the delivery of new communities is extremely difficult to secure even with substantial public subsidy given such complexities as land assembly, infrastructure requirements and market fluctuations.

Suggested Amendment to Draft Policy S2

Given the observations made above, it is our client's view that draft Policy S2 be amended to remove the reference to a possible new community in order that there is a full focus on delivering the Council's objectives through development in and around existing settlements.

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

Draft Policy S3 – Amount and Distribution of Development

Draft Policy S3 identifies the need for 8,400 dwellings and 154,000sqm of commercial development to be provided across the plan period from 2013 to 2033. However, two different options are put forward for distributing this growth.

Option 1 focuses on growth in the main towns with some limited development in the rural areas. Of the overall total, the bulk of the growth proposed in Option 1 is to be focused in Tiverton and Cullompton with a much lower level of provision (for 800 dwellings and 5,300sqm of commercial space) in the town of Crediton.

Option 2 proposes a lower level of growth in the towns with the balance to be made up through the creation of a new community of approximately 3,000 new homes, proposed in a location close to one of the M5 junctions.

Observations on Draft Policy S3

Overall Amount of Growth

We note that the proposed level of growth of 8,400 homes is not based on any up-to-date empirical evidence and appears to simply be an extrapolation of growth rates established under the existing development plan. We understand that the Council are currently preparing a revised Strategic Housing Market Assessment (SHMA) and that once published this may well identify a need for a higher level of growth than the level currently identified. As a result, this will place yet more emphasis on the need to make the most of currently identified and otherwise suitable sites to ensure the required level of growth is brought forward.

As part of Draft Policy S3, it is proposed that sites providing for a total of 800 dwellings need to be identified but that there are outstanding allocations for a total of 298 homes in the town. We understand that the Pedlarspool site is not included in these calculations for Crediton.

Firstly, given that the district-wide total is likely to increase (see our comments in the previous paragraph), it is likely that this figure will need to be revised upwards.

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

Irrespective of the overall total changing, our analysis of permissions granted suggests that the capacity of identified sites in Crediton is less than the 298 units quoted (and which would leave a balance of sites for 500 dwellings to be found), and is closer to 198 (which would leave a higher balance of sites for 600 dwellings required). In this case, the balance of additional sites required to make up the overall total of 800 units will need to be increased. As a result, it will necessary to find additional land for development in the town. Our client's site at Pedlarspool, which has already been considered as part of the previous local plan review and found acceptable, would make an important contribution to meeting this requirement. This requirement will be increased further in the event that overall requirement increases further once the updated SHMA is published.

Options for the Location of Growth

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. Our client therefore OBJECTS to Policy S3 (Option 3). 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 and in draft Policy S2 of the draft Local Plan. In summary, the overall strategy seeks to provide development which is best able to support the local economy, provide 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 not only be in a fundamentally more sustainable location but 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 developments which are in close proximity to existing towns,

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

whilst the provision of economic facilities as part of any new settlement – required to provide a balanced community – are very likely to simply undermine the economies of the main towns as well as those of nearby rural communities, all of which are already under severe economic pressure. 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 3,000 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, even through the application of the funds derived from the Community Infrastructure Levy, as to do so would inevitably render the development unviable. It is important to note that, as a recent and local example, the Cranbrook new settlement in East Devon took an extremely long time to bring forward – well in excess of the 12 years envisaged in this draft local plan as the time required to start a new settlement around the M5 - and required very substantial amounts of financial public subsidy, from bodies such as the South West 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, responses to such pressures on viability by the relevant developers would include delaying the implementation of the scheme, seeking a reduction in the level of community provision or other less viable uses, or seeking a marked reduction in affordable housing. This latter option 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

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

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 extent of the individual sites. Setting aside the potential for further growth associated with existing allocated and other development sites, 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 in full well before any much more speculative solution such as a new settlement is considered.

4. 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. Sites of this nature are much more likely to be attractive to developers given the shorter timetables required to secure a return and their increased attractiveness to lenders, relative to larger, more complex and therefore uncertain schemes.

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

Suggested Amendment to Draft Policy S3

Given our observations above, our client supports Option 1 (town focus) and that consideration of a new settlement should be dropped.

Mid Devon Local Plan Review Options Consultation
Representations Made on MJ Gleeson by Bell Cornwell LLP
March 2014

Draft Policy S4 – Meeting Housing Needs

Draft Policy S4 criterion a) sets out the overall level of housing growth which should be delivered across the plan period, with a total of 8,400 dwellings needing to be provided at a rate of 420 dwellings per annum. Criterion b) of the policy sets out the overall approach to affordable housing to be delivered subject to viability.

Observations on Draft Policy S4

As mentioned in relation to our comments on draft Policy S3, it appears that proposed total of 8,400 is not based on any up-to-date evidence and that with the publication of next version of the SHMA for the area, expected over the next couple of months, it is likely that total requirement will need to be revised upwards. Our client therefore OBJECTS to this draft policy on the basis that the current total is not robust and if carried forward, will be unsound.

Suggested Amendment to Draft Policy S4

Given the above, we suggest that overall total of 8,400 be revised to reflect up-to-date evidence as and when this becomes available. Our client would obviously need to have the opportunity to comment on any proposal to revise housing numbers in due course.

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

Draft Policy S13 - Crediton

Draft Policy S13 seeks to promote Crediton as a '*small and vibrant market town*'. The draft policy goes on to state that the strategy for the town '*aims to improve access to housing within the town, expand employment opportunities and improve the quality of existing retail provision*'.

Two options for growth are proposed: Option 1 proposes a total of 800 dwellings and 5,300sqm of commercial space. Option 2 proposes a lower growth level, with only 480 dwellings and 4,160sqm of commercial space.

We note that the supporting text to this draft policy, notably paragraphs 2.57 to 2.59 make reference to Crediton's important role within the surrounding area. However, due to various constraints, the text then notes that there was '*an under-provision of development allocations*' in the town in the existing development plan but this was justified in the Council's view as lower growth in the town was offset by over provision in other parts of the district. It is also noted that the Pedlarspool site was not brought forward because the Council's considered there was sufficient district-wide completion which meant that it was not considered necessary.

Observations on Draft Policy S13

Our client SUPPORTS the general objectives for the town which seek to ensure its continuing role as an important centre within the local hinterland and which recognise the need to improve access to housing and expand employment opportunities.

In relation to the growth options proposed, our client SUPPORTS the principle of a higher growth option for the town and therefore Crediton Option 1 is the preferred scenario. However, in our client's view the levels of residential growth required under Option 1 are likely to be higher than the 800 dwellings currently proposed for the following reasons:

- There is a strong likelihood that the overall district total will be increased (see our comments in respect of draft Policy S3). This suggests that there will be a need to make a proportion increase to the level of growth proposed for Crediton;

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

- It has already been accepted by the Council that Crediton has suffered from an under provision of development in the current development plan. Whilst this might have been justified at the district-wide level because of over provision in other locations, such under provision does not assist the Council in achieving its stated objectives for the town and which seek to ensure its continuing role as an important and vibrant centre with improved access to housing and jobs. Addressing the current and future shortfalls can only be achieved by a robust allocation of land, probably in excess of the current 800 dwelling / 5,300sqm commercial levels. It is accepted that the area around Crediton is subject to a range of physical constraints and it is therefore necessary to explore available to their full potential sites which are able to accommodate development especially where they would provide both housing and commercial space.
- Whilst supporting Growth Option 1, for the reasons set out above, our client therefore **OBJECTS** to the level of growth proposed for Crediton and consider that this should be raised to reflect the expected increase numbers as and when these are published.

Suggested Amendment to Draft Policy S13

Our client suggests that the higher growth option (Option 1) be adopted as the approach towards development in Crediton. However, this support is on the basis that should the level of overall growth need to be increased, for example in relation to evidence provided by an updated SHMA, then the figure currently set for Option 1 will be increased accordingly.

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

Draft Policy CRE6 - Pedlarspool

Draft Policy CRE6 identifies the Pedlarspool site as a possible allocation for mixed used development capable of providing 165 dwellings and 21,000sqm of commercial floor space as well as land for use by the local rugby club and various green infrastructure improvements.

Observations on Draft Policy CRE6

Our client strongly supports the inclusion of the Pedlarspool site as one of the proposed growth sites in Crediton. There are very considerable merits associated with this site:

- The site has the potential to deliver in a single scheme a substantial amount of the future growth required for Crediton. The importance of this factor will be given increased emphasis in the event that headline growth levels for the town increase as a result of revised district-wide targets;
- The merits of the scheme have already been subject to considerable scrutiny as a result of the Examination into the existing Site Allocations DPD. Having tested the site, the Inspector concluded (see pages 30 and 31 of his report) that it was entirely suitable for development, and for 195 houses rather than the 165 currently proposed in draft Policy CRE6. The only reason that the site was presented as a contingency rather than full allocation was on the basis of lack of immediate need. Given that there is now an express need to identify further sites, especially with the prospect of increased overall targets and a recognised under delivery at Crediton, then there must be considerable merit in now identifying the Pedlarspool site for development particularly bearing in mind the previous Inspector's comments and evidence base supporting the sites' inclusion. Whilst we note that some members of the local community have expressed concerns about the potential landscape impact of development in this location, the Inspector concluded that sufficient protection could be secured as part of any scheme to address this potential concern;
- Allocation of the Pedlarspool site should be made in preference to other untested and more distant greenfield sites which are suggested in the draft local plan. For example,

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

the proposed sites at Chapel Down Farm (CRE11) and Westwood Farm (CRE10) are both located on exposed sites on the extreme western edge of Crediton and are therefore remote from the town centre and particularly from the major employment areas. Whilst allocation of these sites may well be necessary in any event, given the need to deliver growth at the town, they are manifestly in relatively unsustainable locations. By contrast, the Pedlarspool site has already been shown to be capable of delivering a large amount of housing, commercial and recreational uses in a location which is within easy access of both the town centre and other employment areas. All these factors provide strong support for the allocation of Pedlarspool for development.

Suggested Amendment to Draft Policy CRE6

Draft Policy CRE6 should be amended to confirm that the land at Pedlarspool will be allocated for development. The level of housing proposed should be increased to that considered previously i.e. to a minimum of 195 dwellings albeit that opportunities may exist for this level to be increased further.

We note that whilst the proposed number of dwellings for this site has been reduced from 195 to 165, the proposed amount of commercial space remains unaltered at 21,000sqm. Whilst the provision of employment in some form is likely to be important, subject to need and viability being demonstrated, it would seem reasonable (and notwithstanding our comments about the likely need to deliver a higher number of houses at Pedlarspool) to reduce the amount of commercial space to reflect the reduction in housing numbers proposed.

With regard to various criteria proposed as part of draft Policy CRE6, we have the following observations:

- Criterion c) makes provision for the relocation of Crediton Rugby Club to the Pedlarspool site. It will be recalled that such provision was allowed for in the scheme which was previously submitted to and found acceptable by the previous Local Plan Inspector. We can confirm that our client and their advisors remain in discussion with the Rugby Club who remain committed to exploring the potential for relocating to the site. At the same time, our client remains committed to facilitating the relocation of the Club to Pedlarspool should this ultimately be their preferred

Mid Devon Local Plan Review Options Consultation

Representations Made on MJ Gleeson by Bell Cornwell LLP

March 2014

solution. It will be appreciated that as well as being available as a relocation site, Pedlarspool is the only suitable location for the Club to relocate to.

- Criterion g) seeks to tie housing to employment delivery. Our clients are strongly of a view that this is an unworkable arrangement as it seeks to tether the delivery of housing which is needed in the town irrespective of wider objectives. Such arrangements have attempted in other local authorities nearby, such as East Devon, and have been shown simply to restrain delivery of housing. Our client's view therefore is that Criterion g) be deleted;

- Criterion h) refers to the delivery of a new link road between the A377 and Lords Meadow. The works to deliver this road are now well advanced with the road expected to be open in the Autumn or Winter this year (2014). The road will therefore be in place well ahead of any adoption of the local plan. As such Criterion h) is now essentially irrelevant and we would therefore suggest that it be deleted.