

Planning Consultation (DPD)

From: Catherine Baddeley
Sent: 11 April 2018 16:30
To: Planning Consultation (DPD)
Cc: James McMurdo
Subject: Representations to Local Plan Review on behalf of SG Brimacombe Ltd
Attachments: Representations to MD Local Plan APRIL 2018.pdf

Follow Up Flag: Follow up
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To Whom it May Concern,

Please find attached representations made to the Local Plan Review, deadline 11th April.

I would be grateful for confirmation of safe receipt please.

Kind regards,

Catherine

Catherine Baddeley MRTPI
On behalf of McMurdo Land Planning and Development Ltd

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Representations to Mid Devon Plan 2033

April 2018

McMurdo Land Planning and Development Ltd

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APPENDIX 1 SITE MAP

1. Introduction

1.1 The Mid Devon Local Plan Review is now out to public consultation.

1.2 On behalf of our client, SG Brimacombe and Sons, McMurdo submits comments and observations to the Council on the following consultation documents:

- The Mid Devon Local Plan Review 2033

1.3 We make particular reference to:

- COR17 Villages: Replaced by Local Plan Review S13: Villages
- COR18 Countryside: Replaced by: Local Plan Review S14: Countryside
- The suitability of particular tranches of land in Yeoford for development.

1.4 Our representations pick up on key themes of:

- The importance of allowing farm diversification;
- The importance of supporting the rural economy through development;
- Importance of supporting edge of settlement development to support rural sustainability and diversification;
- Development strategies which support development around sustainable transport nodes such a railway station should be supported (as seen with the success to the east of Exeter where stations at Honiton, Whimple, Feniton, Cranbrook led to quality sustainable development and quality of life for residents and whilst underpinning rural businesses and services).

2. Background

Mid Devon Local Plan Review Submission and adjournment of examination hearings.

- 2.1 The Mid Devon Local Plan Review Submission Version (incorporating proposed modifications), hereafter referred to as the “Local Plan Review”, was submitted on 31st March 2017 to the Planning Inspectorate for its examination. The submitted Local Plan Review included a land allocation at Junction 27 and associated housing sites, these having previously also been considered at meetings of Cabinet and Council on 15th September 2016 and 22nd September 2016 respectively.
- 2.2 The Planning Inspectorate confirmed that the first Local Plan Review examination hearings would be held on 26th and 27th September 2017, specifically to assess the inclusion of the proposal of Junction 27 on the M5 motorway together with associated housing allocations, in advance of assessment of the remainder of the Local Plan Review.
- 2.3 The Council commissioned legal advice from a Barrister to act on its behalf in respect of the Local Plan Review examination of Junction 27 and subsequent housing allocations. His advice to the Council, having reviewed the Council’s submissions and those made by objectors was to commission an independent report to review the main modifications stage to the sustainability appraisal (SA Update 2017) and to publish this before the examination hearings. This also provided an opportunity to consider submissions made by objectors as to the SA process undertaken by the Council.
- 2.4 The Council’s own legal representative agreed with the Barrister’s advice and on 13th September 2017 the Chief Executive determined to request to the Planning Inspectorate that the examination hearings scheduled for the 26th and the 27th September be deferred.
- 2.5 On 14th September 2017 the Council received notification from the appointed Planning Inspector that he agreed to the requested deferment of the examination hearings.

3. Sustainability Appraisal and Independent Review

- 3.1 The Local Plan Review’s SA comprises a Scoping Report (2013), Interim Report (2014) and SA Proposed Submission Report (2015). In support of the proposed modifications stage of the Local Plan Review,

an SA Update (2017) was prepared. An explanation of the updating of the SA and the resulting conclusions was included in the officer report to 21st November Cabinet meeting and the following 1st December (2016) Council meeting which approved the Local Plan review as a whole, including Junction 27 and associated housing allocations. The SA Update was subsequently published in January 2017. The Council commissioned Land Use Consultants (LUC) to undertake an expert independent review of the SA Update 2017 in relation to the proposed modifications made to the Local Plan Review Submission Version – specifically:

- Legal compliance.
- The approach of the SA Update 2017 over reasonable alternatives to site allocations made at the modifications stages including Policy J27, together with concomitant housing allocations at Higher Town (SP2) and Blundells School (TIV16) and other modifications to the plan.

3.4 The independent review undertaken by LUC has culminated in the consultant’s report to the Council (Appendix 1): “Review of Sustainability Appraisal Update in relation to the main modifications made to the Mid Devon Local Plan Review Submission Version: Review of Legal Compliance (Land Use Consultants, January 2018)” – hereafter referred to as the “LUC SA Update Review (2018)”.

3.5 LUC’s independent review and the Council’s SA Update 2018 have not re- assessed sites or sought to identify additional options. Whilst all of the potentially reasonable alternative sites have been the subject of SA, there is an element of planning judgement in the decision to propose Higher Town (SP2) and Blundells School (TIV16) rather than other options. The Council’s reasons for its decision are set out in the SA Update 2018 and the planning merits of some or all of the possible reasonable alternative sites will be subject to the examination of the Local Plan Review. LUC has commented that the sieving criterion used by the Council for the options on how the additional housing need from J27 could be met is considered by them to be reasonable.

3.6 During the process of this commission LUC has advised it has not been necessary to undertake additional SA work in relation to sites or other options, but that it would be helpful if the Council could sign-post where the requirements for an SA are met in each of the previously published SA reports and where reasonable alternatives were considered. This was due to information being spread between different existing documentation.

- 3.7 The Council has followed recommendations made by LUC and has prepared the “Sustainability Appraisal Update (incorporating LUC recommendations) (January 2018) – hereafter referred to as the “SA Update (2018)” (Appendix 2). This signposts, clarifies and collates previous SA work done by the Council in order to be more easily accessible for the Inspector and examination participants, allowing greater clarity over what SA work has been done and the conclusions reached. An Executive Summary of SA Review process (2018) has also been prepared which sets out the changes made to the SA Update (2017) and the reasons for them (Appendix 3). A schedule of amendments made to the SA Update (2017) and included in the SA Update (2018) has been prepared (Appendix 4). In concluding their review, LUC has stated that ‘In LUC’s professional judgement, the work carried out and presented in the SA Update document (2018) is proportionate and appropriate to meet the requirements of the SEA Regulations.’
- 3.8 In light of the findings of the independent review undertaken by LUC, **there is nothing which would appear to steer the Council to a different conclusion to that reached in its previous decisions on the proposed modifications made to the Mid Devon Local Plan Review Submission Version (the plan as submitted) and hence also nothing arising from this review that would steer the Council to a different position at the examination of this plan.**

4. The Mid Devon Local Plan 2033

4.1 Para 2.2 states that 7,860 dwellings are required over the plan period, equating to 393 dwellings per year. The following table sets out the situation at 31st March 2016, indicating a remaining need for about 4,924 dwellings to be allocated.

4.2 Local Plan Review 2013 - 2033 Proposed Submission (incorporating proposed modifications)

Local Plan requirement	7,860
Completions since 2013	924
Commitments (dwellings under construction or with planning permission)	2,012
Uncommitted requirement	4,924

4.3 Para 2.3 states that across the district, this breaks down as follows:

Table 4: Housing requirement

Location	Requirement	Completions (from 1 April 2013 – 31 March 2016/2014)	Commitments (at 1 April 2016/2014)	Remainder
Tiverton	2,358 (30%)	261	745	1,352
Cullompton	3,930 (50%)	209	487	3,234
Crediton	786 (10%)	107	245	434
Rural	786 (10%)	347	535	-96
Total	7,860 (100%)	924	2,012	4,924

4.4 Para 2.4 states that the Local Plan allocates 10% more housing than is required, to provide exibility and account for unforeseen circumstances that might prevent some sites from coming forward as expected such as not all commitments translating into completions. The availability of land for housing, taking account of existing commitments and allocations is set out in the following trajectory. The development of existing commitments is forecast to take three years, spread evenly across that period. The development of allocated sites in Tiverton and Crediton will diminish in the latter part of the plan period, while Cullompton's role in meeting the district's long-term housing need is reflected in the town's forecast housing delivery up to 2033. Allocations in Crediton and rural areas will help to bolster housing supply in the first five years of the plan, allowing a sufficient lead-in period for the larger town sites, which have more complex infrastructure and Masterplanning requirements. These trajectories assume that housing will come forward at the earliest opportunity but it is largely the housing market that determines housing delivery and it is possible that sites will

be delivered at different times and rates from those forecast. Also, windfall developments will continue to come forward throughout the plan period and these are not included in the trajectories.

4.5 Observations

- 4.5.1 Our client supports the inclusion of a development allowance within rural areas over the plan period, and through medium and small scale extensions to villages and towns throughout Mid Devon. However, our client considers that small, rural development could provide a higher percentage of the housing target across the plan period.
- 4.5.2 Our client believes that the provision for growth in villages through allocating small and medium sites is integral to complying with NPPF Para 47 which states that in order to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. This will involve identifying strategic sites but also smaller deliverable sites to enable a spread of supply. Given that Plans should also identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period), smaller development sites could play an even more important role.
- 4.5.2 Moreover, the Plan states that smaller scale allocations in rural areas will help to bolster housing supply in the first five years of the plan, allowing a sufficient lead-in period for the larger town sites, which have more complex infrastructure and Masterplanning requirements. As such, our client reiterates how important the allocation of small, deliverable sites is to enabling the Council to reach their housing target.
- 4.5.3 Our client would encourage the Council to undertake more detailed work on identifying more small to medium specific sites with potential in rural areas to help deliver Local Plan housing requirements, particularly land adjoining the villages identified within the Local Plan as having development potential (with associated services etcetera).

Policy S13 Villages

- 4.6 The following rural settlements are designated as villages suitable for limited development: Bampton, Bow, Bradninch, Chawleigh, Cheriton Bishop, Cheriton Fitzpaine, Copplestone, Culmstock,

Halberton, Hemyock, Holcombe Rogus, Kentisbeare, Lapford, Morchard Bishop, Newton St Cyres, Sampford Peverell, Sandford, Silverton, Thorverton, Uffculme, Willand and **Yeoford**.

4.7 Development will be limited to proposals within their identified settlement limits and to allocations for:

- a) Small scale housing, employment, tourism and leisure;
- b) Services and facilities serving the locality; and
- c) Other limited development which enhances community vitality or meets a local social or economic need.

4.8 There are a number of settlements which do not function as market towns, but which provide a limited level of services which support vibrant rural communities. These are locations which are suitable for a limited level of development meeting local needs appropriate to their individual opportunities. Sites for affordable housing may also come forward in locations that are not designated villages in Policy S13 above, subject to local need as demonstrated through a local housing needs survey or other suitable evidence. Policy DM6 (rural exceptions sites) explains the Council's approach to considering 'exception sites' for affordable housing.

4.8 The 22 settlements set out in the policy are considered to be appropriate for a limited level of development, based on their physical characteristics, and the availability of the following three essential services identified:

- Educational facility
- Convenience store
- Transport service

4.9 Yeoford does not have a shop but is considered appropriate for inclusion in Policy S13 due to its accessibility to other settlements and the availability of public transport including an hourly train service. The settlement limits of the villages identified in Policy S13 are shown on the Policies Map and site allocations are set out in the relevant section of the Local Plan.

4.10 Rural areas are expected to accommodate approximately 10% of the housing requirement for Mid Devon up to 2033. 330 dwellings have been allocated and are considered available, suitable and

achievable, capable of coming forward within the first 10 years of the plan. It is also likely that a small number of windfall developments will be built within settlement limits or through the rural exceptions policy (Policy DM6). Given that more than half of Mid Devon's population currently resides outside the main towns, this is considered a sustainable approach which will maintain the vitality and viability of rural settlements.

- 4.11 Proposals for more than 5 dwellings in villages will be required to provide 30% affordable housing, which will be in the form of off-site contributions for sites of 6-10 dwellings. Exception sites may also come forward outside settlement limits, but these will need to demonstrate a need for affordable housing, and any element of market housing must be limited to the lowest amount possible to facilitate the provision of affordable housing. In appropriate circumstances, self-build housing will be permitted through the exceptions policy (Policy DM6). Other development management policies will also be applied, along with the Council's Supplementary Planning Document on Meeting Housing Needs.

4.12 Observations

- 4.12.1 Our client supports the inclusion of Yeoford as a village suitable for limited development but believes that, given Yeoford's strategic importance with respect of the railway station and the village amenities, it could accommodate further growth, both within and on land adjoining the village. The policy itself states that although Yeoford does not have a shop, it is considered appropriate for inclusion in Policy S13 due to its accessibility to other settlements and the availability of public transport including an hourly train service. It is our client's belief that this rail access should be capitalised on and development focussed around it to reduce vehicular commuting and increase the range of work options for rural workers. Development strategies which support development around sustainable transport nodes such as a railway station should be supported (as seen with the success to the east of Exeter where stations at Honiton, Whimble, Feniton, Cranbrook led to quality sustainable development and quality of life for residents and whilst underpinning rural businesses and services).
- 4.12.2 Our client has put forward land for consideration (see Appendix 1) which, although not within the settlement limits of the village, is directly adjoining the settlement edge and in terms of landscape character and topography it links strongly with the existing settlement. Thus our client would argue that the policy wording as it currently stands is arbitrary and should be amended to reflect that small scale developments within rural areas could and should, be supported not only within the settlement

limits but also adjoining them. This would allow sites that are well linked to the existing settlement and its services to come forward on their individual merit.

4.12.3 Our client would also reiterate that the Plan sets out that rural areas are expected to accommodate approximately 10% of the housing requirement for Mid Devon up to 2033. Only 330 dwellings have been allocated and are considered available, suitable and achievable, capable of coming forward within the first 10 years of the plan which seems low given that more than half of Mid Devon's population currently resides outside the main towns.

4.12.4 Thus our client also questions whether the current Local Plan approach is truly a sustainable approach to maintaining the vitality and viability of rural settlements? It is inherently important to ensure that rural settlements are allowed to grow and develop in order to retain the younger generations and allow new enterprise to flourish. Moreover, windfall developments cannot be relied upon to continue to bolster supply.

4.12.5 Our client believes that the provision for growth in villages through allocating small and medium sites is integral to complying with NPPF Para 47 which states that in order to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. This will involve identifying strategic sites but also smaller deliverable sites to enable a spread of supply. Given that Plans should also identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period), smaller development sites could play an even more important role.

4.12.3 Our client would encourage the Council to undertake more detailed work on identifying more small to medium specific sites with potential – particularly within Yeoford, primarily due to its strategic importance on the railway line but also given the range of local services available within the village itself. Our client specifically draws the Council's attention to the site in Yeoford which is currently the subject of a Planning Application ref: 18/00451/FULL and further land to the south of the road, which also adjoins the village. This can be seen in Appendix 1.

4.12.3 In this context, our client would urge the Council to specifically consider this land because:

- the land lies immediately to adjacent to the settlement edge and is well linked in terms of landscape and character;
- the land benefits from accessible road frontage;
- the land is well located close to the centre of the village and the railway station, thus highly sustainable;
- the land is of an appropriate size and is well screened;
- development would not conflict with any national policy designations.

Policy S14 Countryside

4.13 Development outside the settlements identified by Policies S10-S13 will preserve and where possible enhance the character, appearance and biodiversity of the countryside while promoting sustainable diversification of the rural economy. Detailed development management policies will permit agricultural and other appropriate rural uses, subject to the following criteria:

- a) Affordable and low cost housing to meet local needs, gypsy and traveller accommodation, residential conversion of appropriate existing buildings, replacement dwellings, housing essential to accommodate a rural worker and accommodation ancillary to a dwelling;*
- b) Appropriately scaled retail, employment, farm diversification, tourism and leisure related development (including appropriate conversion of existing buildings);*
- c) Appropriately scaled and designed extensions and other physical alterations to existing buildings;*
- d) Agricultural and equestrian development;*
- e) Community facilities, such as educational facilities, buildings associated with public open space, transportation and infrastructure proposals (including green infrastructure); and*
- f) Renewable energy and telecommunications.*

4.14 National policy supports thriving rural communities and encourages multiple benefits from the use of land in rural areas. Development in the countryside in the context of this policy is identified by

land outside of the settlement limits of the main towns (S10-S12) and villages (S13). A strong rural economy is promoted by national policy through sustainable growth of business and enterprise in rural areas. Development in the countryside will be managed to meet local need, promote vibrant rural communities and help provide appropriate forms of agricultural and rural diversification to support the rural economy and sustain environmental qualities of the countryside. Development management policies allow for small-scale employment development in suitable locations whilst retaining the intrinsic character and beauty of the countryside. These sites can come forward according to market demand.

- 4.15 To promote sustainable development in rural areas, housing has been allocated where it will enhance or maintain the vitality of rural communities. New isolated homes will be avoided in the countryside unless there are special circumstances as set out in national policy and supplemented in relevant Local Plan policies such as Policy DM6 (rural exception sites), DM8 (rural workers dwellings) and DM9 (conversion of rural buildings). In the context of the Mid Devon Local Plan, ‘isolated’ refers to any location outside of identified settlement limits. Such land is identified as the countryside which can include small settlements and hamlets. National policy requires that new sites for travellers should be very strictly limited in open countryside that is away from existing settlements or outside areas allocated in the development plan. In certain circumstances the development of such sites outside of settlement limits will be appropriate, providing it can meet the criteria set out within Policy DM7 (gypsy and traveller accommodation).
- 4.16 National policy advocates the provision of market housing in rural areas where it would facilitate the provision of significant affordable housing required to meet housing need. To facilitate the provision of affordable and low cost (discounted) housing in rural areas across Mid Devon, rural exception sites will be considered in line with Policy DM6 and the Council’s Supplementary Planning Document on Meeting Housing Needs.

4.17 Observations

- 4.17.1 Our client supports the push for affordable and low cost housing to meet local needs through Local Plan policy.
- 4.17.2 Our client also supports the recognition of how important sustainable diversification of the rural economy is to rural economies.

- 4.17.3 Our client supports appropriately scaled farm diversification to reflect National policy which encourages thriving rural communities and recognises the multiple benefits for use of land in rural areas. In this context, our client would encourage the Plan to make further allowances for farm diversification schemes which could also deliver small scale market led housing to meet local needs.
- 4.17.4 The Plan states that a strong rural economy is promoted by national policy through sustainable growth of business and enterprise in rural areas. It is our clients belief that small, residential led, farm diversification schemes can deliver high quality development in the countryside, managed to meet local need and promoting vibrant rural communities. To promote sustainable development in rural areas, housing has to be allocated where it will enhance or maintain the vitality of rural communities. In Yeoford, housing should be located at the land discussed because it is in a sustainable location, it will provide much needed local housing, it will support an existing rural farming business through diversification, further employment, and it will deliver a small but high quality development to enhance the community.
- 4.17.5 Our client believes that the provision for growth around villages through allocating small and medium sites is integral to complying with NPPF Para 47 which states that in order to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area. This will involve identifying strategic sites but also smaller deliverable sites to enable a spread of supply. Given that Plans should also identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period), smaller development sites could play an even more important role.
- 4.17.6 Our client would encourage the Council to undertake more detailed work on identifying more small to medium specific sites with potential, in the countryside on land adjoining rural settlements.
- 4.17.7 Given the context of the growth strategy set out in the Local Plan and the approach to growth required which will require development within the countryside in suitable areas, our client would request that the land put forward at Yeoford is reconsidered for allocation at this stage for the following reasons:
- the site lies immediately to adjacent to the settlement edge and is well linked in terms of landscape and character;

- the land benefits from accessible road frontage;
- the site is well located close to the centre of the village and the railway station and thus highly sustainable;
- the site is of an appropriate size and is well screened;
- development would not conflict with any national policy designations.

4.17.7 Moreover, the development would support farm diversification and support the rural economy through development, job creation etcetera. The development would also help to support further rural businesses and diversification.

4.17.8 In addition, our client believes that development strategies which support development around sustainable transport nodes such a railway station should be supported (as seen with the success to the east of Exeter where stations at Honiton, Whimple, Feniton, Cranbrook led to quality sustainable development and quality of life for residents and whilst underpinning rural businesses and services).

5. Conclusions

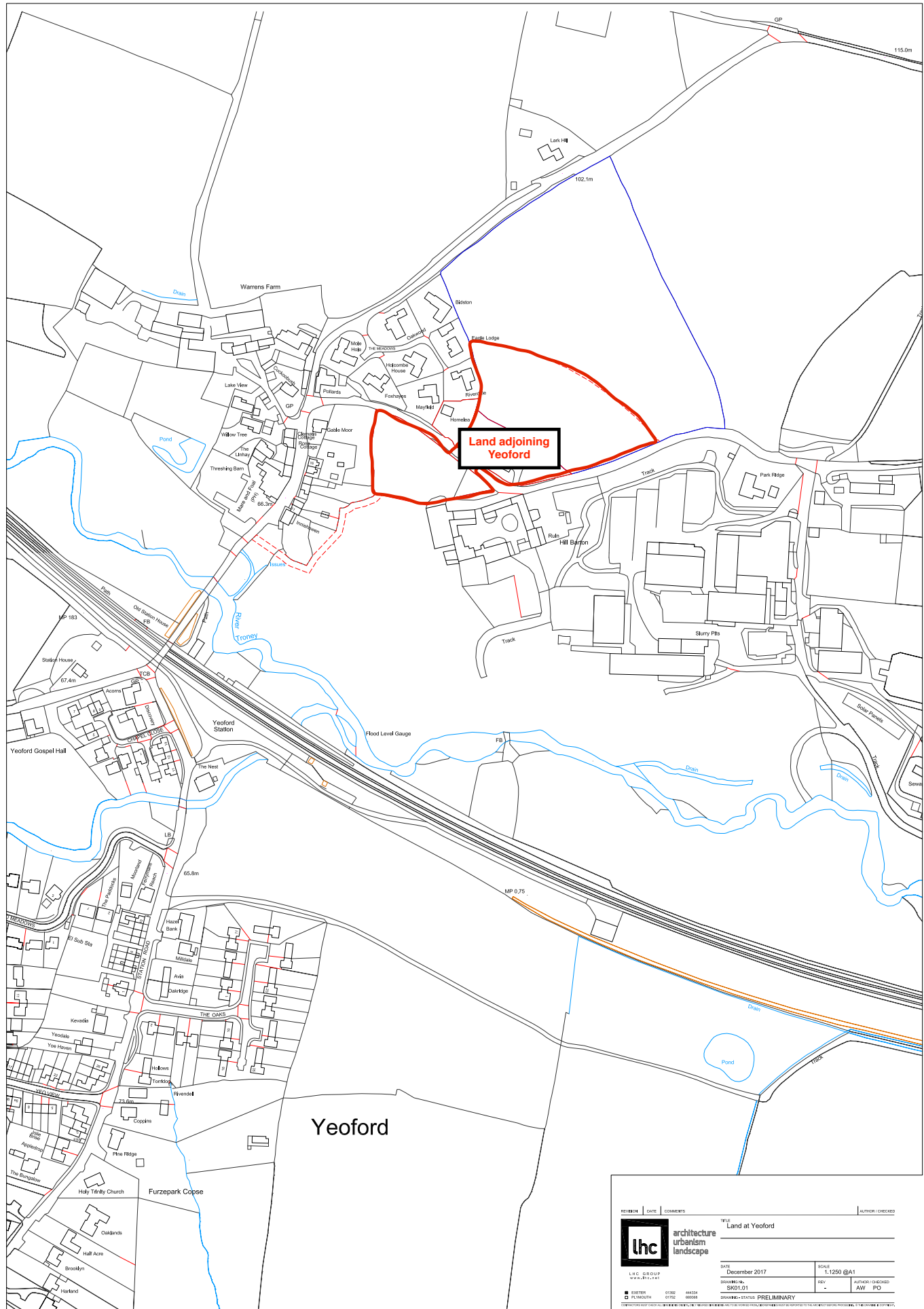
5.1 In summation, our client:

- Agrees with the Council that land must be released for development within smaller settlements and within the countryside; however urges the Council to reconsider the low percentage figure attributed to housing outside the main settlements.
- Agrees with the Council that Yeoford is an appropriate location for the release of land to accommodate development needs especially given that it is a sustainable village with good facilities and extremely good rail connections to the wider district.
- Urges the Council to have the foresight to reconsider the potential for Yeoford to accommodate more development especially given that it has a railway station, placing Yeoford in a very strong strategic development position.

- Specifically asks the council to allocate the available and appropriately located land proposed for development. This development would have the following benefits:
 - support farm diversification;
 - support the rural economy and job creation through development;
 - supporting edge of settlement development to deliver rural sustainability and diversification;
 - support development around the railway station, which, as seen with the success to the east of Exeter (stations at Honiton, Whimble, Feniton, Cranbrook) has led to quality sustainable development and quality of life for residents and whilst underpinning rural businesses and services.

6.2 On behalf of our client, we thank you for the opportunity to comment and trust our comments will be given full consideration in due course.

APPENDIX 1. SITE MAP





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