



MID DEVON LOCAL PLAN REVIEW 2013 – 2033

Proposed Submission (incorporating proposed modifications) Examination

Inspector: Paul Griffiths BSc (Hons) BArch IHBC

Main Hearings - Hearing 4: Tuesday 19th February 2019

Matters and Issues

Development Management Policies

Statement of Mid Devon District Council

ISSUE 12	Does Draft Policy DM14 (Town Centre Development) present a reasonable approach?
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12) Does Draft Policy DM14 (Town Centre Development) present a reasonable approach?

- 12.1 Yes, Draft Policy DM14 (Town Centre Development) presents a reasonable approach. The policy establishes the criteria against which development proposals for main town centre uses (as defined in the National Planning Policy Framework 2012), community and residential development will be supported within defined town centres.
- 12.2 There are three defined towns within Mid Devon; Tiverton, Cullompton and Crediton. Bampton was previously classified as a town but is proposed to be reclassified as a village through the Local Plan Review Process. The justification for this re-classification is set out in the SA **[SD04a]** and is addressed within the Council's Hearing Statement for Hearing 3 Issue 3.
- 12.3 In accordance with paragraph 23 of the NPPF (2012) the Local Plan Review defines a 'town centre boundary' and a 'primary shopping area' for each of the three towns, as well as a 'primary shopping frontage' for Tiverton and Crediton. This is based on the conclusions of the Mid Devon Retail Study **[ECO03]** which considered various options for town centre boundary and primary shopping frontage policy options. Broadly, the study (page 98) concludes that the option which retains defined boundaries is the only sensible one to proceed. This is consistent with the approach taken within the Council's adopted local plan Policy DM16 **[LDO03]**. To do otherwise, for example, abolishing town centre boundaries and

primary shopping areas, would risk rendering the plan unsound as it would reduce restrictions on the free market economy, and would remove the ability of the Council to control retail development across Mid Devon. This could lead to retail land uses leaving town centres and becoming disbursed across towns and villages in the district and as a consequence, town centres could lose their role as the focal point for the local community.

- 12.4 In addition to a town centre boundary and primary shopping area, the towns of Tiverton and Crediton also have a defined primary shopping frontage. Within the 2015 Proposed Submission version of the Local Plan Review, Draft Policy DM14 stipulated that within primary shopping frontages, at ground floor level the proportion of A1 uses would not be permitted to fall below 65% of all units. This was to safeguard and enhance the shopping function of these areas. However, this was amended ahead of the 2017 Proposed Submission (incorporating proposed modifications) consultation to reflect changes to permitted development rights and the changing nature of town centres more generally. It was therefore proposed to ensure that primary shopping frontages at ground floor levels will not fall below 85% of A1-A3 uses. This percentage reflects the average make up within primary shopping frontages in Mid Devon since 2009.
- 12.5 Given the historic focus on the predominance of A1 retail within primary shopping frontages, no primary shopping frontage was defined for Cullompton. This was because there was no clear, concentration of A1 retail within the town centre. An arbitrarily defined primary shopping frontage, compounded with historically high vacancy rates, could have the effect of undermining the purpose of the policy and place unjustifiable restrictions on non-retail development coming forward that could contribute to enhancing the vitality and viability of the town, whilst occupying a vacant unit. Having said that, it is acknowledged that the recent change in policy approach broadens the mix of uses permitted in primary shopping frontages, reflecting the flexibility between uses A1, A2 and A3. Accordingly, the Council has reconsidered whether a frontage would now be appropriate and has concluded that the existing policy remains appropriate, based on the broader mix of uses found within Cullompton town centre relative to the town centres of Tiverton and Crediton. Furthermore, whilst the Local Plan Review is being examined under the 2012 National Planning Policy Framework (2012), the updated version (July 2018) does not include references to primary shopping frontages, reflecting the broader range of uses permitted in such locations. Whilst the Council does not envisage there is a need to amend its frontages for Tiverton and Crediton, it is also considered that there would be little benefit in amending the plan at this stage to incorporate a primary shopping frontage at Cullompton on the basis that from the point of adoption, the policies within the plan will be considered according to their degree of consistency with the 2018 Framework.
- 12.6 The broad approach proposed by policy is consistent with that adopted within the Council's Local Plan Part 3: Development Management Policies **[LDO03]**. The Inspector's attention is respectfully drawn to the Inspector's Report into the examination of this plan, which was also prepared within the context of the 2012 National Planning Policy Framework. Finally, the Council actively monitors town centre uses/vacancy rates on a quarterly basis to ensure

that the policy within the adopted local plan continues to be effective and justified. It is envisaged that this will continue post-adoption of the Local Plan Review 2013 – 2033.