

HEARING 1: VISION, SPATIAL AND DEVELOPMENT STRATEGY AND STRATEGIC POLICIES

1. This statement in respect of Hearing 1 is submitted on behalf of Barratt David Wilson Homes (hereafter BDW). In particular they raise concerns that the Plan does not provide appropriate spatial strategy and nor does it provide a sufficient level of housing to meet housing needs, either within the first five years or over the period of the plan (to 2033).

2. We conclude this statement on the basis that their site at Chapel Downs Farm, Crediton provides a means to seek to address these matters. In this regard it is intended to be supplementary to the representations submitted on the Local Plan to date.

QUESTION 1 AND 3 (SPATIAL STRATEGY)

3. In the first instance, the spatial strategy, is flawed and based on evidence that is now over 5 years old (2013/14) and can only be considered to be out of date. This outdated baseline has led to an approach to growth at Crediton and across the Authority that is flawed and unsustainable.

4. NPPG identifies the baseline of an SA as “*the existing environmental, economic and social characteristics of the area likely to be affected by the Local Plan*” and that “*Baseline information provides the basis against which to assess the likely effects of alternative proposals in the plan*”. Where the baseline information is out of date, the plan cannot be considered to be the most appropriate strategy when assessed against reasonable alternatives as required by the NPPF.

5. The SA was prepared on the basis that development was not appropriate to the west of Crediton at that time (before the Link road was opened) particularly in respect of “*The cumulative negative effect on traffic through the high street in Crediton and secondary effect on air quality from incremental development in the west of the town*”. The SA confirms that “The housing target for Crediton only amounts to 10% of the district total due to the traffic and topographical constraints that exist.”

6. However recent planning decisions by the Council confirm that this baseline is in fact not a constraint to growth. Indeed application ref. 17/01090/MOUT was granted permission (March 2018) absent any objections from statutory consultees in respect of transport or air quality. It has been confirmed by both the EHO and Devon County Council that there exists further capacity in terms of both air quality and highways (at least a further 120 dwellings at our clients site app. Ref 17/0151/MOUT) on the western side of Crediton. Furthermore, an LVIA undertaken on our clients site, confirms that the landscape and visual impact will also be limited (this was verified by PBA who prepared landscape work in respect of the additional proposed allocations).

7. Previous representations have highlighted the issues within the SA and the Council's consideration of our clients site. However, importantly and notwithstanding concerns that have previously been raised in respect of the inconsistent way scoring is applied across sites, when the new and updated evidence is taken into account in respect of our clients site (Chapel Downs Farm), its score from the original Feb 2015 SA (of +2) would be increased to at least +5 (to reflect *inter alia* the lack of air quality and transportation constraints, the betterment that would be provided in terms of flood risk and the contribution it would make towards local infrastructure / community facilities (through direct delivery) as well as the fact that 35% AH is proposed not 28%). We note that if the score was correctly amended to reflect actual proposals then it would actually be the joint highest score in the SA for allocations in Crediton.

8. Due to the out of date baseline assumptions, the overall distribution of development is flawed, unsustainable and artificially constrained. Furthermore it fundamentally conflicts with the overarching objectives and strategy of the plan. Indeed, it is not appropriate that Crediton has 34%

of the District's population within its catchment area yet it has just 10% of proposed residential allocations, whereas Cullompton has 32% of the District's population within its catchment area but has over 50% of proposed allocations. This is not a sustainable strategy.

9. This distribution is very concerning as Crediton is allocated a lesser amount of development than would meet its housing and commercial needs on the basis of outdated information. We consider that given the change in baseline (as demonstrated by robust technical evidence) it follows that the approach to development at Crediton and the County as whole is not the most sustainable or appropriate strategy.

10. Our clients are further concerned that there are numerous proposed allocations that they consider are not deliverable both in Crediton and across the remainder of the Authority (as noted later in this statement) in the short to medium term that will compound problems in terms of failure to meet fundamental housing requirements.

11. Plainly this approach is contrary to section 39 of the Planning and Compulsory Purchase Act which requires that the authority preparing a Local Plan must do so **"with the objective of contributing to the achievement of sustainable development"**. Indeed, such an outcome cannot be achieved when the strategy and distribution of growth is artificially and wrongly restricted. NPPF para 182 (para 32 in the new NPPF) requires that the Plan should be justified and in order to achieve this it **"should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence."** Given the changes to the baseline and the outdated nature of the evidence, the plan cannot be considered to be the most appropriate strategy when assessed against reasonable alternatives.

12. In light of this there is a need address the growth options for Crediton in order to promote a more sustainable distribution of development in line with the Council's settlement hierarchy.

(Please note this section is also relevant to Hearing 3).

QUESTION 5 (HOUSING LAND SUPPLY)

13. We have previously expressed our concern over the ability of the Authority to identify and sustain a five year land supply. In this regard we have numerous objections to the assumptions used regarding delivery from a number of sources of supply (within the 2018 Housing Land Supply Summary):

Unallocated Sites

14. The following sites are proposed allocations within the Local Plan Review, and are part of the Council's 5 year supply. However, there are constraints or a lack of progress on each that mean they cannot be relied upon to deliver within the 5 year supply:

- TIV 16 (Blundells School) - no application or evidence of an outline application. It is flood zone 3. In addition there is a scrap yard that would need to be removed and potential access issues resolved. It likely requires an application to demonstrate that it is deliverable. Minus 62 from the five year land supply;
- TIV 9 (Howden Court) - no application or evidence of an application. It comprises an irregular plot of land behind existing properties. Minus 10 from the five year supply;
- CR5 (Peddlerspool) - the planning application has been in since 2017, until outline permission is granted, the s106 signed and the rugby club relocation finalised, we do not believe that this is achievable. Minus 62 from the five year supply;

- CR8 (Barn Park) – no application or evidence of an application. Minus 20 from the five year supply; and
- WI(1) (Silver Street) – application refused for larger area. Minus 28 from the 5 year supply

Commitments

15. There is no evidence that the following site will deliver the number of dwellings that the Council assume within the 5 year period.

- TIV 1 to 5 (Tiverton Eastern Extension) – there is only detailed permission for 248 dwellings with no further applications submitted. Absent any further applications then only the Barratt Element should be within the five year supply. Minus 177 from the five year supply.

Windfalls

16. It is noted that the Council have not provided a breakdown of the windfall sites in their 5 year supply. Therefore it is not possible to fully assess the contribution that these sources will make and clearly it cannot be considered to be “compelling evidence”.

17. In light of our concerns set out in our previous representations, relating to the Council’s delivery assumptions, identified constraints to proposed allocations, previous lapse rates and poor performance previously we consider that a greater flexibility allowance of 20% should be sought across the Plan area. Accordingly, a 20% non-implementation allowance should be applied to the consented windfalls which would result in a reduction of 153 dwellings from the 5 years supply.

18. We have already identified numerous issues with the proposed supply that mean a five year supply is not likely and we note that in reality there is a lot less “headroom” due to the reliance upon windfall sites and sites that are not allocated. This means that it cannot be relied upon to maintain a supply if issues arise (as sites will not have been identified).

Impact on Five year supply

19. Table 1 provides a 5 year supply calculation based on the identified supply minus the components that we do not believe will be delivered within five years. It is noted that on the basis of a 20% buffer this would equate to a 4 year land supply (if a 5% buffer was applied there would be a 4.6 year supply).

Table 1: Five year land supply based on LRM considerations of supply against Mid Devon 2018 Housing Land supply position

| | | Number of Dwellings (LRM supply) |
|---|------------------------------|----------------------------------|
| A | Requirement 2013– 2033 | 7,860 |
| B | Annual Requirement 2013-2033 | 393 |
| C | Five Year Requirement | 1,965 |
| D | Net Completions 2013/18 | 1,730 |
| E | Shortfall 2013/18 | 235 |

| | | |
|----------|--|--------------|
| F | Five Year Requirement adjusted with uplift | 2,200 |
| G | 5 Year Requirement with 20% buffer | 2,640 |
| H | Annualised Requirement with 20% buffer | 528 |
| I | Identified supply by LRM | 2,151 |
| K | Number of Years Supply | 4.0 |

PLAN REQUIREMENT TO 2033

20. Notwithstanding the 5 year shortfall, we do not believe that sufficient land has been identified over the course of the plan period. The requirement of 7,850 dwellings to 2033 is entirely predicated on the delivery of three large sites, NW Tiverton, NW Cullompton and East Cullompton.

21. We do not believe that the trajectory is realistic in respect of the contribution that the East Cullompton site will make. Indeed, completions are expected by 2024/25 at East Cullompton, however no outline planning application has been submitted and major infrastructure improvements are required.

22. There have been significant lead in times at both NW Cullompton and NW Tiverton. In particular:

- So far there has been a 6 year lead in from the submission of an outline application (13/01616/MOUT which was submitted in December 2013) at Tiverton to the first completions which our clients hope will be during 2020;
- in terms of the wider area of NW Tiverton application 14/00881/MOUT (700 dwellings) was submitted in June 2014 and there are no RM's submitted (and no prospect of a start on site);
- the A361 new junction improvements were submitted in July 2014 (and approved by October), however, the improvements are only just being completed; and
- in terms of NW Cullompton three applications were submitted in 2017 for a combined 600 dwellings (including one full application for 200 dwellings, a hybrid application for 200 dwellings and an outline application for 200 dwellings). However, none of these have been determined (according to the Council's web page this year).

23. However, for East Cullompton (which is in multiple landownership) there is no outline application submitted, nor is there an approved motorway improvement scheme with funding committed (the infrastructure plan indicates that funding of £50m to £55m are required as critical to the plan). Until funding is confirmed we do not believe that the site can be fully relied upon in the Plan.

24. On the optimistic assumption that funding of £55million for the motorway improvements (as indicated in the Council's infrastructure plan) was confirmed over the next 12 months, we believe that the earliest completions could be expected would be 2026/27 which remains very optimistic and assumes that relevant planning applications would be submitted during the next 12 to 18 months (to date there is only any indication that an application for 500 could be submitted in this timeframe but is reliant upon the completion of the current relief road). This would push 500 dwellings out of the plan period based on the current trajectory (which has 500 in 2031 to 2033).

25. Importantly, we note that the trajectory will need to be reviewed in order to be more realistic. It is very unlikely that the build rate will jump from 50 to 200 (between year 1 and year 2 as currently assumed by the Council) given the infrastructure required. Rather it is more appropriate to use a similar approach that the Council have taken on NW Tiverton and NW Cullompton with a gradual “ramping up” to 150 dwellings over the first few years. Indeed, there will be significant infrastructure required and build up over several years (as the number of outlets grow). Furthermore, there will still be activity at NW Cullompton and our clients consider it highly unlikely that there will be 350 cumulative completions in Cullompton at any one time. This is a higher level than has been achieved at Cullompton in recent years and will require 6 to 9 sales outlets to be open during the year (there are only a handful of volume housebuilders that would operate here).

26. Indeed, for context, 350 completions is significantly higher than was achieved across the District each year from 2013 to 2017 and was 70% of the level of completions achieved in 2017/2018. Furthermore between 2006 and 2018 completions at Cullompton averaged 88 dwellings per annum.

27. Therefore in order to ensure a robust approach is taken, a more cautious approach to the completions in Cullompton will need to be taken. Rather we are of the view that the following is more realistic for East Cullompton:

Table 2: East Cullompton Optimistic Trajectory

| 2026/ 27 | 2027/ 28 | 2028/ 29 | 2029/ 30 | 2030/ 31 | 2031/ 32 | 2032/ 33 |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| 50 | 75 | 75 | 100 | 100 | 150 | 150 |

28. This remains a very optimistic approach to the site (in parallel with NW Cullompton for part of the period) assuming that funding for motorway junction improvements will be confirmed this year and that outline applications will also be submitted shortly. However, it equates to a shortfall of at least 1,050 dwellings in the plan period. Should funding or applications be delayed then plainly this will fall back further, indeed, if this is pushed back by just two years it would be a shortfall of over 1,300.

29. Whilst the plan requirement is 7,860, the council have identified 8634 dwellings to meet the need (a 10% flexibility allowance). However, given that at least 1,050 to be pushed outside of the plan period, only 7,586 dwellings can effectively contribute towards this. As such there is a need to identify in the range of 1,050 dwellings in order to meet the need and the flexibility allowance that Council have built in.

IMPLICATIONS FOR THE LOCAL PLAN REVIEW AND CHANGES REQUIRED TO MAKE IT SOUND

30. There are plainly three key issues for the Mid Devon Local Plan Review that will need to be addressed in order to make the plan sound. These are:

1. There is an insufficient housing land supply in the first 5 years. This is due to reliance upon sites that have not delivered in recent years and there is no evidence of progress on contrary to the requirements of NPPG;
2. The allocations identified at East Cullompton will not be delivered in the plan period, and therefore there will be a shortfall of 1,060 on the level of homes required by Mid Devon

(this includes the level of flexibility in built into the level of homes that the Council believe need to be identified in order to meet the requirement); and

3. The spatial strategy is based on an out of date evidence base that artificially constraints growth at Crediton in favour of other less sustainable locations.

31. Our clients BDW confirm their interest in land at Chapel Down Farm which can provide an additional 120 dwellings to the five year supply (and the plan requirement as a whole). Based on work undertaken to date, a full planning application could be submitted by the end of March 2019 and our client would volunteer a 12 months timeframe for commencement on site. BDW utilise a compliance based approach to their detailed applications as such they would expect the site to be complete within the five year period.

LRM Planning
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