

MID DEVON LOCAL PLAN REVIEW 2013-2033
MAIN HEARINGS

HEARING 1 THURSDAY 14TH FEBRUARY 2019
REPRESENTOR NUMBER 4675

PREPARED ON BEHALF OF WADDETON PARK LTD

JANUARY 2019



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1. Introduction

- 1.1 PCL Planning are appointed by Waddeton Park Ltd who have property interests in Mid-Devon District. The comments set out below are drawn from responses to various stages of the evolution of the Mid-Devon Local Plan Review 2013-2033. These responses were made variously by Waddeton Park Ltd (T J Baker 24th April 2015), Bell Cornwell LLP, March 2015 and PCL Planning Ltd, 29th July 2014, 24th April 2015 and a submission to the Preliminary Hearings, August 2017.
- 1.2 Our client's position remains as set out in the PCL letters (see above), i.e. that a greater proportion of development should be provided at Tiverton than the plan currently provides for, irrespective of consideration of the 'Junction 27' matter and the related **SP2** and **TIV16** proposals.
- 1.3 The Local Plan Review Consultation response letter of 29th July 2014 sets out our concerns most succinctly and the submission by Waddeton Park (T J Baker) dated 24th April 2015 sets out funding and viability concerns over the proposed strategy, which we believe remain unanswered. (I presume you have copies of both, that are self-explanatory and, unfortunately, largely repetitive).
- 1.4 The repetitiveness underlies the consistency of our client's position – essentially that the spatial strategy of the plan is fundamentally flawed for the reasons set out in the previous submissions.

2. Comments

2.1 We make the following specific comments in relation to the Inspector's questions.

Q1 *Is the vision for the spatial strategy for the area a reasonable one, and does draft policy S1 work?*

2.2 Policy S1 is a high-level policy setting out general parameters. Much of it is anodyne and difficult to criticise however the short answer to the question posed is no.

2.3 The plan represents a significant spatial departure from the previously adopted Core Strategy 2007 with little justification. What has changed strategically since the adoption of the plan where the CS focused significant growth on Tiverton and the Core Strategy Inspector endorsed the approach? (General Examination Document, ED01, dated 1st May 2007, paragraph 3.4.12)

2.4 We believe the evidence the Council has presented in support of the new community option at Cullompton which supports such a shift in strategic approach flawed. New settlements are notoriously delayed beyond plan periods. They are subject to viability and critical mass issues and require significant public investment in order to overcome the substantial up front infrastructure costs, which are not fully identified. (Submission T J Baker 24th April 2015)

2.5 We would also draw attention to the Interim Sustainability Appraisal (SA) of January 2014, Policy S3 Amount and Distribution of Development, pages 5-10, which shows a clear sustainability advantage in maintaining the CS Spatial Strategy (Option 1). Notwithstanding, the January 2015 SA is based on Option 2 and scores some elements of the SA in a markedly different way without a proper explanation for the change. The weightings adopted at this stage were carried through to the SA dated January 2017.

- 2.6 In October 2017 LUC were appointed to undertake an independent review of the SA Update prepared by MDDC. We would draw attention to the caveats to the scope of the review set out in paragraph 1.7-1.9 and the fact that the LUC Review provides no evaluation of the site based appraisals. The Review does consider whether or not alternative options to Policy J27 have been considered and notes that in the light of the need to allocate only a further 260 dwellings the approach of MDDC was proportionate.
- 2.7 At paragraphs 1.35 and 1.36 the LUC Review touches on what we believe to be a critical failing in the Local Plan allocation process in that the decisions taken at the Council meeting of 22nd September 2016 appear to have been taken outside of the context of the SA.
- 2.8 We continue to support Option 1. It makes best use of existing infrastructure and additional capacity provided by previous LP policies. Extensions to existing main settlements represents the most sustainable approach to meeting the OAHN. Furthermore, this approach is fully consistent with the analysis set out in the Mid-Devon Area Profile, prepared for Devon County Council, ED02.
- Q2** *Is the OAN of 7860 (or 393 dwellings pa) (and thereby Draft Policies S2, S3 and S4) correct?*
- 2.9 We have previously set out a case for the provision of 7,800 dwellings and therefore support the proposed figure. That we do not support the proposed distribution in Policy S2 is set out in previous submissions.
- 2.10 We are concerned that the reliance on a new community to deliver 28% affordable housing, on a major site, where there are significant questions over the ability to fund the necessary infrastructure, could significantly undermine this aspect of Policy S3.
- 2.11 Policy S4 shows a linear progression of housing delivery. This is naïve. cursory examination of Policy CU12 identifies the need for a first phase of

comprehensive M5 access improvements. The recently completed scheme to Junction 28, referred to in paragraph 3.117 of the Proposed Submission document, took nearly 10 years to agree and bring to fruition and at substantial public subsidy. It is noted that in the same paragraph the final sentence more than suggests that a scheme of works is “emerging”. No phasing plan exists for the CU12 development and as a result it is impossible to rely on the delivery figures set out in this policy. The town centre relief road, identified in the CS, remains to “emerge” and be delivered.

2.12 It is our view that sufficient uncertainty exists over the major allocation at Cullompton for the final clause of Policy S4 to be redundant and require replacing with identified sites.

Q3 *Is the spatial distribution of housing soundly based in the light of possible alternatives?*

2.13 In our view no. In order to avoid repetition we would draw attention to our response to the Local Plan Review Proposed Submission Consultation dated 24th April 2015.

Q4 *Will the spatial distribution of housing be effective, given question about viability?*

2.14 No. Reasons already set out and detailed in submission of T J Baker 24th April 2015.

Q5 *Will it maintain a 5 year supply of deliverable housing sites initially, and looking forward*

2.15 No, for the deliverability problems that we have clearly set out.

Q6 – Q10 No comment to make