

MID DEVON DISTRICT COUNCIL LOCAL PLAN REVIEW 2013-2033

HEARING STATEMENT

HEARING 4: DEVELOPMENT MANAGEMENT POLICIES

ON BEHALF OF LIGHTWOOD LAND

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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1. INTRODUCTION

1.1 This Hearing Statement has been prepared by Pegasus Group on behalf of Lightwood Land in respect of the Mid Devon District Council Local Plan Review (2013-2033). This Statement seeks to respond to the questions raised by Mr Paul Griffiths (Inspector) in relation to Hearing 4: Development Management Policies.

1.1 Lightwood has a major contractual interest in the identified East Cullompton urban extension which is the largest allocation proposed within the Local Plan Review and as a result is a key component of Mid Devon District Council's (the Council's) Vision and Objectives and under Policies S1, S2 and S11.

1.2 Pegasus Group, acting on behalf of their client, have made representations on the emerging Local Plan at the Regulation 18 and 19 stages. Our responses to the questions and issues raised should be read in conjunction with these representations and the associated evidence base for the East Cullompton Urban Extension (Policy CU7).

1.3 Pegasus, on behalf of Lightwood, wish to take a full and active part in the hearing session on **Tuesday 19th February 2019** in relation to all parts of Hearing 4. Our responses to the questions and issues raised our set out within the remainder of this Statement.

1.4 This hearing statement has considered the questions and the Local Plan against the requirements of Paragraph 182 of the National Planning Policy Framework (2012) which considers a plan to be "*sound*" if it is:

- **Positively prepared;**
- **Justified;**
- **Effective; and**
- **Consistent with national policy.**

2. HEARING STATEMENT

2.1 Within this section of the Statement we identify the relevant question/matter (in *italics*) and provide our response within the subsequent paragraphs. Lightwood Land have a specific interest in proposed policies **DM5, DM12, DM15 and DM19**.¹ As such, this hearing statement relates to **Questions 4, 11, 13 and 17** as they are set out in the Matters and Issues document (ID10) issued on the 14th December 2018.

Q4. Does Draft Policy DM5 (Parking) sit comfortably with the (previous version of) the Framework?

2.2 Aside from a reword to the supporting text, the policy has not fundamentally changed from the iteration we previously submitted representations on.

2.3 In those representations we asserted that the standards required in relation to electric vehicle points are significantly higher than what is reasonable, and there was insufficient evidence to justify the requirement set out in the policy.

2.4 Whilst we note the ambition of the standards to support the transition away from high emission vehicles (which is consistent with paragraphs 35 and 39 of the NPPF), the costs associated with providing such levels of provision are substantial.

2.5 Similarly, we also expressed concerns over the standards required for Use Class C2 dwellings. The provision of 1 space per bedroom and electric charging points, fails to reflect the nature of the C2 use.

2.6 Taking both points together, we do not consider this policy to be justified in the context of paragraph 182 and, as such, fails to sit comfortably with the Framework.

Q11. Is Draft Policy DM12 (Housing Standards) justified?

2.7 Whilst we maintain our broad support for this policy, we still consider that criterion d)² is not justified as the Council has not demonstrated sufficient evidence to justify the requirement to provide 30% of dwellings to meet Level 2 of Part M Buildings Regulations. The policy is, therefore, not justified.

¹ Pegasus previously submitted representations in respect of Policy DM13; however, we note that this was omitted from the submission version of the plan, once modifications to the plan were incorporated.

² Previously criterion g)

Q13. Is Draft Policy DM15 (Development outside Town Centres) sufficient?

- 2.8 Policy DM15, as currently worded, is not sufficient. As set out in our previous representations, we consider that the policy should be amended to take account of the development of main town centre uses on strategic sites/allocations.
- 2.9 Specifically, we consider that the sequential test should not apply to the East of Cullompton allocation unless proposals exceed the 2ha for the shopping and community uses that Policy CU10 requires. This needs to be reflected in the policy wording.

Q17. Does Draft Policy DM19 (Protection of Employment Land) meet its stated purpose?

- 2.10 We consider that Policy DM19 does meet its purpose. As set out in our previous representations, we support the flexibility of the policy in allowing the release of employment land when there is no longer a need or viable use for the site.
- 2.11 However, we maintain that criterion c) should be reviewed. The identification of a 'general' development option through a sequential viability test is not an indicator of a commercial interest. More thought should be afforded to this criterion to make sure it is effective at establishing whether employment land should be protected or not. For example, it could be a condition of the marketing exercise to advertise the site for both sole employment and mixed-use development simultaneously. This would have the effect of establishing whether there is any demand for employment uses of any kind on the site.
- 2.12 Indeed, this criterion, at present, could delay or prevent the delivery of more appropriate development on redundant employment sites which would counter to the purpose of the policy.