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For and on behalf of
Gleeson Strategic Land

DEVELOPMENT PLAN SUBMISSION

In relation to:

Mid Devon Local Plan Review 2013-2033

Housing Land Supply Update:

**Addendum to January 2019 update in response to the Inspector's Post Hearing's
Advice Note**

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1.0 INTRODUCTION

- 1.1 This representation is submitted in response to the Mid Devon 'Housing Land Supply Update: Addendum to January 2019 update in response to the Inspector's Post Hearings Advice Note'.
- 1.2 The Housing Land Supply (HLS) Update has been prepared by Mid Devon at the request of the Inspector and consultation on the draft ahead of consultation on the Main Modifications. We welcome the opportunity to comment on the Update in draft, however this is a very narrow response to the Inspector's note. The Update concentrates on the request of the Inspector for a projected housing trajectory for years 1-5 and 6-10 incorporating realistic assumptions about the delivery of the Cullompton Town Centre Relief Road (TCRR) , demonstrating how a five-year supply of deliverable housing sites will be maintained throughout these periods.
- 1.3 The Council's draft response to the Inspector's concern over housing land supply has been circulated for comment prior to and in isolation of publication and consultation of the Main Modifications; it does not respond to all other matters raised in the Inspector's Post Hearing Advice Note. Consequently, this HLS Update cannot be complete and will need to be revisited and picked up through the Main Modifications unless the implications of other matters raised in the Inspector's Advice Note,
- 1.4 Such matters include in particular, concerns over the allocation of Gypsy and Traveller sites as part of wider housing allocations, which has implications for both Gypsy and Traveller and general housing delivery, and consequently the housing trajectory and 5-year housing land supply. As things stand, the lack of clarity over the Council's response to the Inspector's Interim Advice Note in relation to concerns for the allocation of Gypsy and Traveller sites as part of wider housing allocations, is leading to significant delays in unlocking consents of some large sites leading to a stalling of the consequential delivery.
- 1.5 As such and unless the robustness of the housing trajectory is revisited on a more comprehensive basis in this consultation, both supply and trajectory will need to be revisited again at a later stage. Further Main Modifications may be required to address any shortfalls.

2.0 CONSIDERATION

2.1 The Inspector has suggested a number of approaches that could be considered to address any shortfalls. This is a matter for Mid Devon to consider. The proviso is that whatever approach is taken to ensure a robust 5-year housing land supply, it must be realistically capable of making a contribution to housing supply on adoption of the Plan.

2.2 We consider there are a number of shortfalls in the Council's approach and set out in their response that need to be reviewed.

2.3 The Council state (Summary, page 3) that they have carefully assessed the Inspector's post hearing advice and considered his comments '*in the round*'. This has not taken place. Rather, the housing trajectory in relation to the Cullompton Town Centre Relief Road (TCRR) has been taken in isolation from other factors which also have a bearing on the housing trajectory and housing land supply namely:

- In order to demonstrate 5 years' worth of deliverable housing sites, robust up to date evidence needs to be used.
- Concerns over the allocation of Gypsy and Traveller sites as part of wider housing allocations, which has implications for both Gypsy and Traveller and general housing delivery, and consequently the housing trajectory and 5-year housing land supply.

2.4 These are set out in more detail below.

Housing Trajectory

2.5 The proposed housing trajectory is not considered to be robust for the reasons set out below.

Inaccuracies in the housing trajectory

2.6 There remain inaccuracies within the housing trajectory at Appendix 1 which have not been addressed since the original representations were made to previous iterations of the Plan and consequently the trajectory cannot be accepted as robust. An example of this relates to the Pedlerspool site at Crediton, CRE5 which is indicated with a yield of 200 units. This is the minimum capacity set out in draft policy CRE5 however the outline application has a resolution to grant for a total of 257 dwellings. It could be argued that this is taking a

conservative approach to housing land supply but it highlights a disconnect between the Development Management and Plan-making functions of the Council and demonstrates a lack of understanding of the relative stages that many of the sites are currently at.

Unrealistic delivery rate

- 2.7 Unrealistic assumptions as to the rate of delivery of some of the sites have also been made. The Pedlerspool application 17/00348/MOUT achieved a resolution to grant at Planning Committee in September 2018. Since then negotiations have been ongoing in relation to finalising the s106 planning obligation most particularly in relation to the provision of a Gypsy and Traveller Site on-site and the implications for delivery. The updated housing trajectory assumes a start on site in Year 3, 2020/2021. This is now just 20 months' time during which, the s106 must be finalised, reserved matters and discharge of conditions applications submitted and approved, infrastructure delivery and an anticipated 12 units completed. The issue over flexibility with regard to the provision of Gypsy and Traveller pitches remains unresolved and is not likely to be for some time to come. Discussions over flexibility within the s106 have been sought but these have stalled pending the outcome of the Local Plan Examination, Main Modifications and Inspector's Report. Despite a resolution to grant received in September 2018, progress has been slow in negotiating the s106 largely as a result of delays in clarification of the allocation of a Gypsy and Traveller site as part of the wider market housing allocation. Discussions have now stalled pending further progress on the Local Plan Main Modifications and persistent requests to meet with the Council to gain an understanding of how they intend to respond to the Inspector's Interim Advice Note on the subject have drawn a blank. Assuming adoption of the Local Plan within the next 6 months, a more likely trajectory would see delivery of the first units on this site in at the beginning of 2022/23, the back end of Year 5 at the earliest.
- 2.8 The trajectories for delivery on other sites are also considered to be overly optimistic. Examples include:
- 2.9 **NW Cullompton, CU1** - The draft trajectory for the NW Cullompton is also considered unrealistic. Current applications include: **17/01178/MFUL** (200 dwellings, new access, phase of link road, primary school site and open space – awaiting decision); **17/01346/MOUT** (200 dwellings, associated infrastructure, open space and full permission for a portion of Link

Road – awaiting decision); and **17/01170/MOUT** (up to 200 dwellings, associated infrastructure and access – Phase 1 of the NW Cullompton Urban Extension – awaiting decision). None of these have received planning consent yet and with considerable infrastructure to implement the delivery of housing units is considered more likely to take place in 2022/23, Yr5 at the earliest, than the currently projected 2020/21. None of these early applications for NW Cullompton include sites for Gypsy and Travellers as required by the proposed policy CU1 despite the requirement for these to be delivered 'in step' with market housing. Ultimately the issue is likely to result in delivery delays with the resulting impact on the HLS trajectory if not resolved as soon as possible.

Colebrook, CU21 an outline application 19/00118/MOUT for 105 dwellings which has also not yet received consent, is scheduled to commence in 2020/21. Delivery is considered more likely to be 18mths – 2 years away at a minimum and therefore more realistically commencing to deliver in 2021/22 or 2022/23, Yr5.

Sampfords Peverell, SP2 - Despite its previous recommendation for approval in July 2018, the application at Higher Town, Sampford Peverell 17/01359/MOUT for 60 dwellings was refused at Planning Committee on 31st July 2019. This will add significant delays to the delivery of this site. This puts the site in jeopardy of delivering any units within the first 5-year period of the Plan.

- 2.10 It is likely that the delivery trajectory is equally unrealistic for other sites in the schedule. An adjustment to the draft housing trajectory should therefore be made and the resulting housing land supply revised accordingly.

Timescale for delivery of the Cullompton Town Centre Relief Road (TCRR)

- 2.11 There is a lack of clarity over the timing for delivery of the TCRR. The Update Housing Land Supply states at paragraph 2.2 that the Council has entered into a grant funding agreement with Homes England to secure funding through the Housing Infrastructure Fund towards the TCRR thereby providing greater certainty to this scheme. It goes on to state that it is assumed that the TCRR will be completed by the end of 2023. Notwithstanding that, the final deal and thereby the required certainty which will inform the trajectory still does not appear to be in place such that the conditions attached to any deal remain unknown. In particular, it is not known what condition will be placed on the timeframe by which the funding must be

used and substantial completion made: The Statement of Common Ground SCG10 referenced a condition that use of the HIF monies and substantial completion of the TCRR would need to take place before March 2021. There is a discrepancy here which casts further uncertainty on delivery. This is the basis for establishing the trajectory for delivery at NW Cullompton and East Cullompton and whilst some slack is built into the trajectory, already there have been significant delays.

- 2.12 In order to make the trajectory more robust, the likelihood of further delays should be factored in, certainly until the funding deal has been finalised, monies released, and a programme of implementation put in place.
- 2.13 This makes it even more important that the housing trajectory is not updated in isolation from other matters raised in the Inspector's Advice Note such as the decoupling of allocated G&T sites from general market housing allocations sites, to enable sites beyond Cullompton to come forward quickly and easily, freed from unnecessary delivery constraints, to bolster supply within the first five-year period.

Gypsy and Traveller Sites

- 2.14 The allocation of Gypsy and Traveller Sites as part of wider housing allocations, is also an issue of concern raised in the Inspector's Advice Note. The concerns are twofold: the delivery of sufficient sites to meet needs and the potential problems of delivery for both Gypsy and Traveller and general housing, and consequential implications for the housing trajectory and 5-year housing land supply. The Inspector's Advice Note sets out the requirement for Main Modifications to be made to ensure the need can be met without jeopardising delivery of both Gypsy and Traveller accommodation and general market housing in the process. This is to be achieved by decoupling allocated G&T sites from general housing allocations. We have not yet had the benefit of a sight of the draft Main Modifications nor are the Council willing to discuss their proposed approach or divulge any information prior to publication of the Main Modifications. We do not therefore know whether what is proposed in this respect will be sufficient to avoid further delays and / or difficulties with delivery. Discussions to further the s106 to be attached to the consent of the Pedlerspool site 17/00348/MOUT have therefore stalled.
- 2.15 The arguments over this issue have been rehearsed in previous submissions and at the

Examination hearings. I do not therefore intend to repeat them here other than to reiterate that unless the shortcomings of delivery are considered in the round, including those related to inaccuracies in the trajectory, unrealistic timeframes and ensuring that Gypsy and Traveller allocations are decoupled from general market allocations, the housing trajectory and therefore the housing land supply will need to be revisited again at the Main Modifications stage to ensure that it is robust.

Conclusion

- 2.16 Inaccuracies remain within the updated housing trajectory which should be checked and corrected.
- 2.17 Unrealistic assumptions have been made in relation to converting several of the large /strategic site outline planning applications to the delivery of completed housing units.
- 2.18 Uncertainty remains as to the implementation of the Cullompton TCRR which has implications for housing delivery at the Cullompton strategic sites and resulting trajectory.
- 2.19 Currently the Housing Land Supply Update has been considered in respect of the impact of the Cullompton Town Centre Relief Road on delivery, in isolation. Consideration of all aspects of housing delivery should be made in the round including the problems of delivery relating to G&T allocations as part of wider housing allocations. The Council's response to the Inspector's concerns in this respect and the thinking behind their approach to resolving those concerns in relation to delivery of both general market housing and Gypsy and Traveller accommodation need to be released ASAP if the proposed Main Modifications dealing with them are to present an effective solution to the issue.
- 2.20 The housing trajectory should be further updated to ensure accuracy and therefore robustness before the housing land supply is recalculated.
- 2.21 Associated amendments to be made to the Sustainability Appraisal.

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