

776 / TIV1 - TIV5
776 / TIV16 / mod

Local Plan Review Proposed Submission (incorporating proposed modifications)

#80



COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, February 14, 2017 11:48:06 AM
Last Modified: Tuesday, February 14, 2017 11:58:26 AM -
Time Spent: 00:10:19
IP Address: [REDACTED]

PAGE 2: Part A

Q1: Personal Details*

First Name	N/A
Last Name	N/A
Organisation (where relevant)	Blundell's School, C/O Agent

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Q2: Agent Details (if applicable)

Title	Mr
First Name	Pete
Last Name	Stockall
Job Title (where relevant)	Director
Organisation (where relevant)	GVA
Address 1	St Catherine's Court
Line 2	Berkeley Place
Line 3	Bristol
Post Code	BS8 1BQ
Telephone	[REDACTED]
E-mail address	[REDACTED]

PAGE 4: Part B - Please use a separate sheet for each representation

Q3: Name or organisation: Blundell's School

Q4: To which part of the Local Plan Review does this representation relate? Please note that consultation invites comments on proposed modifications only, and not the wider unchanged content of the Local Plan Review.

Policy: TIV1 - TIV5

Local Plan Review Proposed Submission (incorporating proposed modifications)

Q5: Do you consider the Local Plan Review to be*:

Legally compliant	Yes
Positively prepared	No
Justified	No
Effective	No
Consistent with national policy	No

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Q6: If you consider the Local Plan Review is not legally compliant or is unsound please explain why below. If you wish to support the legal compliance or soundness of the Local Plan Review, please also use this box to set out your comments. Please be as precise as possible.

See submitted letter dated 14 February 2017 submitted by GVA

Q7: Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound. Please state why this change will make the Local Plan Review legally compliant or sound. It will be helpful if you are able to put forward revised wording of any policy or text. Please be as precise as possible.

See submitted letter dated 14 February 2017 submitted by GVA

Q8: Do you consider the Local Plan Review to be compliant with the duty to co-operate? Yes

Q9: If you consider that the Local Plan Review fails to comply with the duty to co-operate, please explain why below. If you wish to support its compliance with the duty to co-operate, please also use this box to set out your comments. Please be as precise as possible.

Respondent skipped this question

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Q10: If your representation is seeking a change, do you consider it necessary to speak at the examination hearings? Yes

Q11: If you wish to speak at the hearings, please outline why you consider this to be necessary:

As GVA are representing the land owner this key site (TIV16) it is important to be given the opportunity to discuss the details and complexities of the site.

Q12: Please indicate whether you wish to be notified of: The publication of the Inspector's recommendations

Q13: Signature

Signature Pete Stockall
Date 14/02/2017

From: Local Plan Review
Subject: FW: Local Plan Review Proposed Submission Consultation
Attachments: Local Plan Representations 20170214.pdf

From: Brown, Kimberley (GVA) [REDACTED]
Sent: 14 February 2017 11:59
To: Local Plan Review
Cc: Stockall, Peter (GVA)
Subject: Local Plan Review Proposed Submission Consultation

Dear Sirs,

Local Plan Review Proposed Submission (incorporating proposed modifications) Consultation 2017 Representations on behalf of Blundell's School regarding Policy TIV16

Please find attached representations submitted on behalf of Blundell's School. I can confirm that an online form as also been completed and should be read in conjunction with the attached letter.

I would be grateful if you could confirm receipt of these representations and therefore look forward to hearing from you.

Kind regards

Kimberley

Kimberley Brown BSc (Hons) MSc
Principal Planner

GVA

T [REDACTED] | M [REDACTED]
[REDACTED] | www.gva.co.uk

St Catherine's Court, Berkeley Place, Bristol, BS8 1BQ

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GVA

An **APLEONA** company

Our Ref: 07B608289
Your Ref:

14 February 2017

Local Plan Review Consultation
Forward Planning
Mid Devon District Council
Phoenix House
Tiverton
EX16 6P

Sent by email to: localplanreview@middevon.gov.uk

St Catherine's Court
Berkeley Place
Bristol
BS8 1BQ

T: [REDACTED]
F: [REDACTED]

Dear Sir / Madam

Local Plan Review Proposed Submission (incorporating proposed modifications) Consultation 2017
Representations on behalf of Blundell's School regarding Policy TIV16

We hereby submit representations on behalf of our client, Blundell's School, in response to the proposed modifications to the Local Plan Review Proposed Submission document. We have completed a response form but our comments are set out within the letter below following the order of issues as they arise within the document. Where appropriate we highlight suggested policy amendments.

Policy TIV1 – TIV5 inclusive – Tiverton Eastern Urban Extension (EUE)

We have previously provided detailed representations on behalf of the School in response to policy documents and planning applications relating to the EUE. Therefore we will not repeat these in any detail here. However, fundamentally the School wishes to reconfirm for the record, significant concerns with regards to the phasing and delivery of the associated infrastructure to ensure that impacts of the development on the School (predominantly through traffic impacts on Blundell's Road) are addressed. The School's position remains that the second means of access to Heathcoat Way should be brought forward ahead of a potential phased provision beyond 2000 dwellings.

Policy TIV16 – Blundell's School

In summary, we write to support the allocation of land north of Blundell's School identified under policy reference TIV16 for residential development, the majority of which is within our client's ownership.

The site is located within the settlement of Tiverton and is within walking distance of the town centre making it a highly sustainable location for new residential development. The School understands that previous background



studies for earlier Plan iterations and proposals have been undertaken in order to demonstrate the site's deliverability for residential development. The School is now actively looking to engage with the Council and other landowners to seek to facilitate delivery of the site for development. An initial pre application meeting took place on 9th February 2017 to start this process. Whilst the site is influenced by a number of technical issues requiring further investigation, the School is committed to facilitating a solution to addressing these points which will lead to the preparation and submission of a planning application for their land holding later this year. We provide further commentary on these key issues below.

Flood Risk

In terms of flood risk, we understand work is being undertaken in order to ensure that a suitable flood alleviation scheme can be delivered at the site. This would ensure that new residential development would not be at risk of flooding whilst also improving the existing situation with regard to the sites to the north of the River Lowman which have a history of flooding. This would be a significant benefit resulting from the development of the site. The School is involved in initial discussions with the Environment Agency, the Town Council and the District Council to confirm that a scheme which reinstated natural floodplain in order to reduce flood flows and volumes whilst altering the levels of the proposed developable areas above flood zone three would be acceptable. The School is committed to working with these parties, and the appointment of specialist advisors to deliver a mutually acceptable solution to unlock the site.

Further Technical Matters

With the exception of the partial flood zone designation, the site is not subject of any designation or allocation which could act as a constraint to development. We understand that the site is within an area of archaeological potential but the Council's own assessment confirms that this is not a constraint subject to appropriate archaeological investigation and mitigation. Further assessments are required with regard to the site's biodiversity but the development proposals can be prepared in order to support this through the provision of green infrastructure which provides any necessary habitats. The Council's own assessment also concludes that the proposed development of the site would have a minimal impact on landscape character and also presents the opportunity to improve the appearance of a number of existing areas of the site, such as the derelict poultry unit.

Blundell's is keen to ensure that the historic character and rural nature of the School campus is retained and this will be a requirement arising from the Conservation Area. Therefore the School will seek to ensure that any future development proposals on their land and the further landholdings within the allocation respect these aspirations.

Suggested change: We would suggest that point (j) of the policy is amended to read '*appearance of the Conservation Area and School campus*'.

Highways

With regard to highways, Blundell's School remains supportive of provision being made for a junction onto Heathcoat Way and a safeguarded road route through the site to serve as a second strategic road access for the Tiverton Eastern Urban Extension, subject to the details of this being agreed. The School's transport advisors have discussed potential access options from the School's land with Devon County Council Highways and these options are being explored in more detail. The provision of significant residential development on this site will assist in the delivery of this infrastructure however as noted below (under viability) the scale of the requirement should not be underestimated. A link onto Heathcoat Way would also result in associated improvements to air quality as a result of the reduced level of traffic required to use the Blundell's Road, A396 and Heathcoat Way roundabout. A further benefit of the residential development of this site.

Furthermore the School is committed to the delivery of cycle and pedestrian links as part of the scheme in order to serve the new residential dwellings created and the wider area. This will act to bolster the site's sustainable location with good links to the town centre and employment opportunities, thereby reducing the dependence of future residents on private cars as a primary source of transport. However any provision arising from the proposals must be proportionate and meet the relevant obligations tests.

Suggested change: amend Policy TIV16 (e) to read '*...links in the area required as a direct result of the development*'

Flexibility

The site by virtue of its allocation and position is acknowledged as being sustainable. However it is accepted that it is not entirely straight forward to deliver. We would therefore request that further flexibility is built into the policy wording to assist with deliverability. In particular, we consider that the overall site quantum should be amended on the basis the overall capacity is yet to be tested in any detail and the key influence (flood zone) is still be investigated which could result in a higher proportion of developable land. We would also note that the previous allocation was for 200 dwellings plus employment development so there could be scope for additional dwelling numbers on the site.

Further work is required by the School and adjacent landowners to determine the site's overall capacity, noting for example there is potential for a mix of densities across the site making a valuable contribution to the Council's five year housing land supply. Given the above, it is also considered that the committed reference to "8 hectares on informal green infrastructure adjoining the River Lowman" should be removed. The School is committed to the delivery of quality green infrastructure as part of the development proposals for the Blundell's School site, however, it is not considered that the quantum set out in the policy is helpful given the further work regarding the capacity of the site which needs to be undertaken. Increasing the number of dwellings accounted for in the policy description and removing the quantum of green infrastructure to be provided would allow for flexibility in the development proposals as they come forward thereby enabling the delivery of the site at the earliest opportunity.

Suggested change: Policy TIV16 bullet point (a) Removal of '*200 dwellings*' as this implies a fixed marker and instead reference to '*potential for a minimum of 200 dwellings subject to further site capacity analysis and technical constraint review*'.

Suggested change: Policy TIV16 bullet point (b) Removal of '*Approximately 8 hectares*'. Note this change should also be reflected within paragraph 3.60 c.

Phasing

Flexibility is also required in order to enable the Blundell's School land to come forward independently of the adjacent scrapyards and former poultry factory. It is understood that the Council aspires to see the proposed allocation come forward comprehensively. However, there are a number of different land ownerships within the proposed allocation as a whole and it may not be possible for a comprehensive scheme to be delivered swiftly. Blundell's School, however, is ready to bring a scheme forward at the earliest opportunity allowing for the delivery of a number of new dwellings, alongside the other benefits identified above, which will make a valuable contribution to the Council's housing land supply. The School however fully appreciates that their proposals must not prejudice the delivery of the wider land holdings within the allocation and therefore any future plans proposed by the School will seek to ensure they can be fully integrated with the adjoining land holdings. We would note that a similar approach has been taken with the various landowners within the Eastern Urban Extension who have submitted planning applications in a phased manner.

Suggested change: In order to reflect the above, the supporting text to policy TIV16 at paragraph 3.60e should be amended to remove the requirement that the scrapyards must be removed prior to residential development being permitted. This statement potentially presents an unacceptable ransom position for the wider site owners and is not justified given the extent of the site and those areas of the site that can clearly be delivered without amenity concerns noting existing residential properties in much closer proximity. It is therefore suggested that paragraph 3.60e is amended to read as follows:

"The site contains a working scrapyards, adjoining the River Loman, which has the potential to harm water quality. Its removal and clean-up of the site would be a benefit of the allocation. Similarly, the former poultry factory on the site may be contaminated and is becoming increasingly derelict. The Council aspires to see the development of the allocation come forward comprehensively. However, should this not be possible, any residential development scheme will need to ensure that the residential amenity of future occupiers will be safeguarded."

Viability

In addition to the above considerations the level of affordable housing which is deliverable onsite will need to be subject to viability considerations in accordance with paragraph 173 of the National Planning Policy Framework (NPPF) (2012). We would highlight that the statement in the opening sentence of paragraph 3.60a is misleading as it infers that as the site owners have confirmed that the site is available this supports the view that it is viable. At this stage the viability of the site is unknown. Clearly there are major constraints and infrastructure requirements to overcome as the site will require investment in transport infrastructure to serve development beyond the immediate site requirements; remediation in order to remove any contamination associated with the former poultry factory and existing scrapyards use on the site; and a flood alleviation scheme. These issues are similar in nature (if not greater noting that the EUE is all green field) to those which require consideration in delivery of the proposed Tiverton Eastern Urban Extension (TIV1). In this instance the Council's proposed policy wording states that the site will deliver "A proportion of affordable dwellings subject to further assessment of viability..." and it is considered that similar wording should be included in policy TIV16 as noted below. This will also assist in delivering a suitable package of Section 106 obligations alongside the requirements of the Council's Community Infrastructure Levy Charging Schedule which the Council is currently consulting on (please refer to our separate representations which also highlight the case for removing CIL on this site on the basis that it is removed from the EUE and TIV16 requires infrastructure for the wider EUE).

Suggested change – Amend Policy TIV16 point (a) to read '**with a target of 28% affordable housing subject to viability**'.

Suggested change – Amend paragraph 3.60b to remove reference to the site being viable.

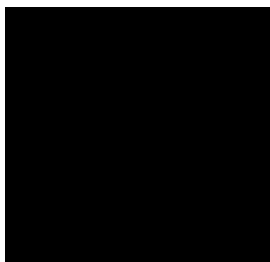
Summary

To conclude, Blundell's School is committed to facilitating the delivery of residential development on allocation TIV16 which has been demonstrated to meet the tests set out in the NPPF (paragraph 47, footnote 11) of a deliverable site. The School therefore supports the allocation of the land under TIV16 subject to the suggested changes listed above.

We trust that the above is self-explanatory but should you require any further information then please do not hesitate to contact me via the contact details below.

Yours sincerely

Blundell's School
14 February 2017
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Pete Stockall BSc (Hons) Dip TP MRTPI
Director

[Redacted]

[Redacted]

For and on behalf of GVA Grimley Limited

cc. Blundell's School