

From: Local Plan Review
Subject: FW: MDDC Local Plan Review Proposed Submission Consultation
Attachments: Codex_MDDC_LPR Reps_7.2.2017.pdf; Appendix 1_Local Plan Reps_24. 4. 2015.pdf; Appendix 2_Additional Land.pdf

Importance: High

From: Alex Graves [REDACTED]
Sent: 07 February 2017 10:57
To: Local Plan Review
Cc: 'ambrose fieldman'; DPD; DPD
Subject: MDDC Local Plan Review Proposed Submission Consultation
Importance: High

Dear Sir/Madam,

Please find attached representations prepared on behalf of our client, Codex Land PCC Land Promotion Cell, in response to the Council's Local Plan Review Consultation.

Would you please acknowledge receipt of these comments.

A hard copy will also be sent by post.

Many thanks

Alex

*Alex Graves BA (Hons) PG Dip MRTPI
Director*

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Our Ref: PCL/9608
Date: 7th February 2017



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Local Plan Review Proposed Submission Consultation
Forward Planning
Mid Devon District Council
Phoenix House
Tiverton
EX16 6PP

Dear Sir/Madam,

MID DEVON LOCAL PLAN REVIEW – JANUARY 2017

We write on behalf of our client, Codex Land PCC Land Promotion Cell, in relation to the above Local Plan Review (LPR) consultation. Codex control the Emmett land, which comprises a significant proportion of the Cullompton urban extension land. Codex form part of the North West Cullompton Urban Extension Consortium.

These representations should be read in conjunction with our letter dated 24th April 2015 (Appendix 1) which was submitted in relation to the previous LPR consultation.

Codex strongly support the retention of the Cullompton North West Urban Extension (**Policies CU1 – CU6**), as it represents a sustainable and effective means of delivering the long-term housing needs of the town.

The North West Cullompton Urban Extension Consortium, of which Codex are a part, have spent considerable time working in partnership with Mid Devon District Council, the Town Council, and key stakeholders in preparing a Masterplan for the North West Urban Extension. Given this there can be no question regarding their commitment to delivering the urban extension in a timely fashion.

As part of the Masterplan process an extensive array of supporting evidence was gathered to inform the process. As such, Codex have a detailed understanding of how best to develop the site.

Whilst the current iteration of the LPR is an improvement when compared with the February 2015 version, Codex do still have concerns regarding the detail of **Policies CU1 – CU6** as they currently stand.

Viability

There is one fundamental issue of great concern. That of development viability.

As part of the April 2015 representations (Appendix 1), a site valuation was submitted, based on a policy compliant development, set within the confines of the emerging allocation site area.

This clearly demonstrated that there are problems associated with **Policy CU1** which have a significant impact in terms of deliverability. Codex have carefully assessed this, and have devised amendments which overcome the concerns set out in these representations.

Site Configuration and quantum currently proposed by Policies CU1 – CU6 and the allocation plan

Whilst the configuration proposed by emerging **Policy CU1** is an improvement when compared with the February 2015 iteration, as it now broadly reflects the Masterplan adopted for the urban extension, some aspects remain a disappointment by ignoring the evidence gathered to date. For example, the proposed allocation illogically excludes level land with little or no visual impact.

Whilst the increase in dwelling numbers from 1200 is welcomed, the 1350 dwellings now proposed does not go far enough to overcome the viability issues referred to above, and as set out in more detail in our previous

representations (Appendix 1). Codex control sufficient land to overcome this, a matter that will be explored in the following section.

Criterion (a) of **Policy CU1** refers to the need for five gypsy and traveller pitches. As MDDC are aware, there are site funding issues associated with the risk and uncertainty regarding the location of pitches, with lenders not always prepared to carry the risk. Given this we suggest that flexibility is factored into the policy wording as far as this matter is concerned. A contribution toward off-site provision, in lieu of on-site pitches, may be appropriate in some circumstances. The policy wording should allow for this where appropriate.

Suitable, available and deliverable additional land

The Emmett/Codex land (labelled Area 2 on the Appendix 2 plan) is directly adjacent, and physically adjoined to, the extent of the emerging urban extension allocation. It comprises circa 6 hectares of land. The area represents a natural rounding off to the urban extension, and is suitable, available and achievable. The land is level, and would have limited visual impact, making it ideal for residential development. A further advantage to this site is its northern location. This would minimise the impact of traffic on the town centre.

The Emmett/Codex land should be included within the allocation.

Commercial Floorspace

Firstly, we support the principle for mixed-use development on site, and agree that some commercial floorspace will help achieve this. We also welcome the flexible approach Mid Devon suggest, which allows for a wide range of commercial uses and not just B1/B2/B8 uses.

It is important to carefully assess the quantum of commercial land included as part of **Policy CU1**, as an overprovision will not only impact on the viability

and deliverability of the urban extension, but would also cause a ripple effect that would impact on more suitable employment sites elsewhere in the town.

The Mid Devon Employment Land Review (ELR) dated January 2013 (prepared for the Council by G L Hearn) recommended that employment land focus around the existing concentration of employment land at the Kings Mill Industrial Estate. The Employment Land Review (ELR) also cast doubt on the 21,000 sq. metres of employment development included within the North West Urban Extension in previous iterations of the plan.

It is noted that the LPR now reduces the target quantum of commercial floor space to 10,000 sq. metres, this in line with adopted Masterplan. Whilst a reduction is welcomed, we question whether the change goes far enough. It must be recognised that the new 'Garden Village' settlement proposed at Junction 28 will become a major commercial hub. This will undermine the demand for commercial floorspace in Cullompton itself. As such, we recommend that the floorspace figure for the urban extension is further reduced.

Infrastructure and Phasing

Emerging **Policy CU2** deals with transport provision. Broadly speaking the policy accords with the adopted Masterplan, although it is noted that two additional requirements are sought (g and h).

Criterion (g) of **Policy CU2** seeks a financial contribution toward the 'Town Centre Relief Road' (also known as the Eastern Relief Road). The solution to the perceived Cullompton Town centre traffic congestion issue lies in the delivery of two relief roads, which work in combination to alleviate town centre congestion i.e. the Eastern Relief Road and a Western Relief Road. The link road running through the CU1 allocation is, in effect, the Western Relief Road. Therefore, the allocation will already make a significant contribution toward alleviating the congestion, through providing a new road. This is a costly

exercise, and it seems perverse to also seek financial contributions toward the Eastern Relief Road, especially given the allocation's precarious viability. Criterion (g) should be deleted.

Criterion (h) of **Policy CU2** seeks a financial contribution toward M5 Junction 28 improvements. The urban extension was originally allocated for 1100 dwellings in the January 2011 '*Allocation and Infrastructure*' DPD. The number was then adjusted to 1120 dwellings by the adopted Masterplan (factoring in historic under delivery elsewhere in the town). Developer contributions and Government grant funding were secured, and Junction 28 improvement works carried out to cater for the level of growth in these adopted plans i.e. 1120 dwellings. If further contributions are now sought for additional Junction 28 works, contributions should only be sought in relation to units beyond the 1120 already catered for. Any contributions made will be done so on the basis that these are necessary to assist in the delivery of allocated sites, and should not be used as a justification for the release of unallocated sites that have made no such contribution.

It must be recognised that there will be a finite pot for "off-site" highway improvements. How this sum is spent will ultimately rest with Devon County Council and Mid Devon District Council to agree how best to prioritise expenditure. If imposed, criterion (h) will inevitably mean that there is less funding available for criteria (a) – (f).

Policy CU6 deals with phasing. This policy is unnecessary and overly prescriptive. The adopted Masterplan deals with phasing in detail and there is no need for repetition.

Policy CU6 also seeks to impose an additional criterion regarding M5 access. Our thoughts on this matter have been set out when commenting on **Policy CU2**.

The way forward

- Increase the number of dwellings to 1500 to overcome viability concerns.
- Allocate additional level land of limited visual impact to achieve this (Appendix 2 Area 2)
- The affordable housing percentage needs careful consideration because of the ongoing viability issues. The proportion for each phase also needs careful thought. Phase 1 is critical to the delivery of the link road through the site, and the delivery of the school land. If it is to happen in Phase 1 the road relies on monetary receipts from the sale of the land which is being promoted, otherwise the road cannot be delivered until a later phase.
- Modify the infrastructure burden and phasing, and introduce the flexibility suggested by these representations, to assist viability and deliverability.

Conclusions

Codex support the retention of the Cullompton North West Urban Extension as it represents a sustainable and effective means of meeting the long-term housing needs of the town and wider district. However, emerging **Policies CU1 – CU6** are flawed as currently worded and must be revised to ensure the allocation is based on a robust rationale, and most importantly of all that development is viable and deliverable. Our representations set out how this can be achieved.

Kind Regards



Alex Graves BA (Hons) PG Dip MRTPI
For PCL Planning Ltd

Enc Appendix 1 - PCL Reps dated 24th April 2015
 Appendix 2 - Additional Land

Our Ref: PCL/SJS/9393
Date: 24th April 2015



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Dear Sirs,

LOCAL PLAN REVIEW PROPOSED SUBMISSION CONSULTATION

We write on behalf of our client, the North West Cullompton Urban Extension Consortium, in response to the *Local Plan Review Proposed Submission Consultation* (February 2015).

Amount of Development – Policy S2

Policy S2 proposes the provision of 7,200 dwellings and 154,000 square metres of commercial floor space up to 2033. However, the *Strategic Market Housing Assessment* (SHMA) that underlies the proposed quantum of housing was not published until well into the *Local Plan Review Proposed Submission Consultation* period. It is fundamental to the process of consultation that this key piece of evidence is available to inform consultees. It would have been better to wait for the findings of this exercise before commencing consultation, as a sequential approach would have avoided abortive work. The delay in the publication of the SHMA has left little time to properly understand its findings.

However, our initial analysis suggests that the housing numbers should increase. The emerging housing requirement of 7,200 homes has been estimated using population projections produced by Devon County Council, which are based on 30-year migration flow rates rather than the 5-year trend period used by the Office for National Statistics. Furthermore, since the DCC analysis was carried out DCLG have produced new household projections. These suggest that the area needs more than 7,200 dwellings. We reserve the right to comment on this in detail at future stages of the plan process.

Cullompton North West Urban Extension – Policies CU1-CU6

We strongly support the retention of the Cullompton North West Urban Extension (**Policies CU1 – CU6**), as it represents a sustainable and effective means of delivering the long-term housing needs of the town.

The Consortium are in the process of preparing a Masterplan for the North West Urban Extension. The Consortium is, in effect, working in partnership with Mid Devon District Council, the Town Council, and key stakeholders with the intention of having an adopted Masterplan in place by summer 2015. Given this there can be no question regarding the commitment to deliver the urban extension in a timely fashion.

However, the Consortium have major concerns regarding the detail of **Policies CU1 – CU6** as they currently stand.

Site Configuration currently proposed by Policies CU1 – CU6 and the allocation plan

As part of the ongoing Masterplan process in relation to the existing site allocation an extensive array of supporting evidence has been gathered to inform the process. The evidence in question has also incorporated the assembly of data in relation to the emerging allocation area, and the adjoining land. As such, the Consortium have a detailed understanding of how best to develop the site. The configuration proposed by emerging **Policy CU1** has come as a great disappointment to the Consortium, as it ignores much of the evidence gathered to date. For example, proposed **Policy CU1** includes an area that is not available for development, land within the floodplain, and areas that are too steep for residential development. It also fails to include level land with little or no visual impact. Please refer to Appendix 1, which illustrates our concerns. The key issues are as follows:

- Area 3 is not available for development (1.56 hectares)
- Area 4 is required for the school (0.79 hectares)
- Area 8 is in the flood plain and should be excluded (1.13 hectares)
- Area 11 is an area of Green Infrastructure that needs to be retained (0.3 hectares)
- Area 12 is steep and not suitable for residential development (0.58 hectares)

The above areas are not suitable/available for residential or commercial development which, in effect, results in the cumulative loss of 4.36 hectares of residential/commercial land. However, the Consortium control sufficient land to compensate for this, a matter that will be explored in the following section.

Suitable, available and deliverable additional land

The Emmett/Codex land (labelled Area 2 on the Appendix 1 plan) is directly adjacent, and physically adjoined to, the extent of the emerging urban extension allocation. It comprises circa 6 hectares of land. The area represents a natural rounding off to the urban extension, and is suitable, available and achievable. The land is level, and would have limited visual impact, making it

ideal for residential development. A further advantage to this site is its northern location. This would minimise the impact of traffic on the town centre.

The northern portion of the Growen Farm/PMAM land, and the land to its north, (labelled Area 6 on the Appendix 1 plan) cumulatively comprise 9.42 hectares (6.71 and 2.71 respectively). This land is also level and not subject to visual impact, making it ideal for residential development. A further 0.69 hectares (labelled 'Area 7') should also be included for residential use.

In addition to the areas suitable for residential use mentioned above, the Consortium also control Areas '5' (3.44 hectares) and '10' (2.08 hectares). The inclusion of 'Area 5' is critical to the entire scheme, as not only is the land required for the drainage strategy, but it also comprises flat land suitable for the provision of a sports pitch (other options for a third pitch are limited). 'Area 10' is also essential, as it comprises land required for the Local Centre which lies at the heart of the masterplan, creating active frontage onto the link road (this is essential to viability– a matter that will be explored in detail later in these representations).

The Emmett/Codex land and Growen Farm/PMAM land (21.67 hectares) cumulatively compensate for the deletion of the unsuitable/unavailable land referred to in the previous section of these representations. As such some, or all, of these areas should be included within the allocation.

Commercial Floorspace – Policy CU1 (c)

Firstly, we support the principle for mixed-use development on site, and agree that some commercial floorspace will help achieve this. We also welcome the flexible approach Mid Devon suggest, which allows for a wide range of commercial uses and not just B1/B2/B8 uses.

However, it is important to carefully assess the quantum of commercial land included as part of **Policy CU1**, as an overprovision will not only impact on the viability and deliverability of the urban extension, but would also cause a ripple effect that would impact on more suitable employment sites elsewhere in the town.

The Mid Devon Employment Land Review (ELR) dated January 2013 (prepared for the Council by G L Hearn) recommends that employment land focus around the existing concentration of employment land at the Kings Mill Industrial Estate, as there is potential for development or redevelopment of land within the existing Estate.

The Employment Land Review (ELR) also casts doubt on the quantum of employment development included within the North West Urban Extension. Whilst the comments were based on the existing site allocation, they provide

important background information worthy of consideration when assessing the emerging allocation. Paragraph 6.16 of the ELR states:

"The urban extensions to Tiverton and Cullompton are both dependent on delivery of significant new infrastructure. There is often a significant lead-in time to the delivery of such sites. Furthermore in the current economic/ market climate, the delivery of such sites can be challenging as they require a significant upfront financial outlay to support site preparation and infrastructure delivery and it can be difficult to secure development finance on favourable terms to enable this. This should be recognised as a risk to the delivery of these schemes in the short-term."

Paragraph 6.18 goes on to advise:

"We consider that at a strategic level there is a case to argue that the portfolio of employment sites could be 'rebalanced' to include a number of smaller employment land allocations which are not dependent on provision of significant additional infrastructure, and could be easier to deliver in the short-to-medium term..."

Paragraph 6.63 recommends that only 2 hectares (10,000 sq metres) of employment land should be included in the North West extension. Whilst the emerging CU1 allocation increases the overall land area of the North West Urban Extension, it does not increase it to such an extent to justify more than double the level of employment recommended by the Council's own ELR.

The existing urban extension site allocation, as set out in the Council's adopted *Allocations and Infrastructure DPD* (2010) allocates a gross area of circa 75 hectares. Excluding the 28 hectares of Green Infrastructure, this leaves a residual area of 47 hectares available for mixed-use development. The emerging **Policy CU1** increases the overall site area to 95 hectares, 67 hectares of which are available for development once the Green Infrastructure is discounted.

The existing allocation has been subject to an extensive Masterplanning exercise over the last 18 months. Whilst this process is still ongoing, there is a consensus that 10,000 sq metres of commercial land is appropriate (in accordance with the Council's ELR).

The emerging allocation increases the site coverage by 43% (67 hectares vs 47 hectares). An equivalent 43% increase in commercial land would result in the provision of 14,300 sq metres (10,000 sq metres increased by 43%).

We are also aware of a recent planning permission for 12,000 sq metres of employment land at Venn Farm, Cullompton. Venn Farm is an emerging allocation (**Policy CU18**) for 9,000 sq metres of commercial floorspace. Development at Venn Farm accords with the ELR recommendation to focus

employment around the existing concentration of employment land at the Kings Mill Industrial Estate. It seems to us that this additional 3,000 sq metres of commercial floorspace (sited in a more appropriate location than the North West Urban Extension area) further undermines the 21,000 sq metres floorspace suggested by **Policy CU1** of the *Local Plan Proposed Submission*. Whilst the consortium will accept an increase in commercial floorspace, beyond the 10,000 sq metres currently envisaged, this must be proportionate to the overall site allocation area, and must also accord with the 'rebalancing' of employment land allocations in the town recommended by the ELR.

We contend that 21,000 sq metres of commercial land is excessive. A proportionate increase in provision would result in circa 15,000 sq metres. The accompanying appendices allow for this quantum. However, we believe that this is still excessive. Discounting the additional 3,000 sq metres allowed at Venn Farm from this figure leaves a residual quantum of 12,000 sq metres. We believe that this is the right level of provision and as such recommend that **Policy CU1** be amended to this effect.

Viability

As already set out in these representations, the Consortium have serious concerns regarding the configuration of **Policy CU1** as it stands. Whilst many of these issues can be addressed through a sensible redrawing of the allocation site plan, there is one fundamental issue that causes us even more concern. That of development viability.

A site valuation has been carried out based on a policy compliant development, set within the confines of the emerging allocation site area. The phasing/trigger points set out in proposed **Policy CU6** have been input into this viability appraisal.

A copy of this appraisal is attached to these representations as Appendix 2. This is for the consideration of the Council **ONLY** at this time. The appraisal **MUST** be treated as confidential as it contains sensitive financial information.

You will note from the Appendix 2 Viability Report that the current emerging policy has the lowest land value of all the options tested. The 'Net Land Receipts per gross acre' fall well below the minimum land value necessary to incentivise development. The Council's own CIL evidence (D|S|P Housing & Development Consultants: 'Viability Assessment: Community Infrastructure Levy & Local Plan Final Report' - June 2014) states: "...*The minimum land values likely to incentivise release for development under any circumstances is probably around £250,000/ha in the Mid Devon context...*" (para 2.11.8). The emerging allocation generates a land value of far less than this minimum benchmark value and therefore an alternative option must be devised.

It is clear from the viability appraisal that there are problems associated with **Policy CU1** as it stands, which have a significant impact in terms of deliverability. The Consortium have carefully assessed this, and have devised an amended allocation, which satisfactorily addresses all of the concerns set out in these representations.

The way forward

The plan attached as Appendix 3 puts forward an alternative approach for the **Policy CU1** allocation (this approach broadly accords with Option 3a of the Appendix 2 Viability Report). In summary this:

- Omits the unsuitable/unavailable land and replaces it with level land of limited visual impact.
- Reduces the affordable housing percentage to an overall site wide proportion of 22.5%. More than this does not work in viability terms. Whilst 22.5% is achievable overall, the proportion for each phase of development needs careful consideration. Phase 1 is critical to the delivery of the link road through the site, and the delivery of the school land. If it is to happen in Phase 1 the road relies on monetary receipts from the sale of the land which is being promoted, otherwise the road cannot be delivered until a later phase. In order to ensure adequate funding for the road we recommend that Phase 1 comprise no more than 12.5% affordable housing. Subsequent phases can then include a higher proportion to ensure that the overall site wide percentage of 22.5% is met.
- Reduces the commercial floorspace.
- Reconfigures the Green Infrastructure based upon a detailed analysis of landscape impact.
- Increases the number of dwellings to circa 1,500 to overcome viability concerns. Evidence for this is provided by means of a viability appraisal that is attached to these representations. Once again, this is for the consideration of the Council only and must be treated as confidential.
- Increases the occupancy level to 500 before the completion of the link road.

Conclusions

The Consortium support the retention of the Cullompton North West Urban Extension as it represents a sustainable and effective means of meeting the long-term housing needs of the town and wider district. However, emerging **Policies CU1 – CU6** are flawed as currently worded and must be revised to ensure the allocation is based on a robust rationale, and most importantly of all that development is viable and deliverable. Our representations set out how this can be achieved. The Consortium look forward to continuing to work with Mid Devon to overcome these issues.

Thank you for the opportunity of commenting. We ask that you acknowledge receipt of these comments and keep us informed at all future stages of the plan process.

Kind Regards



Alex Graves BA (Hons) PG Dip MRTPI
For PCL Planning Ltd

e:



Enc

Appendix 1	-	Constraints Plan
Appendix 2	-	Confidential Viability Report
Appendix 3	-	Framework Plan Option 2

APPENDIX 1

1 Arbitrary Line through the middle of a field

2 Level land suitable for residential development but subject to visual impact

3 Landowner has asked for no development in front of his house

4 Land formerly reserved as part of the recreational land around the school would mean land across the public right of way would be required for school grounds

5 Land required for drainage and sports pitch

6 Level land suitable for residential development not subject to visual impact

8 Land within flood plain

9 Land required for residential development to create a new frontage on to the link road essential to creating a safe street outside the school

10 Land required for Local Centre at the heart of the masterplan creating active frontage onto the link road essential for viability

11 Areas of Green Infrastructure need to be retained

12 Steep land not suitable for residential development

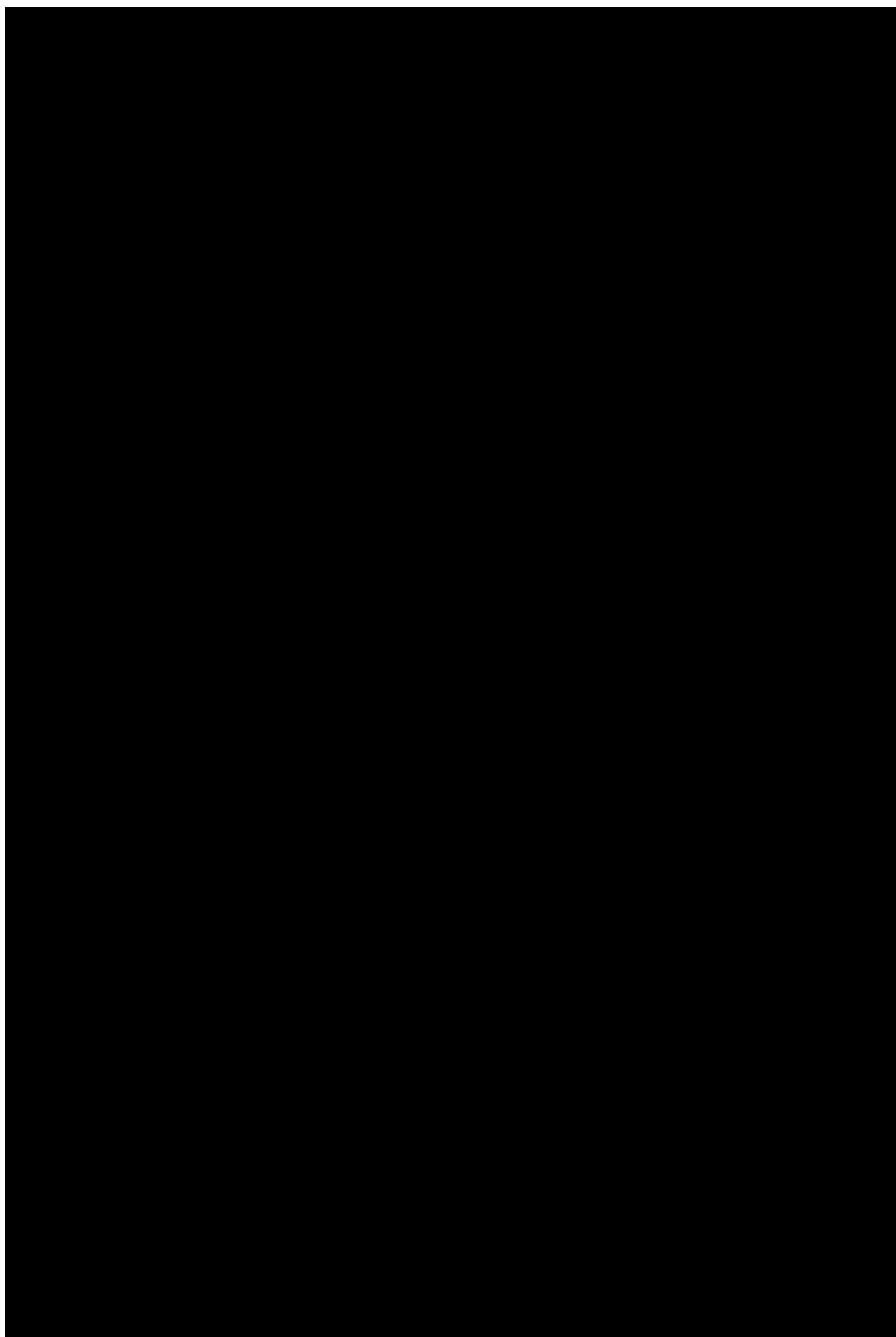
7 Land that should be included for development

- 100% Land under control for development - 2019
- Land under Proposed Masterplan - 2019 to 2024
- Land under Proposed Masterplan - 2024 to 2029
- Land under Proposed Masterplan - 2029 to 2034

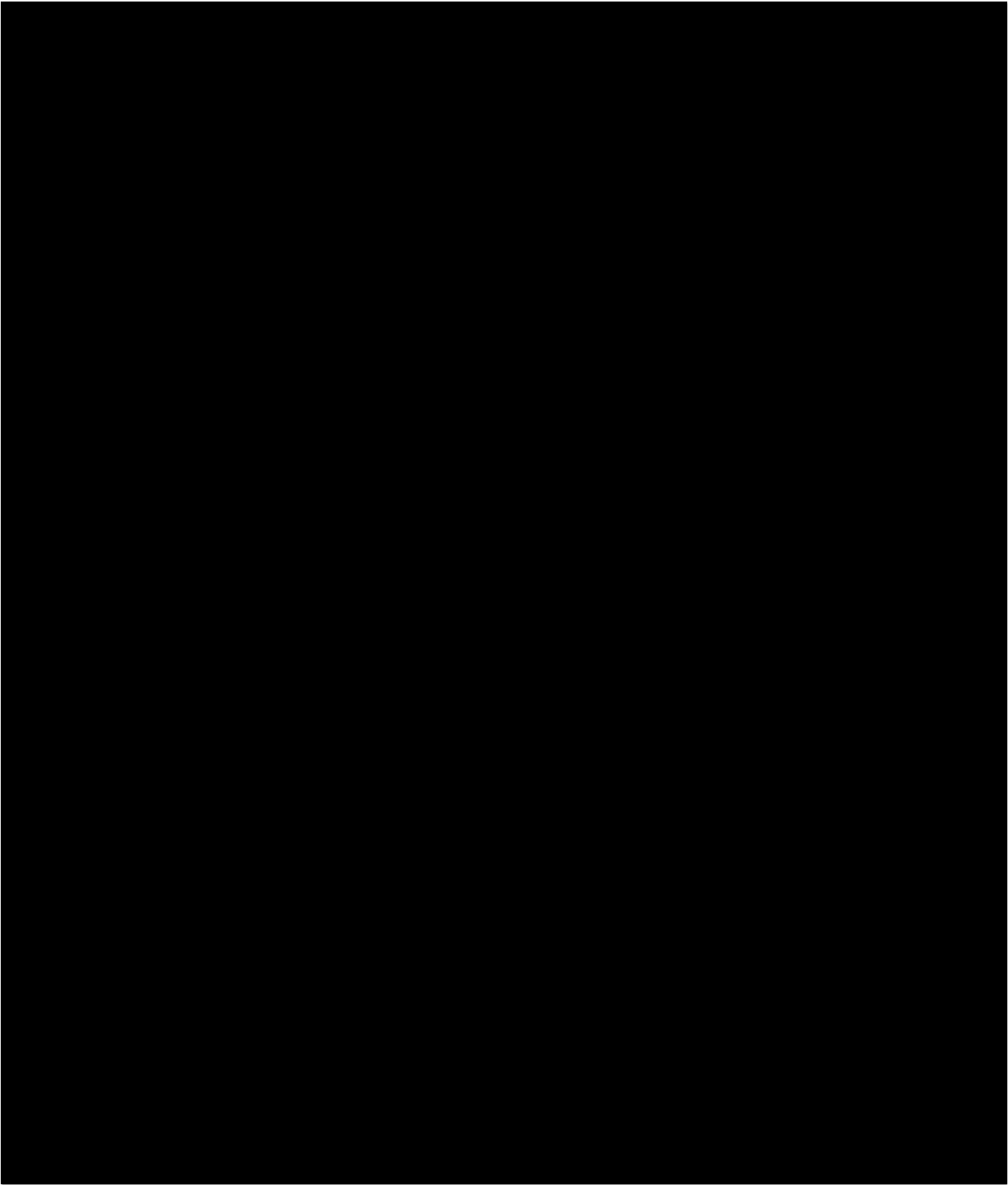
RE Collaboration Map
1:10,000 Scale
1:10,000 Scale
1:10,000 Scale

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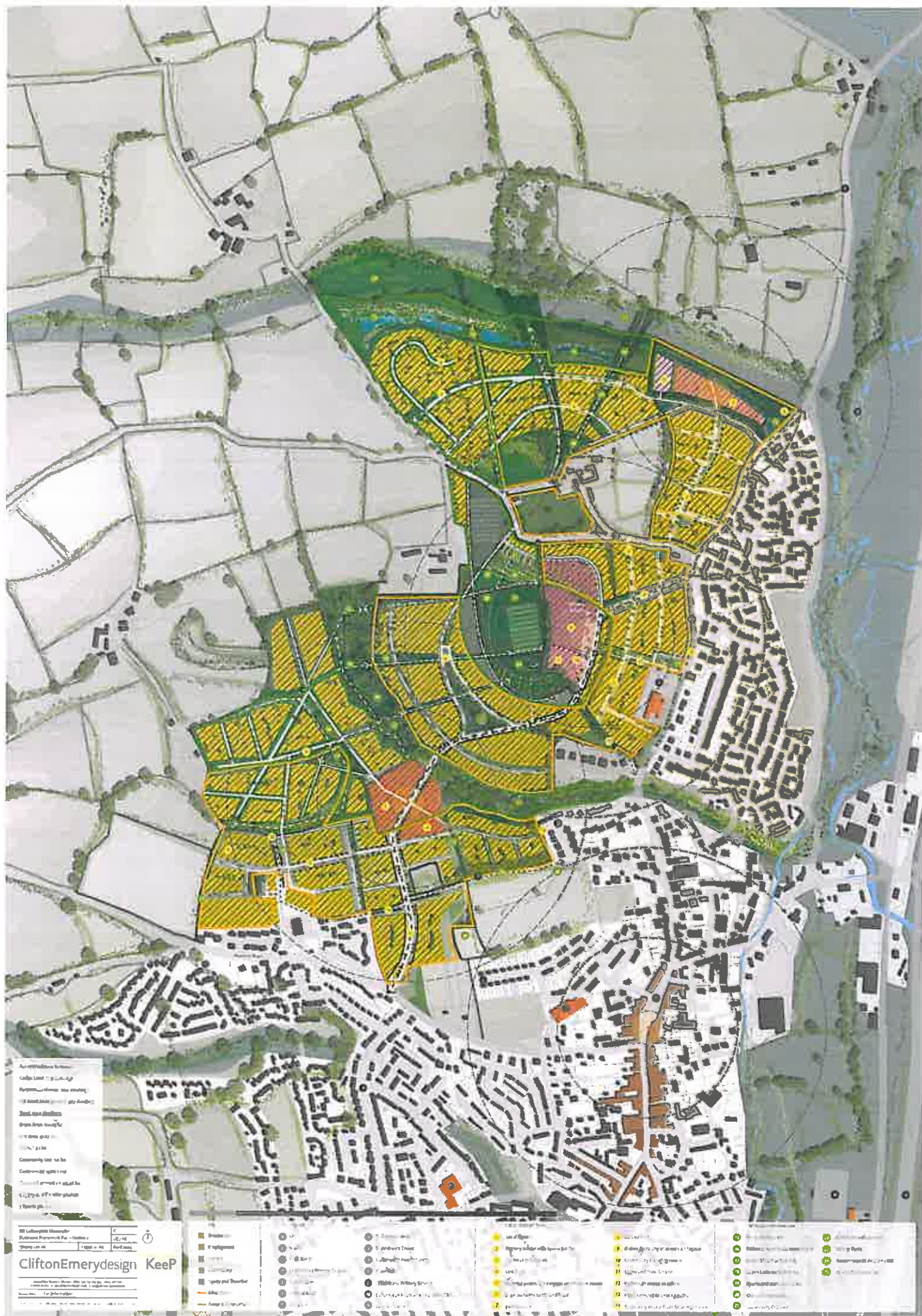
100% Land under control for development - 2019
Land under Proposed Masterplan - 2019 to 2024
Land under Proposed Masterplan - 2024 to 2029
Land under Proposed Masterplan - 2029 to 2034







APPENDIX 3



1 Arbitrary Line through the middle of a field

2 Level land suitable for residential development not subject to visual impact

3 Landowner has asked for no development in front of his house

4 Land formerly reserved as part of the recreational land around the school, would mean land across the public right of way would be required for school grounds

5 Land required for drainage and sports pitch

6 Level land suitable for residential development not subject to visual impact

8 Landowner's front plot

9 Land reserved for recreational use, however, it is considered that storage on the site would be essential to existing a safe street outside the school

10 Land required for Local Centre at the heart of the masterplan creating active frontage onto the link road essential for viability

11 Area of Green Infrastructure need to be retained

12 Steep land not suitable for residential development

7 Land that should be included in development

- Land under control for discussion - orange
- Land with proposed discussion for approval - yellow
- Land under proposed Land Plan Allocation - green
- Land under proposed Land Plan Green Infrastructure - blue

CliftonEmerydesign KeepP

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Cc: 'ambrose fieldman'; DPD; DPD
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Our Ref: PCL/9608
Date: 7th February 2017



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Dear Sir/Madam,

MID DEVON LOCAL PLAN REVIEW – JANUARY 2017

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Whilst the increase in dwelling numbers from 1200 is welcomed, the 1350 dwellings now proposed does not go far enough to overcome the viability issues referred to above, and as set out in more detail in our previous

representations (Appendix 1). Codex control sufficient land to overcome this, a matter that will be explored in the following section.

Criterion (a) of **Policy CU1** refers to the need for five gypsy and traveller pitches. As MDDC are aware, there are site funding issues associated with the risk and uncertainty regarding the location of pitches, with lenders not always prepared to carry the risk. Given this we suggest that flexibility is factored into the policy wording as far as this matter is concerned. A contribution toward off-site provision, in lieu of on-site pitches, may be appropriate in some circumstances. The policy wording should allow for this where appropriate.

Suitable, available and deliverable additional land

The Emmett/Codex land (labelled Area 2 on the Appendix 2 plan) is directly adjacent, and physically adjoined to, the extent of the emerging urban extension allocation. It comprises circa 6 hectares of land. The area represents a natural rounding off to the urban extension, and is suitable, available and achievable. The land is level, and would have limited visual impact, making it ideal for residential development. A further advantage to this site is its northern location. This would minimise the impact of traffic on the town centre.

The Emmett/Codex land should be included within the allocation.

Commercial Floorspace

Firstly, we support the principle for mixed-use development on site, and agree that some commercial floorspace will help achieve this. We also welcome the flexible approach Mid Devon suggest, which allows for a wide range of commercial uses and not just B1/B2/B8 uses.

It is important to carefully assess the quantum of commercial land included as part of **Policy CU1**, as an overprovision will not only impact on the viability

and deliverability of the urban extension, but would also cause a ripple effect that would impact on more suitable employment sites elsewhere in the town.

The Mid Devon Employment Land Review (ELR) dated January 2013 (prepared for the Council by G L Hearn) recommended that employment land focus around the existing concentration of employment land at the Kings Mill Industrial Estate. The Employment Land Review (ELR) also cast doubt on the 21,000 sq. metres of employment development included within the North West Urban Extension in previous iterations of the plan.

It is noted that the LPR now reduces the target quantum of commercial floor space to 10,000 sq. metres, this in line with adopted Masterplan. Whilst a reduction is welcomed, we question whether the change goes far enough. It must be recognised that the new 'Garden Village' settlement proposed at Junction 28 will become a major commercial hub. This will undermine the demand for commercial floorspace in Cullompton itself. As such, we recommend that the floorspace figure for the urban extension is further reduced.

Infrastructure and Phasing

Emerging **Policy CU2** deals with transport provision. Broadly speaking the policy accords with the adopted Masterplan, although it is noted that two additional requirements are sought (g and h).

Criterion (g) of **Policy CU2** seeks a financial contribution toward the 'Town Centre Relief Road' (also known as the Eastern Relief Road). The solution to the perceived Cullompton Town centre traffic congestion issue lies in the delivery of two relief roads, which work in combination to alleviate town centre congestion i.e. the Eastern Relief Road and a Western Relief Road. The link road running through the CU1 allocation is, in effect, the Western Relief Road. Therefore, the allocation will already make a significant contribution toward alleviating the congestion, through providing a new road. This is a costly

exercise, and it seems perverse to also seek financial contributions toward the Eastern Relief Road, especially given the allocation's precarious viability. Criterion (g) should be deleted.

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It must be recognised that there will be a finite pot for "off-site" highway improvements. How this sum is spent will ultimately rest with Devon County Council and Mid Devon District Council to agree how best to prioritise expenditure. If imposed, criterion (h) will inevitably mean that there is less funding available for criteria (a) – (f).

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Policy CU6 also seeks to impose an additional criterion regarding M5 access. Our thoughts on this matter have been set out when commenting on **Policy CU2**.

The way forward

- Increase the number of dwellings to 1500 to overcome viability concerns.
- Allocate additional level land of limited visual impact to achieve this (Appendix 2 Area 2)
- The affordable housing percentage needs careful consideration because of the ongoing viability issues. The proportion for each phase also needs careful thought. Phase 1 is critical to the delivery of the link road through the site, and the delivery of the school land. If it is to happen in Phase 1 the road relies on monetary receipts from the sale of the land which is being promoted, otherwise the road cannot be delivered until a later phase.
- Modify the infrastructure burden and phasing, and introduce the flexibility suggested by these representations, to assist viability and deliverability.

Conclusions

Codex support the retention of the Cullompton North West Urban Extension as it represents a sustainable and effective means of meeting the long-term housing needs of the town and wider district. However, emerging **Policies CU1 – CU6** are flawed as currently worded and must be revised to ensure the allocation is based on a robust rationale, and most importantly of all that development is viable and deliverable. Our representations set out how this can be achieved.

Kind Regards



Alex Graves BA (Hons) PG Dip MRTPI
For PCL Planning Ltd

Enc Appendix 1 - PCL Reps dated 24th April 2015
 Appendix 2 - Additional Land

Our Ref: PCL/SJS/9393
Date: 24th April 2015



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Local Plan Review Proposed Submission Consultation
Forward Planning
Mid Devon District Council
Phoenix House
Tiverton
EX16 6PP

Dear Sirs,

LOCAL PLAN REVIEW PROPOSED SUBMISSION CONSULTATION

We write on behalf of our client, the North West Cullompton Urban Extension Consortium, in response to the *Local Plan Review Proposed Submission Consultation* (February 2015).

Amount of Development – Policy S2

Policy S2 proposes the provision of 7,200 dwellings and 154,000 square metres of commercial floor space up to 2033. However, the *Strategic Market Housing Assessment* (SHMA) that underlies the proposed quantum of housing was not published until well into the *Local Plan Review Proposed Submission Consultation* period. It is fundamental to the process of consultation that this key piece of evidence is available to inform consultees. It would have been better to wait for the findings of this exercise before commencing consultation, as a sequential approach would have avoided abortive work. The delay in the publication of the SHMA has left little time to properly understand its findings.

However, our initial analysis suggests that the housing numbers should increase. The emerging housing requirement of 7,200 homes has been estimated using population projections produced by Devon County Council, which are based on 30-year migration flow rates rather than the 5-year trend period used by the Office for National Statistics. Furthermore, since the DCC analysis was carried out DCLG have produced new household projections. These suggest that the area needs more than 7,200 dwellings. We reserve the right to comment on this in detail at future stages of the plan process.

Cullompton North West Urban Extension – Policies CU1-CU6

We strongly support the retention of the Cullompton North West Urban Extension (**Policies CU1 – CU6**), as it represents a sustainable and effective means of delivering the long-term housing needs of the town.

The Consortium are in the process of preparing a Masterplan for the North West Urban Extension. The Consortium is, in effect, working in partnership with Mid Devon District Council, the Town Council, and key stakeholders with the intention of having an adopted Masterplan in place by summer 2015. Given this there can be no question regarding the commitment to deliver the urban extension in a timely fashion.

However, the Consortium have major concerns regarding the detail of **Policies CU1 – CU6** as they currently stand.

Site Configuration currently proposed by Policies CU1 – CU6 and the allocation plan

As part of the ongoing Masterplan process in relation to the existing site allocation an extensive array of supporting evidence has been gathered to inform the process. The evidence in question has also incorporated the assembly of data in relation to the emerging allocation area, and the adjoining land. As such, the Consortium have a detailed understanding of how best to develop the site. The configuration proposed by emerging **Policy CU1** has come as a great disappointment to the Consortium, as it ignores much of the evidence gathered to date. For example, proposed **Policy CU1** includes an area that is not available for development, land within the floodplain, and areas that are too steep for residential development. It also fails to include level land with little or no visual impact. Please refer to Appendix 1, which illustrates our concerns. The key issues are as follows:

- Area 3 is not available for development (1.56 hectares)
- Area 4 is required for the school (0.79 hectares)
- Area 8 is in the flood plain and should be excluded (1.13 hectares)
- Area 11 is an area of Green Infrastructure that needs to be retained (0.3 hectares)
- Area 12 is steep and not suitable for residential development (0.58 hectares)

The above areas are not suitable/available for residential or commercial development which, in effect, results in the cumulative loss of 4.36 hectares of residential/commercial land. However, the Consortium control sufficient land to compensate for this, a matter that will be explored in the following section.

Suitable, available and deliverable additional land

The Emmett/Codex land (labelled Area 2 on the Appendix 1 plan) is directly adjacent, and physically adjoined to, the extent of the emerging urban extension allocation. It comprises circa 6 hectares of land. The area represents a natural rounding off to the urban extension, and is suitable, available and achievable. The land is level, and would have limited visual impact, making it

ideal for residential development. A further advantage to this site is its northern location. This would minimise the impact of traffic on the town centre.

The northern portion of the Growen Farm/PMAM land, and the land to its north, (labelled Area 6 on the Appendix 1 plan) cumulatively comprise 9.42 hectares (6.71 and 2.71 respectively). This land is also level and not subject to visual impact, making it ideal for residential development. A further 0.69 hectares (labelled 'Area 7') should also be included for residential use.

In addition to the areas suitable for residential use mentioned above, the Consortium also control Areas '5' (3.44 hectares) and '10' (2.08 hectares). The inclusion of 'Area 5' is critical to the entire scheme, as not only is the land required for the drainage strategy, but it also comprises flat land suitable for the provision of a sports pitch (other options for a third pitch are limited). 'Area 10' is also essential, as it comprises land required for the Local Centre which lies at the heart of the masterplan, creating active frontage onto the link road (this is essential to viability– a matter that will be explored in detail later in these representations).

The Emmett/Codex land and Growen Farm/PMAM land (21.67 hectares) cumulatively compensate for the deletion of the unsuitable/unavailable land referred to in the previous section of these representations. As such some, or all, of these areas should be included within the allocation.

Commercial Floorspace – Policy CU1 (c)

Firstly, we support the principle for mixed-use development on site, and agree that some commercial floorspace will help achieve this. We also welcome the flexible approach Mid Devon suggest, which allows for a wide range of commercial uses and not just B1/B2/B8 uses.

However, it is important to carefully assess the quantum of commercial land included as part of **Policy CU1**, as an overprovision will not only impact on the viability and deliverability of the urban extension, but would also cause a ripple effect that would impact on more suitable employment sites elsewhere in the town.

The Mid Devon Employment Land Review (ELR) dated January 2013 (prepared for the Council by G L Hearn) recommends that employment land focus around the existing concentration of employment land at the Kings Mill Industrial Estate, as there is potential for development or redevelopment of land within the existing Estate.

The Employment Land Review (ELR) also casts doubt on the quantum of employment development included within the North West Urban Extension. Whilst the comments were based on the existing site allocation, they provide

important background information worthy of consideration when assessing the emerging allocation. Paragraph 6.16 of the ELR states:

"The urban extensions to Tiverton and Cullompton are both dependent on delivery of significant new infrastructure. There is often a significant lead-in time to the delivery of such sites. Furthermore in the current economic/ market climate, the delivery of such sites can be challenging as they require a significant upfront financial outlay to support site preparation and infrastructure delivery and it can be difficult to secure development finance on favourable terms to enable this. This should be recognised as a risk to the delivery of these schemes in the short-term."

Paragraph 6.18 goes on to advise:

"We consider that at a strategic level there is a case to argue that the portfolio of employment sites could be 'rebalanced' to include a number of smaller employment land allocations which are not dependent on provision of significant additional infrastructure, and could be easier to deliver in the short-to-medium term..."

Paragraph 6.63 recommends that only 2 hectares (10,000 sq metres) of employment land should be included in the North West extension. Whilst the emerging CU1 allocation increases the overall land area of the North West Urban Extension, it does not increase it to such an extent to justify more than double the level of employment recommended by the Council's own ELR.

The existing urban extension site allocation, as set out in the Council's adopted *Allocations and Infrastructure DPD* (2010) allocates a gross area of circa 75 hectares. Excluding the 28 hectares of Green Infrastructure, this leaves a residual area of 47 hectares available for mixed-use development. The emerging **Policy CU1** increases the overall site area to 95 hectares, 67 hectares of which are available for development once the Green Infrastructure is discounted.

The existing allocation has been subject to an extensive Masterplanning exercise over the last 18 months. Whilst this process is still ongoing, there is a consensus that 10,000 sq metres of commercial land is appropriate (in accordance with the Council's ELR).

The emerging allocation increases the site coverage by 43% (67 hectares vs 47 hectares). An equivalent 43% increase in commercial land would result in the provision of 14,300 sq metres (10,000 sq metres increased by 43%).

We are also aware of a recent planning permission for 12,000 sq metres of employment land at Venn Farm, Cullompton. Venn Farm is an emerging allocation (**Policy CU18**) for 9,000 sq metres of commercial floorspace. Development at Venn Farm accords with the ELR recommendation to focus

employment around the existing concentration of employment land at the Kings Mill Industrial Estate. It seems to us that this additional 3,000 sq metres of commercial floorspace (sited in a more appropriate location than the North West Urban Extension area) further undermines the 21,000 sq metres floorspace suggested by **Policy CU1** of the *Local Plan Proposed Submission*. Whilst the consortium will accept an increase in commercial floorspace, beyond the 10,000 sq metres currently envisaged, this must be proportionate to the overall site allocation area, and must also accord with the 'rebalancing' of employment land allocations in the town recommended by the ELR.

We contend that 21,000 sq metres of commercial land is excessive. A proportionate increase in provision would result in circa 15,000 sq metres. The accompanying appendices allow for this quantum. However, we believe that this is still excessive. Discounting the additional 3,000 sq metres allowed at Venn Farm from this figure leaves a residual quantum of 12,000 sq metres. We believe that this is the right level of provision and as such recommend that **Policy CU1** be amended to this effect.

Viability

As already set out in these representations, the Consortium have serious concerns regarding the configuration of **Policy CU1** as it stands. Whilst many of these issues can be addressed through a sensible redrawing of the allocation site plan, there is one fundamental issue that causes us even more concern. That of development viability.

A site valuation has been carried out based on a policy compliant development, set within the confines of the emerging allocation site area. The phasing/trigger points set out in proposed **Policy CU6** have been input into this viability appraisal.

A copy of this appraisal is attached to these representations as Appendix 2. This is for the consideration of the Council **ONLY** at this time. The appraisal **MUST** be treated as confidential as it contains sensitive financial information.

You will note from the Appendix 2 Viability Report that the current emerging policy has the lowest land value of all the options tested. The 'Net Land Receipts per gross acre' fall well below the minimum land value necessary to incentivise development. The Council's own CIL evidence (D|S|P Housing & Development Consultants: 'Viability Assessment: Community Infrastructure Levy & Local Plan Final Report' - June 2014) states: "...*The minimum land values likely to incentivise release for development under any circumstances is probably around £250,000/ha in the Mid Devon context...*" (para 2.11.8). The emerging allocation generates a land value of far less than this minimum benchmark value and therefore an alternative option must be devised.

It is clear from the viability appraisal that there are problems associated with **Policy CU1** as it stands, which have a significant impact in terms of deliverability. The Consortium have carefully assessed this, and have devised an amended allocation, which satisfactorily addresses all of the concerns set out in these representations.

The way forward

The plan attached as Appendix 3 puts forward an alternative approach for the **Policy CU1** allocation (this approach broadly accords with Option 3a of the Appendix 2 Viability Report). In summary this:

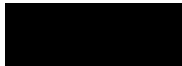
- Omits the unsuitable/unavailable land and replaces it with level land of limited visual impact.
- Reduces the affordable housing percentage to an overall site wide proportion of 22.5%. More than this does not work in viability terms. Whilst 22.5% is achievable overall, the proportion for each phase of development needs careful consideration. Phase 1 is critical to the delivery of the link road through the site, and the delivery of the school land. If it is to happen in Phase 1 the road relies on monetary receipts from the sale of the land which is being promoted, otherwise the road cannot be delivered until a later phase. In order to ensure adequate funding for the road we recommend that Phase 1 comprise no more than 12.5% affordable housing. Subsequent phases can then include a higher proportion to ensure that the overall site wide percentage of 22.5% is met.
- Reduces the commercial floorspace.
- Reconfigures the Green Infrastructure based upon a detailed analysis of landscape impact.
- Increases the number of dwellings to circa 1,500 to overcome viability concerns. Evidence for this is provided by means of a viability appraisal that is attached to these representations. Once again, this is for the consideration of the Council only and must be treated as confidential.
- Increases the occupancy level to 500 before the completion of the link road.

Conclusions

The Consortium support the retention of the Cullompton North West Urban Extension as it represents a sustainable and effective means of meeting the long-term housing needs of the town and wider district. However, emerging **Policies CU1 – CU6** are flawed as currently worded and must be revised to ensure the allocation is based on a robust rationale, and most importantly of all that development is viable and deliverable. Our representations set out how this can be achieved. The Consortium look forward to continuing to work with Mid Devon to overcome these issues.

Thank you for the opportunity of commenting. We ask that you acknowledge receipt of these comments and keep us informed at all future stages of the plan process.

Kind Regards



Alex Graves BA (Hons) PG Dip MRTPI
For PCL Planning Ltd

e:



Enc

Appendix 1 - Constraints Plan
Appendix 2 - Confidential Viability Report
Appendix 3 - Framework Plan Option 2

APPENDIX 1

1 Arbitrary Line through the middle of a field

2 Level land suitable for residential development but subject to visual impact

3 Landowner has asked for no development in front of his house

4 Land formerly reserved as part of the recreational land around the school would mean land across the public right of way would be required for school grounds

5 Land required for drainage and sports pitch

6 Level land suitable for residential development not subject to visual impact

8 Land within flood plain

9 Land required for residential development to create a new frontage on to the link road essential to creating a safe street outside the school

10 Land required for Local Centre at the heart of the masterplan creating active frontage onto the link road essential for viability

11 Areas of Green Infrastructure need to be retained

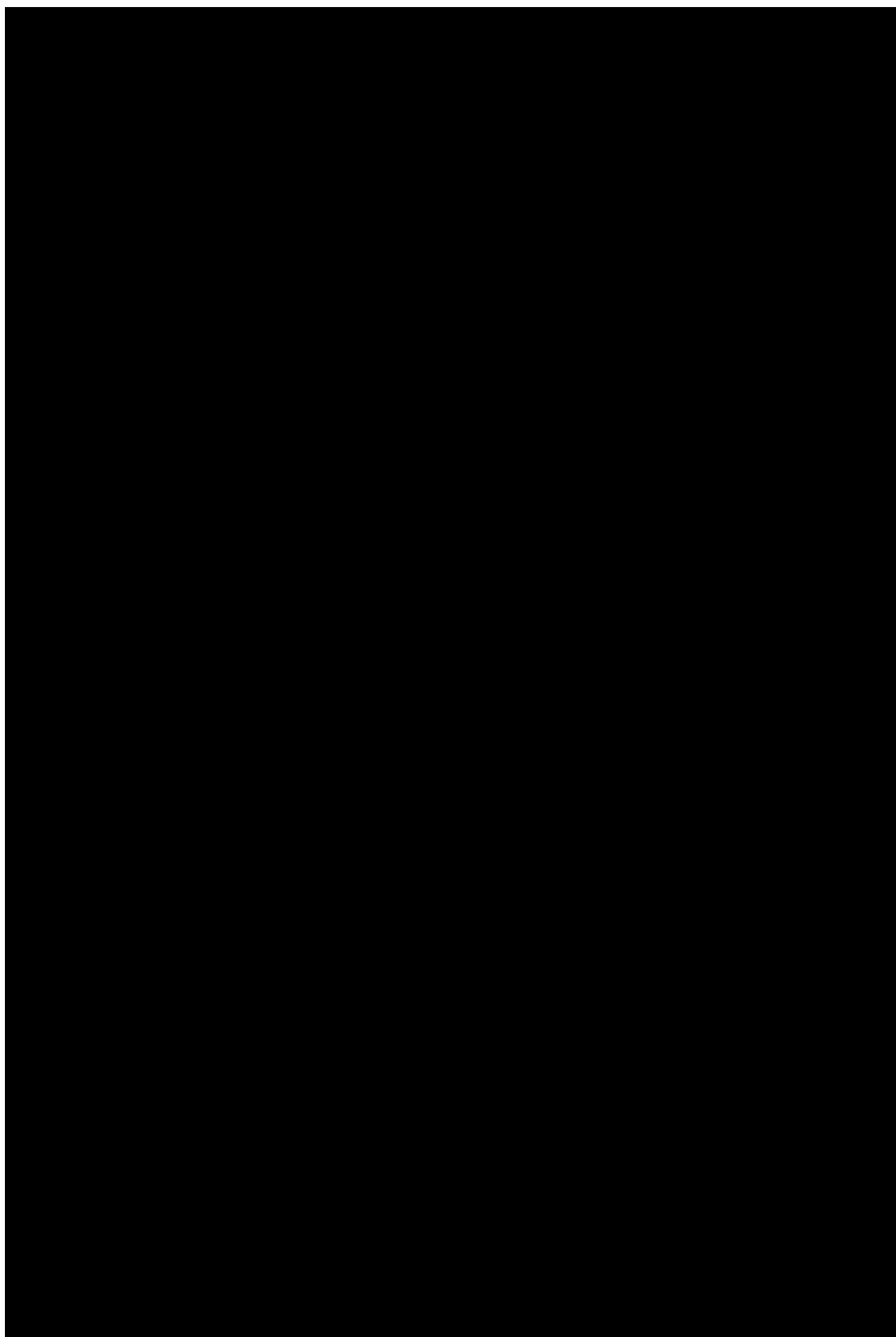
12 Steep land not suitable for residential development

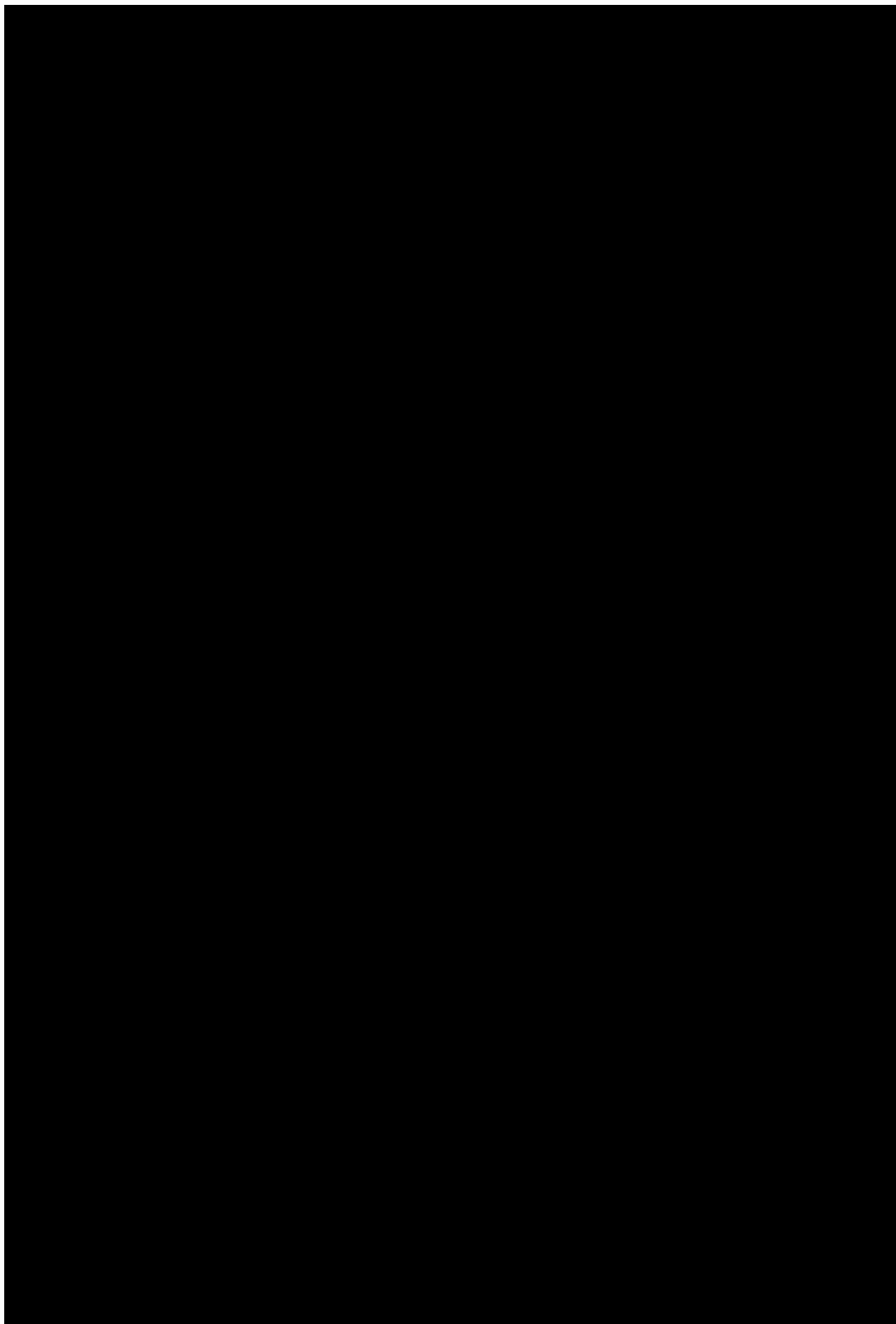
7 Land that should be included for development

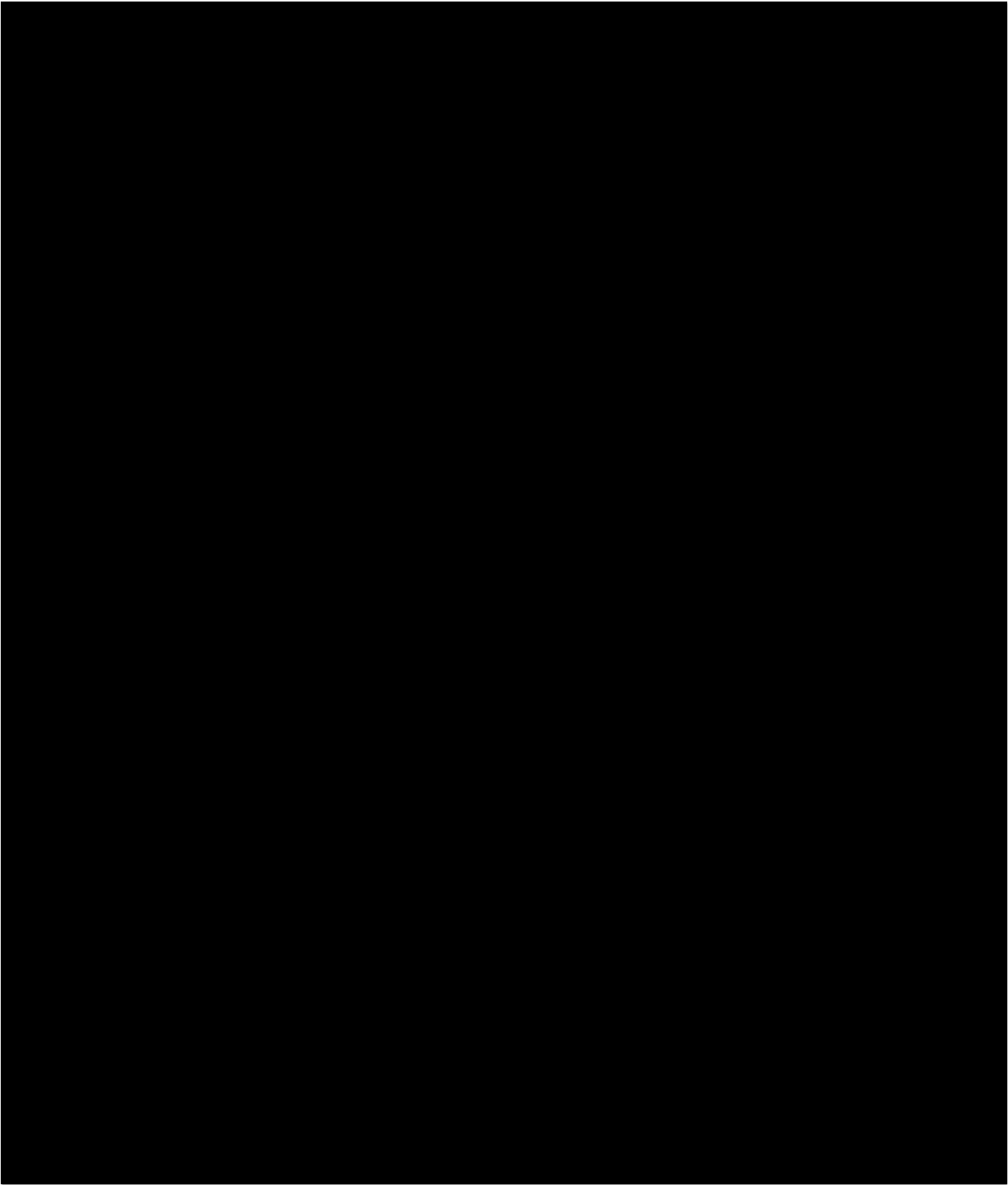
- 100% under control for development - 2010
- Land under Proposed Masterplan - 2010
- Land under Proposed Masterplan - 2010
- Land under Proposed Masterplan - 2010

RE Collaboration Map
100% under control for development - 2010

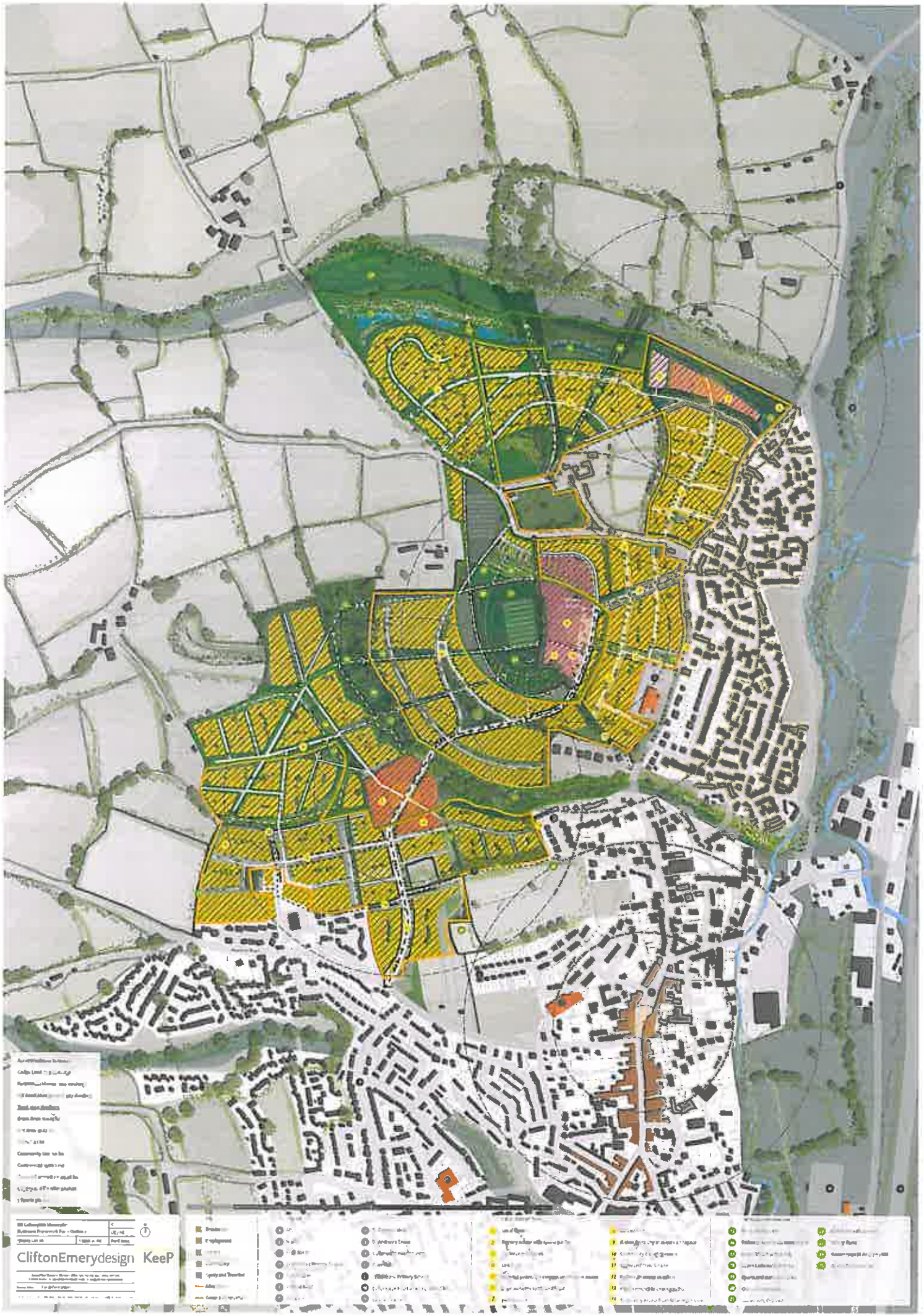
CliftonEmerydesign Keep







APPENDIX 3



As a condition of planning permission, the applicant must provide a detailed site plan showing the proposed development and its relationship to the surrounding environment. The plan must also show the proposed access to the site and the proposed parking spaces.

CliftonEmerydesign **Keep**

100 Cliftonville, Clifton, Bristol, BS2 9EJ
Tel: 0117 925 1234
Email: info@cliftonemerydesign.co.uk

1 Green Space	11 Green Space	21 Green Space	31 Green Space
2 Yellow Space	12 Yellow Space	22 Yellow Space	32 Yellow Space
3 Orange Space	13 Orange Space	23 Orange Space	33 Orange Space
4 Red Space	14 Red Space	24 Red Space	34 Red Space
5 Blue Space	15 Blue Space	25 Blue Space	35 Blue Space
6 Other	16 Other	26 Other	36 Other

1 Arbitrary Line through the middle of a field

2 Level land suitable for residential development not subject to visual impact

3 Landowner has asked for no development in front of his house

4 Land formerly reserved as part of the recreational land around the school, would mean land across the public right of way would be required for school grounds

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8 Landowner's front plot

9 Land reserved for recreational use, however, it is considered that storage on the site would be essential to existing a safe street outside the school

10 Land required for Local Centre at the heart of the masterplan creating active frontage onto the link road essential for viability

11 Area of Green Infrastructure need to be retained

12 Steep land not suitable for residential development

7 Land that should be included in development

- Land under control for discussion - orange
- Land with proposed discussion for approval - yellow
- Land under proposed Land Plan Allocation - green
- Land under proposed Land Plan Green Infrastructure - blue

CliftonEmerydesign KeepP

CliftonEmerydesign KeepP

4300/CU1-CU6/MOD

Our Ref: PCL/9608
Date: 7th February 2017



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Local Plan Review Proposed Submission Consultation
Forward Planning
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Phoenix House
Tiverton
EX16 6PP

Dear Sir/Madam,

MID DEVON LOCAL PLAN REVIEW – JANUARY 2017

We write on behalf of our client, Codex Land PCC Land Promotion Cell, in relation to the above Local Plan Review (LPR) consultation. Codex control the Emmett land, which comprises a significant proportion of the Cullompton urban extension land. Codex form part of the North West Cullompton Urban Extension Consortium.

These representations should be read in conjunction with our letter dated 24th April 2015 (Appendix 1) which was submitted in relation to the previous LPR consultation.

Codex strongly support the retention of the Cullompton North West Urban Extension (**Policies CU1 – CU6**), as it represents a sustainable and effective means of delivering the long-term housing needs of the town.

The North West Cullompton Urban Extension Consortium, of which Codex are a part, have spent considerable time working in partnership with Mid Devon District Council, the Town Council, and key stakeholders in preparing a Masterplan for the North West Urban Extension. Given this there can be no question regarding their commitment to delivering the urban extension in a timely fashion.

As part of the Masterplan process an extensive array of supporting evidence was gathered to inform the process. As such, Codex have a detailed understanding of how best to develop the site.

Whilst the current iteration of the LPR is an improvement when compared with the February 2015 version, Codex do still have concerns regarding the detail of **Policies CU1 – CU6** as they currently stand.

Viability

There is one fundamental issue of great concern. That of development viability.

As part of the April 2015 representations (Appendix 1), a site valuation was submitted, based on a policy compliant development, set within the confines of the emerging allocation site area.

This clearly demonstrated that there are problems associated with **Policy CU1** which have a significant impact in terms of deliverability. Codex have carefully assessed this, and have devised amendments which overcome the concerns set out in these representations.

Site Configuration and quantum currently proposed by Policies CU1 – CU6 and the allocation plan

Whilst the configuration proposed by emerging **Policy CU1** is an improvement when compared with the February 2015 iteration, as it now broadly reflects the Masterplan adopted for the urban extension, some aspects remain a disappointment by ignoring the evidence gathered to date. For example, the proposed allocation illogically excludes level land with little or no visual impact.

Whilst the increase in dwelling numbers from 1200 is welcomed, the 1350 dwellings now proposed does not go far enough to overcome the viability issues referred to above, and as set out in more detail in our previous

representations (Appendix 1). Codex control sufficient land to overcome this, a matter that will be explored in the following section.

Criterion (a) of **Policy CU1** refers to the need for five gypsy and traveller pitches. As MDDC are aware, there are site funding issues associated with the risk and uncertainty regarding the location of pitches, with lenders not always prepared to carry the risk. Given this we suggest that flexibility is factored into the policy wording as far as this matter is concerned. A contribution toward off-site provision, in lieu of on-site pitches, may be appropriate in some circumstances. The policy wording should allow for this where appropriate.

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The Emmett/Codex land should be included within the allocation.

Commercial Floorspace

Firstly, we support the principle for mixed-use development on site, and agree that some commercial floorspace will help achieve this. We also welcome the flexible approach Mid Devon suggest, which allows for a wide range of commercial uses and not just B1/B2/B8 uses.

It is important to carefully assess the quantum of commercial land included as part of **Policy CU1**, as an overprovision will not only impact on the viability

and deliverability of the urban extension, but would also cause a ripple effect that would impact on more suitable employment sites elsewhere in the town.

The Mid Devon Employment Land Review (ELR) dated January 2013 (prepared for the Council by G L Hearn) recommended that employment land focus around the existing concentration of employment land at the Kings Mill Industrial Estate. The Employment Land Review (ELR) also cast doubt on the 21,000 sq. metres of employment development included within the North West Urban Extension in previous iterations of the plan.

It is noted that the LPR now reduces the target quantum of commercial floor space to 10,000 sq. metres, this in line with adopted Masterplan. Whilst a reduction is welcomed, we question whether the change goes far enough. It must be recognised that the new 'Garden Village' settlement proposed at Junction 28 will become a major commercial hub. This will undermine the demand for commercial floorspace in Cullompton itself. As such, we recommend that the floorspace figure for the urban extension is further reduced.

Infrastructure and Phasing

Emerging **Policy CU2** deals with transport provision. Broadly speaking the policy accords with the adopted Masterplan, although it is noted that two additional requirements are sought (g and h).

Criterion (g) of **Policy CU2** seeks a financial contribution toward the 'Town Centre Relief Road' (also known as the Eastern Relief Road). The solution to the perceived Cullompton Town centre traffic congestion issue lies in the delivery of two relief roads, which work in combination to alleviate town centre congestion i.e. the Eastern Relief Road and a Western Relief Road. The link road running through the CU1 allocation is, in effect, the Western Relief Road. Therefore, the allocation will already make a significant contribution toward alleviating the congestion, through providing a new road. This is a costly

exercise, and it seems perverse to also seek financial contributions toward the Eastern Relief Road, especially given the allocation's precarious viability. Criterion (g) should be deleted.

Criterion (h) of **Policy CU2** seeks a financial contribution toward M5 Junction 28 improvements. The urban extension was originally allocated for 1100 dwellings in the January 2011 '*Allocation and Infrastructure*' DPD. The number was then adjusted to 1120 dwellings by the adopted Masterplan (factoring in historic under delivery elsewhere in the town). Developer contributions and Government grant funding were secured, and Junction 28 improvement works carried out to cater for the level of growth in these adopted plans i.e. 1120 dwellings. If further contributions are now sought for additional Junction 28 works, contributions should only be sought in relation to units beyond the 1120 already catered for. Any contributions made will be done so on the basis that these are necessary to assist in the delivery of allocated sites, and should not be used as a justification for the release of unallocated sites that have made no such contribution.

It must be recognised that there will be a finite pot for "off-site" highway improvements. How this sum is spent will ultimately rest with Devon County Council and Mid Devon District Council to agree how best to prioritise expenditure. If imposed, criterion (h) will inevitably mean that there is less funding available for criteria (a) – (f).

Policy CU6 deals with phasing. This policy is unnecessary and overly prescriptive. The adopted Masterplan deals with phasing in detail and there is no need for repetition.

Policy CU6 also seeks to impose an additional criterion regarding M5 access. Our thoughts on this matter have been set out when commenting on **Policy CU2**.

The way forward

- Increase the number of dwellings to 1500 to overcome viability concerns.
- Allocate additional level land of limited visual impact to achieve this (Appendix 2 Area 2)
- The affordable housing percentage needs careful consideration because of the ongoing viability issues. The proportion for each phase also needs careful thought. Phase 1 is critical to the delivery of the link road through the site, and the delivery of the school land. If it is to happen in Phase 1 the road relies on monetary receipts from the sale of the land which is being promoted, otherwise the road cannot be delivered until a later phase.
- Modify the infrastructure burden and phasing, and introduce the flexibility suggested by these representations, to assist viability and deliverability.

Conclusions

Codex support the retention of the Cullompton North West Urban Extension as it represents a sustainable and effective means of meeting the long-term housing needs of the town and wider district. However, emerging **Policies CU1 – CU6** are flawed as currently worded and must be revised to ensure the allocation is based on a robust rationale, and most importantly of all that development is viable and deliverable. Our representations set out how this can be achieved.

Kind Regards



Alex Graves BA (Hons) PG Dip MRTPI
For PCL Planning Ltd

Enc	Appendix 1	-	PCL Reps dated 24 th April 2015
	Appendix 2	-	Additional Land

APPENDIX 1

Our Ref: PCL/SJS/9393
Date: 24th April 2015



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Local Plan Review Proposed Submission Consultation
Forward Planning
Mid Devon District Council
Phoenix House
Tiverton
EX16 6PP

Dear Sirs,

LOCAL PLAN REVIEW PROPOSED SUBMISSION CONSULTATION

We write on behalf of our client, the North West Cullompton Urban Extension Consortium, in response to the *Local Plan Review Proposed Submission Consultation* (February 2015).

Amount of Development – Policy S2

Policy S2 proposes the provision of 7,200 dwellings and 154,000 square metres of commercial floor space up to 2033. However, the *Strategic Market Housing Assessment* (SHMA) that underlies the proposed quantum of housing was not published until well into the *Local Plan Review Proposed Submission Consultation* period. It is fundamental to the process of consultation that this key piece of evidence is available to inform consultees. It would have been better to wait for the findings of this exercise before commencing consultation, as a sequential approach would have avoided abortive work. The delay in the publication of the SHMA has left little time to properly understand its findings.

However, our initial analysis suggests that the housing numbers should increase. The emerging housing requirement of 7,200 homes has been estimated using population projections produced by Devon County Council, which are based on 30-year migration flow rates rather than the 5-year trend period used by the Office for National Statistics. Furthermore, since the DCC analysis was carried out DCLG have produced new household projections. These suggest that the area needs more than 7,200 dwellings. We reserve the right to comment on this in detail at future stages of the plan process.

Cullompton North West Urban Extension – Policies CU1-CU6

We strongly support the retention of the Cullompton North West Urban Extension (**Policies CU1 – CU6**), as it represents a sustainable and effective means of delivering the long-term housing needs of the town.

The Consortium are in the process of preparing a Masterplan for the North West Urban Extension. The Consortium is, in effect, working in partnership with Mid Devon District Council, the Town Council, and key stakeholders with the intention of having an adopted Masterplan in place by summer 2015. Given this there can be no question regarding the commitment to deliver the urban extension in a timely fashion.

However, the Consortium have major concerns regarding the detail of **Policies CU1 – CU6** as they currently stand.

Site Configuration currently proposed by Policies CU1 – CU6 and the allocation plan

As part of the ongoing Masterplan process in relation to the existing site allocation an extensive array of supporting evidence has been gathered to inform the process. The evidence in question has also incorporated the assembly of data in relation to the emerging allocation area, and the adjoining land. As such, the Consortium have a detailed understanding of how best to develop the site. The configuration proposed by emerging **Policy CU1** has come as a great disappointment to the Consortium, as it ignores much of the evidence gathered to date. For example, proposed **Policy CU1** includes an area that is not available for development, land within the floodplain, and areas that are too steep for residential development. It also fails to include level land with little or no visual impact. Please refer to Appendix 1, which illustrates our concerns. The key issues are as follows:

- Area 3 is not available for development (1.56 hectares)
- Area 4 is required for the school (0.79 hectares)
- Area 8 is in the flood plain and should be excluded (1.13 hectares)
- Area 11 is an area of Green Infrastructure that needs to be retained (0.3 hectares)
- Area 12 is steep and not suitable for residential development (0.58 hectares)

The above areas are not suitable/available for residential or commercial development which, in effect, results in the cumulative loss of 4.36 hectares of residential/commercial land. However, the Consortium control sufficient land to compensate for this, a matter that will be explored in the following section.

Suitable, available and deliverable additional land

The Emmett/Codex land (labelled Area 2 on the Appendix 1 plan) is directly adjacent, and physically adjoined to, the extent of the emerging urban extension allocation. It comprises circa 6 hectares of land. The area represents a natural rounding off to the urban extension, and is suitable, available and achievable. The land is level, and would have limited visual impact, making it

ideal for residential development. A further advantage to this site is its northern location. This would minimise the impact of traffic on the town centre.

The northern portion of the Growen Farm/PMAM land, and the land to its north, (labelled Area 6 on the Appendix 1 plan) cumulatively comprise 9.42 hectares (6.71 and 2.71 respectively). This land is also level and not subject to visual impact, making it ideal for residential development. A further 0.69 hectares (labelled 'Area 7') should also be included for residential use.

In addition to the areas suitable for residential use mentioned above, the Consortium also control Areas '5' (3.44 hectares) and '10' (2.08 hectares). The inclusion of 'Area 5' is critical to the entire scheme, as not only is the land required for the drainage strategy, but it also comprises flat land suitable for the provision of a sports pitch (other options for a third pitch are limited). 'Area 10' is also essential, as it comprises land required for the Local Centre which lies at the heart of the masterplan, creating active frontage onto the link road (this is essential to viability– a matter that will be explored in detail later in these representations).

The Emmett/Codex land and Growen Farm/PMAM land (21.67 hectares) cumulatively compensate for the deletion of the unsuitable/unavailable land referred to in the previous section of these representations. As such some, or all, of these areas should be included within the allocation.

Commercial Floorspace – Policy CU1 (c)

Firstly, we support the principle for mixed-use development on site, and agree that some commercial floorspace will help achieve this. We also welcome the flexible approach Mid Devon suggest, which allows for a wide range of commercial uses and not just B1/B2/B8 uses.

However, it is important to carefully assess the quantum of commercial land included as part of **Policy CU1**, as an overprovision will not only impact on the viability and deliverability of the urban extension, but would also cause a ripple effect that would impact on more suitable employment sites elsewhere in the town.

The Mid Devon Employment Land Review (ELR) dated January 2013 (prepared for the Council by G L Hearn) recommends that employment land focus around the existing concentration of employment land at the Kings Mill Industrial Estate, as there is potential for development or redevelopment of land within the existing Estate.

The Employment Land Review (ELR) also casts doubt on the quantum of employment development included within the North West Urban Extension. Whilst the comments were based on the existing site allocation, they provide

important background information worthy of consideration when assessing the emerging allocation. Paragraph 6.16 of the ELR states:

"The urban extensions to Tiverton and Cullompton are both dependent on delivery of significant new infrastructure. There is often a significant lead-in time to the delivery of such sites. Furthermore in the current economic/ market climate, the delivery of such sites can be challenging as they require a significant upfront financial outlay to support site preparation and infrastructure delivery and it can be difficult to secure development finance on favourable terms to enable this. This should be recognised as a risk to the delivery of these schemes in the short-term."

Paragraph 6.18 goes on to advise:

"We consider that at a strategic level there is a case to argue that the portfolio of employment sites could be 'rebalanced' to include a number of smaller employment land allocations which are not dependent on provision of significant additional infrastructure, and could be easier to deliver in the short-to-medium term..."

Paragraph 6.63 recommends that only 2 hectares (10,000 sq metres) of employment land should be included in the North West extension. Whilst the emerging CU1 allocation increases the overall land area of the North West Urban Extension, it does not increase it to such an extent to justify more than double the level of employment recommended by the Council's own ELR.

The existing urban extension site allocation, as set out in the Council's adopted *Allocations and Infrastructure DPD* (2010) allocates a gross area of circa 75 hectares. Excluding the 28 hectares of Green Infrastructure, this leaves a residual area of 47 hectares available for mixed-use development. The emerging **Policy CU1** increases the overall site area to 95 hectares, 67 hectares of which are available for development once the Green Infrastructure is discounted.

The existing allocation has been subject to an extensive Masterplanning exercise over the last 18 months. Whilst this process is still ongoing, there is a consensus that 10,000 sq metres of commercial land is appropriate (in accordance with the Council's ELR).

The emerging allocation increases the site coverage by 43% (67 hectares vs 47 hectares). An equivalent 43% increase in commercial land would result in the provision of 14,300 sq metres (10,000 sq metres increased by 43%).

We are also aware of a recent planning permission for 12,000 sq metres of employment land at Venn Farm, Cullompton. Venn Farm is an emerging allocation (**Policy CU18**) for 9,000 sq metres of commercial floorspace. Development at Venn Farm accords with the ELR recommendation to focus

employment around the existing concentration of employment land at the Kings Mill Industrial Estate. It seems to us that this additional 3,000 sq metres of commercial floorspace (sited in a more appropriate location than the North West Urban Extension area) further undermines the 21,000 sq metres floorspace suggested by **Policy CU1** of the *Local Plan Proposed Submission*. Whilst the consortium will accept an increase in commercial floorspace, beyond the 10,000 sq metres currently envisaged, this must be proportionate to the overall site allocation area, and must also accord with the 'rebalancing' of employment land allocations in the town recommended by the ELR.

We contend that 21,000 sq metres of commercial land is excessive. A proportionate increase in provision would result in circa 15,000 sq metres. The accompanying appendices allow for this quantum. However, we believe that this is still excessive. Discounting the additional 3,000 sq metres allowed at Venn Farm from this figure leaves a residual quantum of 12,000 sq metres. We believe that this is the right level of provision and as such recommend that **Policy CU1** be amended to this effect.

Viability

As already set out in these representations, the Consortium have serious concerns regarding the configuration of **Policy CU1** as it stands. Whilst many of these issues can be addressed through a sensible redrawing of the allocation site plan, there is one fundamental issue that causes us even more concern. That of development viability.

A site valuation has been carried out based on a policy compliant development, set within the confines of the emerging allocation site area. The phasing/trigger points set out in proposed **Policy CU6** have been input into this viability appraisal.

A copy of this appraisal is attached to these representations as Appendix 2. This is for the consideration of the Council **ONLY** at this time. The appraisal **MUST** be treated as confidential as it contains sensitive financial information.

You will note from the Appendix 2 Viability Report that the current emerging policy has the lowest land value of all the options tested. The 'Net Land Receipts per gross acre' fall well below the minimum land value necessary to incentivise development. The Council's own CIL evidence (D|S|P Housing & Development Consultants: 'Viability Assessment: Community Infrastructure Levy & Local Plan Final Report' - June 2014) states: "...*The minimum land values likely to incentivise release for development under any circumstances is probably around £250,000/ha in the Mid Devon context...*" (para 2.11.8). The emerging allocation generates a land value of far less than this minimum benchmark value and therefore an alternative option must be devised.

It is clear from the viability appraisal that there are problems associated with **Policy CU1** as it stands, which have a significant impact in terms of deliverability. The Consortium have carefully assessed this, and have devised an amended allocation, which satisfactorily addresses all of the concerns set out in these representations.

The way forward

The plan attached as Appendix 3 puts forward an alternative approach for the **Policy CU1** allocation (this approach broadly accords with Option 3a of the Appendix 2 Viability Report). In summary this:

- Omits the unsuitable/unavailable land and replaces it with level land of limited visual impact.
- Reduces the affordable housing percentage to an overall site wide proportion of 22.5%. More than this does not work in viability terms. Whilst 22.5% is achievable overall, the proportion for each phase of development needs careful consideration. Phase 1 is critical to the delivery of the link road through the site, and the delivery of the school land. If it is to happen in Phase 1 the road relies on monetary receipts from the sale of the land which is being promoted, otherwise the road cannot be delivered until a later phase. In order to ensure adequate funding for the road we recommend that Phase 1 comprise no more than 12.5% affordable housing. Subsequent phases can then include a higher proportion to ensure that the overall site wide percentage of 22.5% is met.
- Reduces the commercial floorspace.
- Reconfigures the Green Infrastructure based upon a detailed analysis of landscape impact.
- Increases the number of dwellings to circa 1,500 to overcome viability concerns. Evidence for this is provided by means of a viability appraisal that is attached to these representations. Once again, this is for the consideration of the Council only and must be treated as confidential.
- Increases the occupancy level to 500 before the completion of the link road.

Conclusions

The Consortium support the retention of the Cullompton North West Urban Extension as it represents a sustainable and effective means of meeting the long-term housing needs of the town and wider district. However, emerging **Policies CU1 – CU6** are flawed as currently worded and must be revised to ensure the allocation is based on a robust rationale, and most importantly of all that development is viable and deliverable. Our representations set out how this can be achieved. The Consortium look forward to continuing to work with Mid Devon to overcome these issues.

Thank you for the opportunity of commenting. We ask that you acknowledge receipt of these comments and keep us informed at all future stages of the plan process.

Kind Regards



Alex Graves BA (Hons) PG Dip MRTPI
For PCL Planning Ltd
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Appendix 1 - Constraints Plan
Appendix 2 - Confidential Viability Report
Appendix 3 - Framework Plan Option 2

APPENDIX 1

1. Arbitrary Line through the middle of a field

2. Level land suitable for residential development not subject to visual impact

3. Landowner has asked for no development in front of his house

4. Land formerly reserved as part of the recreational land around the school would mean land across the public right of way would be required for school grounds

5. Land required for drainage and sports pitch

6. Level land suitable for residential development not subject to visual impact

8. Land within flood plain

9. Land required for residential development to create active frontage on to the link road essential to creating a safe street outside the school

10. Land required for Local Centre at the heart of the masterplan creating active frontage onto the link road essential for viability

11. Areas of Green Infrastructure need to be retained

12. Steep land not suitable for residential development

7. Land that should be included for development

- KEY**
- Land under consideration for development
 - Land within Proposed Allocation for Removal of use
 - Land within Proposed Local Park Allocation
 - Land within Proposed Local Park Green Infrastructure

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Local Park Review - Green Infrastructure
12/20/2024

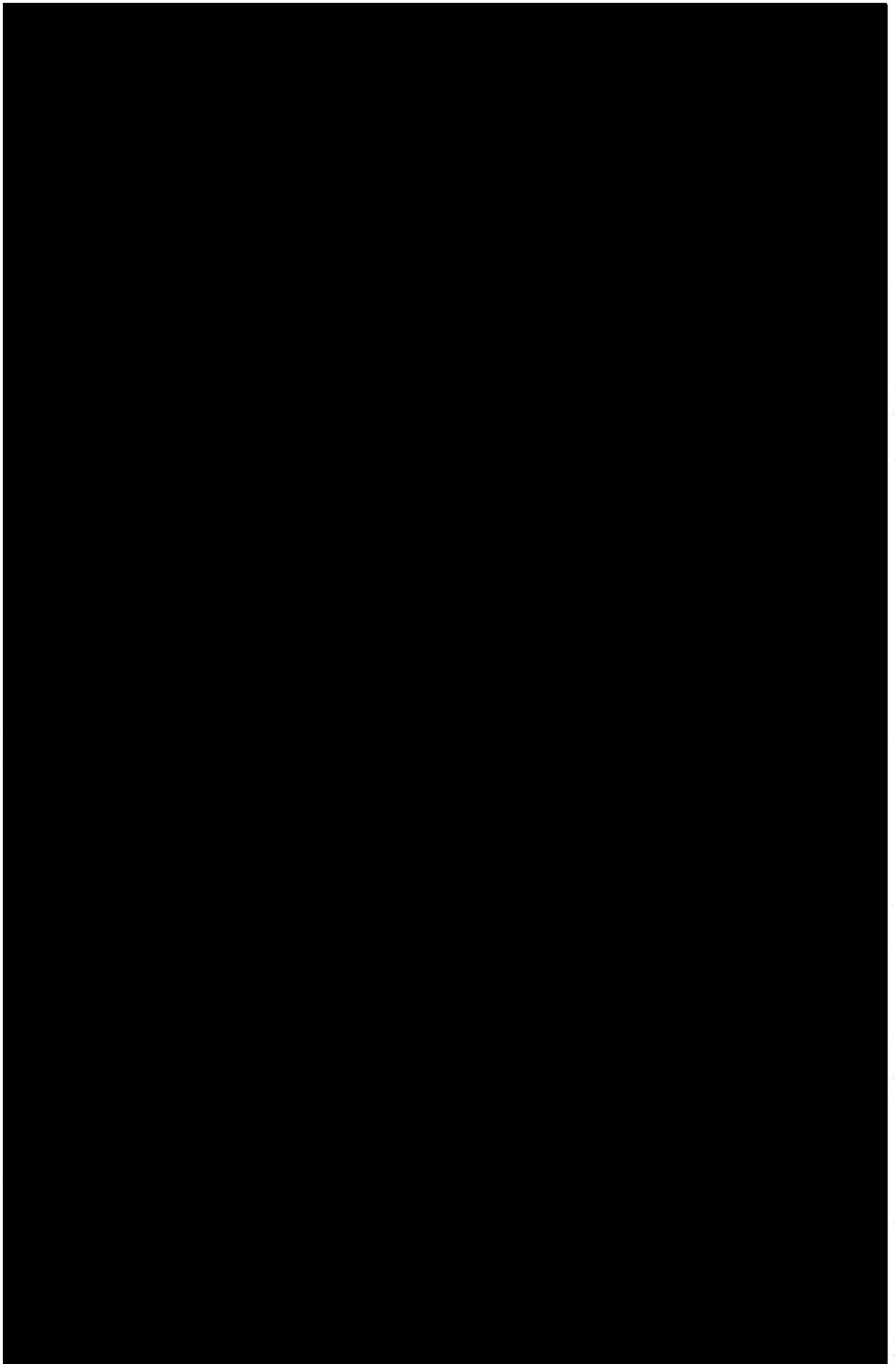
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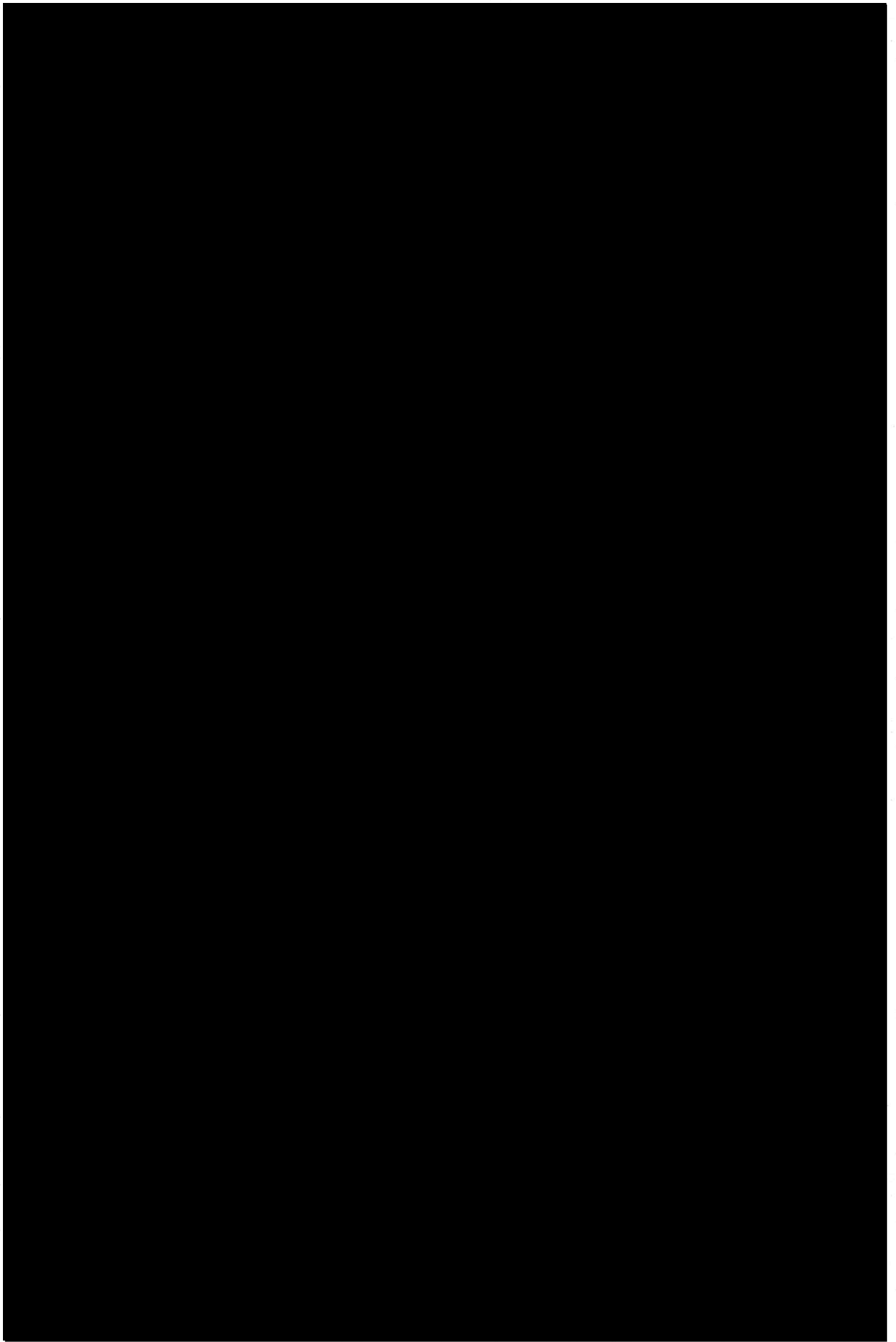
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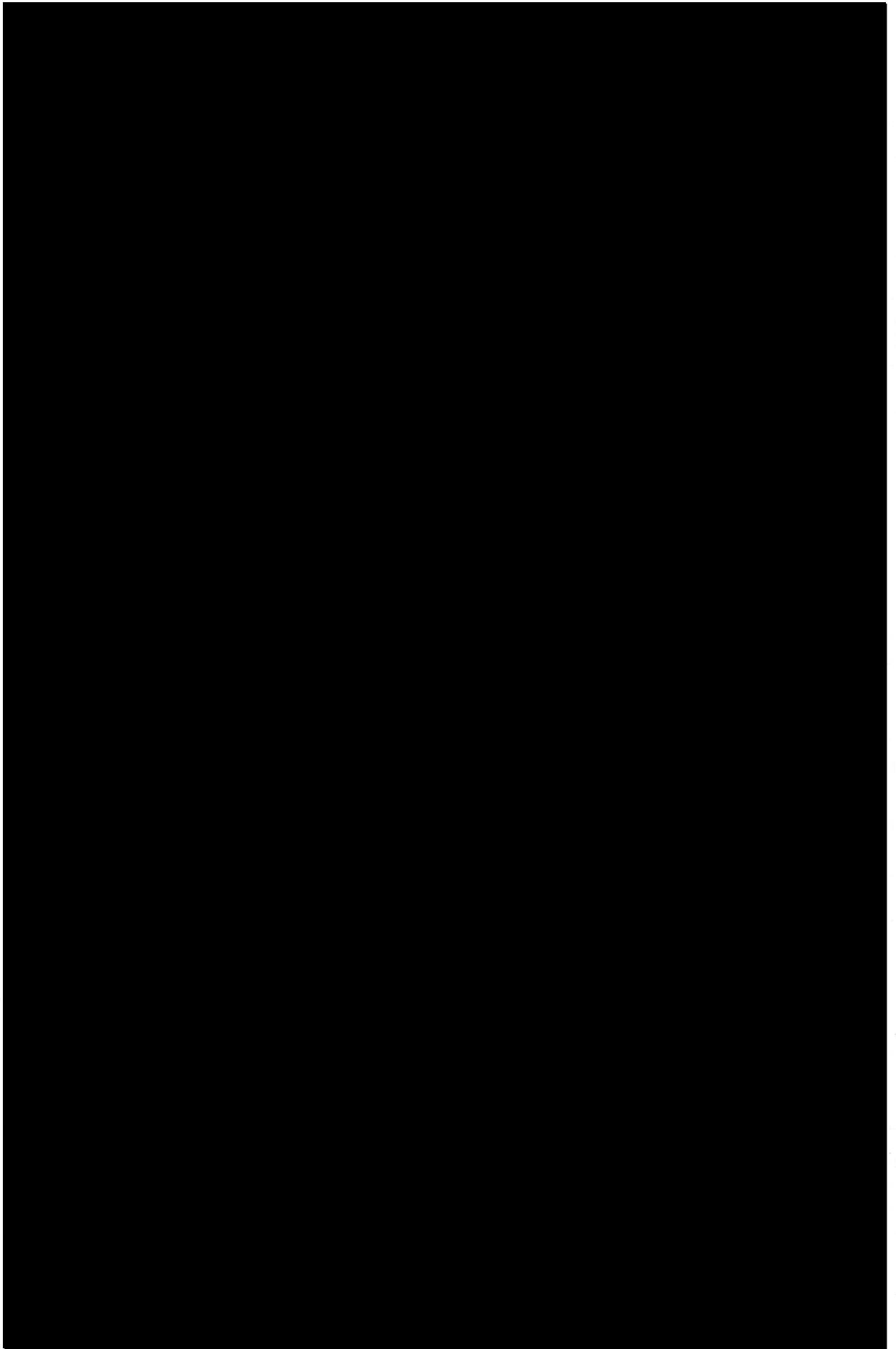


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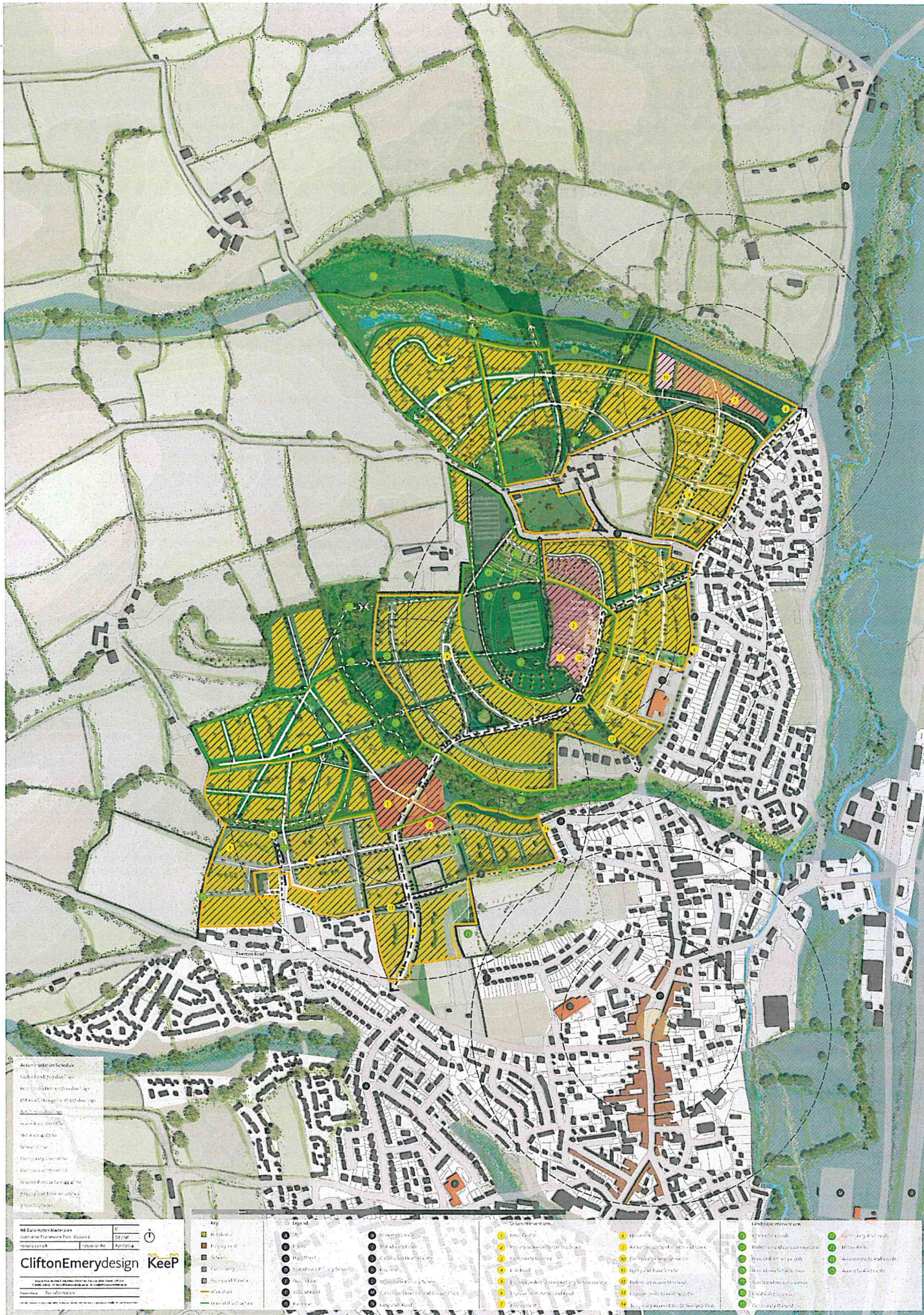
APPENDIX 2







APPENDIX 3



APPENDIX 2

