

6758/CU7 - CU12/mod
6758/DEVSTRA/mod
6758/J27/mod
6758/S2/mod

From: Local Plan Review
Subject: FW: MDDC Local Plan Review Proposed Modifications
Attachments: Progress East Cullompton.pdf; Repls letter_FINAL 140217.pdf

From: Ed Heynes [REDACTED]
Sent: 14 February 2017 15:27
To: Local Plan Review
Subject: MDDC Local Plan Review Proposed Modifications

Dear Sir/Madam

Please see the attached. Any queries please let me know.

Can you please confirm receipt.

Thanks.

Ed



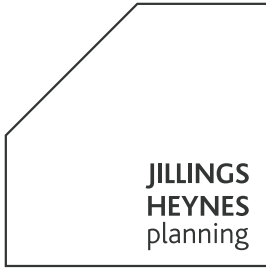
Ed Heynes
Director
Jillings Heynes Planning Ltd

Mobile. [REDACTED]
www.jillings-heyne.com

Offices at:
Launceston, Cornwall
Tel. [REDACTED]

Exeter, Devon
Tel. [REDACTED]

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SENT ELECTRONICALLY ONLY:

Forward Planning,
Mid Devon District Council,
Phoenix House,
Phoenix Lane,
Tiverton
EX16 6PP

14th February 2017

Dear Sir/Madam

**Mid Devon District Council
Local Plan Review 2013 – 2033
Proposed Submission (incorporating proposed modifications), January 2017**

We act on behalf of Progress Land Ltd.

This letter, together with accompanying documentation, are the representations made on behalf of Progress Land in respect of the Mid Devon District Council Local Plan Review 2013 – 2033, Proposed Submission (incorporating proposed modifications), January 2017.

We note at the outset that the consultation being undertaken is in relation to the proposed modifications only and our comments are restricted to those modifications only although they raise wider issues upon which we consider it appropriate to comment.

a) Introduction

In preparing the representations, consideration has been given to the changes to the Plan; supporting evidence; and other considerations including, in particular, the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). In particular, we have assessed the Changes against the requirements set out in para. 182 of the National Planning Policy Framework (NPPF) relating to tests of soundness and the legal and procedural requirements of Plan making.

As stated above, the representations made in this letter relate to the proposed modifications to the draft Local Plan noting that our Client has interests in respect of land forming part of the draft site allocation on land at East Cullompton. This allocation is covered, primarily, by a number of site specific draft policies including CU7 to CU12. A plan showing the extent of the interest is attached to this letter.

Jillings Heynes Planning Ltd

Registered in England and Wales
Company number: 9506225
Registered office: 23 Southernhay East,
Exeter, EX1 1QL

The Studio, Two Acres
Newmills, Launceston



b) Representations on the Proposed Changes

Representations on the various Proposed Changes are made below. The numbering system adopted cross references to that used by the Council in the Plan:

- Change No. 4 – Objection. A fundamental change to the Plan is the introduction of a significant amount of development at Junction 27, M5 (within a proposed site allocation). It is first identified in the ‘Spatial Strategy’ section of the Plan. The introduction of such a major site at a relatively late stage in the production of the Plan causes concern and the question has to be asked as to what impact it has upon the wider strategy of the Plan to deliver local needs? The vast majority of the evidence base and previous consultations has been produced without consideration of this ‘major’ allocation and a high degree of scrutiny is required of it to ensure that i) it is consistent with the wider objectives of the Plan; and ii) that it meets the tests of soundness as set out in the NPPF/NPPG.

The site of the proposed allocation in a fairly isolated location away from any major settlements and consideration needs to be given to i) whether the proposals are sustainable in general terms; ii) are there any reasonable alternatives for delivering the development in a more sustainable location i.e. within closer proximity to existing towns with access to services and facilities noting that customer use of commercial outlets are often interlinked; and iii) crucially, whether the introduction of such an allocation prejudices the delivery of development to key towns across the District i.e. Crediton, Tiverton and Cullompton. Those three settlements, historically, have been the focus for development in the District. In particular, the introduction of the uses proposed must not prejudice either the delivery of commercial uses contained within the East Cullompton allocation or the vitality/viability of existing town centres in particular at Tiverton/Cullompton.

At present, we are not satisfied that the development is justified and, if it is, that the Council has considered all reasonable alternatives for the development contained in the allocation, as a whole or in part, that could deliver sustainable patterns of development and therefore objection is raised to its inclusion. The Plan should be amended throughout to delete reference to the proposed allocation.

- Change No. 7, No. 8, No. 16, No. 17, and No. 37 – Objection. A proposed housing requirement is identified. The Council refer to the most recent SHMA which sets out a housing need range and the Council has adjusted this to reflect local circumstances. At para. 2.1b it says that new housing is to be provided as a result of the additional need arising from job creation at J27 but it does not say **specifically** how that is justified with reference to the evidence base. Further investigation reveals that the evidence behind this figure seems to be based on an assessment that uses a Devon County Council trend based projection and recent published data e.g. 2014 – based household projections but it does not appear to cross reference to the existing SHMA 2014/2015. The Council must **clearly** identify what evidence has been used to justify the proposed housing requirement.
- Change No. 42 and No. 85 – Object. Notwithstanding the comments made in respect of the

proposed housing requirement (see bullet point above) it is clear that the Council has adopted a sound strategy regarding delivery of housing at Cullompton. The Plan's focus on the expansion of the existing urban areas, particularly at Tiverton and Cullompton, would be in accordance with the requirements of the NPPF. Sustainable communities must provide a balance of facilities to meet the wider needs of the population beyond housing. The site at East Cullompton is best placed to do this by virtue of its direct relationship to the existing town, and the benefits this close association would bring to both existing residents and the new community.

Noting that the site has a major contribution to make in meeting need in Mid Devon over the Plan period it is unclear as to why the number of units to be delivered over the Plan period has been reduced from 2,100 to 1,750 (NB the 1,750 figure is different to that quoted elsewhere). The explanation to the Change states that it is due to a need to "*reflect the later commencement of the site within the overall trajectory.*" There are a number of points to make here. First, we do not know which trajectory the Council is using in order to reach this conclusion. Second, reference is made to development in a later period beyond 2033 which the site can deliver. This is inappropriate and it would be better in our view to take a robust approach and introduce some of that development into the Plan period to ensure flexibility in delivery. Third, and finally, the Council's continued support of the site is welcomed and the number units proposed (at 1,750) should be treated as a minimum (notwithstanding the reference to 'approximately' in terms of the number of units to be delivered). However, it does underline the need for flexibility and it should be noted that elements of the proposed allocation can be delivered while not relying on the delivery of other parts. The land to the south of the Honiton Road is a case in point. We note the change in paragraph 3.94 and consider that reference should be made to delivery of sites in accordance with an agreed strategy to be confirmed by MDDC in consultation with relevant consultees/bodies

- Change No. 92 – Object. Greater clarity is needed as to how affordable housing is to be delivered – the word 'broadly' is too vague.

c) Conclusions

In conclusion, it is clear that Cullompton and the site at East Cullompton should accommodate a significant amount of development in the future to meet the needs of Mid Devon District given its sustainability credentials.

That said, we have reservations about the evidence base to support the level of growth and development proposed and the lack of explanation to justify the revised strategy and housing requirement. In particular, the Council is suggesting a level of commercial/employment development at J27 which has been inserted at a late stage into the Plan. This has the potential to have a significant 'knock on effect' in terms of delivery at other key sites. We also suggest that the amount of development to be delivered at East Cullompton within the Plan period is revised to reflect the status the site has within the emerging Plan as a key draft strategic allocation. Given the concerns identified, we consider that the Plan does not pass the tests of soundness as set out in paragraph 182 of the National Planning Policy Framework Plan.

We trust you find these representations to be of assistance. We reserve the right to appear at the Examination in respect of the Plan and wish to appear, in particular, in relation to matters relating to the spatial strategy of the draft Local Plan, delivery of housing and employment and, finally matters relating to the delivery of development at Cullompton generally and East Cullompton.

If you have any queries regarding the content of this letter or accompanying documentation please do not hesitate to contact Ed Heynes of this firm.

Yours faithfully

A black rectangular redaction box covers the signature area. Below the box, a faint, handwritten mark resembling a stylized 'S' or 'J' is visible.

Edward P Heynes MA MRTPI PGCM
Director

For and on behalf of Jillings Heynes Planning

