



MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION

Representations Submitted on Behalf of Friends Life Ltd.

August 2013

These representations have been prepared by GL Hearn Limited on behalf of our client, Friends Life Ltd, and are submitted to Mid Devon District Council's consultation on its Local Plan Review Scoping Report (July 2013). Our client looks forward to engaging with the Council as part of the Local Plan review having previously submitted representations to the Council's call for sites in respect of the SHLAA process, to identify sites that could potentially accommodate employment, retail and community uses.

In the interest of clarity these representations are based on the format of, and the options listed in, the Council's Scoping Report. Where an alternative option to those listed in the Scoping Report is proposed, this is clearly identified at the beginning of each response.

A) Amount and Distribution of Development: Which option do you prefer and are there any alternatives we should consider?

Response: Option 3 / Alternative Option - A new settlement or significant expansion of an existing village to meet the District's entire development need / other.

It is submitted that subject to the findings of the SHMA which have yet to be published, consideration should be given to the development of a major urban extension/new settlement within the District with a view to it accommodating 'a significant proportion' of the District's growth requirements rather than all of the growth as currently suggested in Option 3. Friends Life Ltd. in its representations to the Council's SHLAA has previously advised that such a proposition is a realistic option on land adjacent to Junction 27 of the M5 Motorway, which is available for development.

The Council's Scoping Report acknowledges at paragraph 2.7 that national policy within the NPPF advises that the supply of new homes can sometimes be best achieved through planning comprehensively for larger scale development such as new settlements, or extensions to existing villages and towns that follow the principles of garden cities. Local planning authorities are encouraged by the NPPF to consider whether such opportunities provide the best way of achieving sustainable development and therefore the option should be afforded greater consideration as part of the Local Plan review.

There are many significant advantages associated with planning a new settlement/expansion of an existing village including the opportunity to comprehensively plan and deliver physical and social infrastructure to support new homes and employment development. Development of this scale would also generate critical mass for existing as well as new services and facilities; thereby acting as a catalyst for inward investment. The ability to incorporate sustainable transport links and the availability of existing or the provision of new public transport opportunities is another key consideration. In many cases where significant urban extensions or new settlements are considered, one of the significant challenges facing local planning authorities/developers is the connection of homes and business to sustainable transport opportunities. A consistent aspiration on the part of the promoters of such schemes is the creation of connections to the rail network; often either through the re-opening/re-establishment of a rail connection to a main line, or through the opening of a station on an existing line adjacent to the site. In most instances such an aspiration is unrealistic and fails to be delivered.

In the case of the land at Junction 27, Tiverton Parkway Station is located a short distance from the site and there would be an opportunity to provide dedicated pedestrian/cycle links between the site and the station. It should also be noted that there is an existing pedestrian footbridge across the motorway linking the SHLAA submission site to the station. The site's proximity to the M5 Motorway and the A361 North Devon Link Road also facilitates strategic transport connections to the wider region. While the site is not adjacent to one of the District's principal settlements, the boundary of the site put forward via the

MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION
Representations Submitted on Behalf of Friends Life Ltd.

August 2013

Mountstephen Advisers LLP SHLAA submission (on behalf of Friends Life Ltd) adjoins the edge of Willand (the 2011 Census confirms Willand and Uffculme had a population of 14,600 in 2011). Willand is identified within the Scoping Report as a village within which only limited development would be considered, although a change in strategy of the nature suggested would potentially represent a sustainable approach to delivering some/a large component of the District's housing requirements.

It is noted that while the District's Citizens Panel did not favour Option 3 (a proposed new settlement) and preferred the retention of the current strategy set out within the adopted Core Strategy, Option 3 focuses on delivering a new settlement to meet all of the housing need of the District at one location. Set out in this manner it is not surprising that respondents did not support such an approach. It is suggested that further consideration should be given to meeting a significant proportion of the District's housing requirement over the plan period, likely to be in the region of 7,000-10,000 dwellings, supported by appropriate levels of infrastructure.

There are several examples of new settlements that have been delivered successfully through the planning process within the last 20-30 years and there are recent examples in East Devon/Exeter (Cranbrook New Community) and Plymouth (Sherford New Community).

B) Housing: Which option do you prefer and are there any alternative options we should consider?

Response: Option 2 - Revised policies according to up-to-date and relevant evidence about matters such as housing need, demand and viability.

The evidence base informing the existing housing policies in the adopted Core Strategy is now over seven years old. The housing policies were also influenced by a now superseded suite of national planning policy documents. Accordingly, the housing policies in the revised Local Plan need to be informed by up-to-date and relevant evidence.

As the Scoping Report acknowledges, in accordance with the NPPF (paragraph 159) local planning authorities should have a clear understanding of housing needs in their area based on the preparation of a Strategic Housing Market Assessment (SHMA), which should assess their full housing needs, including working with neighbouring authorities to assess whether Housing Market Areas (HMAs) cover more than one local administrative area. The SHMA should:

- Identify the scale and mix of housing required and the range of tenures that the local population within the housing market area will need over the plan period;
- Be informed by household and population projections, taking into account migration and demographic change;
- Address the need for all types of housing, including affordable housing and should also cater for housing demand and the scale of housing supply needed to meet this demand; and
- Address the Duty to Cooperate. Local planning authorities should work together across administrative boundaries to ensure that development requirements which cannot be met wholly within a single local authority area can be accommodated within a single HMA. As part of the plan making process, local planning authorities will be expected to demonstrate at examination how they have fulfilled the Duty to Cooperate and have jointly made provision for housing requirements.

The Scoping Report states that Mid Devon District Council has a relatively good record on housing delivery generally, having been able to broadly meet its housing requirements in the adopted Core Strategy. However, in common with many authorities across the country, the District has failed to keep

MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION

Representations Submitted on Behalf of Friends Life Ltd.

August 2013

pace with the need to deliver affordable housing. The Scoping Report refers to the Mid Devon Local Housing Needs and Demands Survey (2011) indicating a need for 335 additional affordable dwellings each year to address the backlog of unmet need over the last 10-year period. This requirement is almost equivalent to the District's total annual housing requirement set out in the adopted Core Strategy. Clearly on this basis, there is a significant affordable housing delivery issue arising within the District.

Notwithstanding the above, the delivery of affordable housing is often challenging on smaller sites and delivery is inconsistent where over reliance is placed on windfall deliveries and smaller land allocations. Large scale comprehensive schemes are often able to guarantee greater supply of affordable housing in response to needs and in close proximity to existing services.

The delivery of housing within Mid Devon District should be considered overall within the NPPF objective of increasing substantially the supply of housing nationally, and the Duty to Co-operate placed upon local planning authorities. Within this context Mid Devon is participating in the preparation of a Strategic Housing Market Assessment for the Exeter Housing Market Area, which will identify housing need/demand and housing land availability within the HMA. Within this context it would be both pragmatic and in the interests of good planning to identify strategic opportunities across the HMA that could meet housing needs in a sustainable manner that do not necessarily arise within individual districts; the land at junction 27 identified within the SHLAA submission would represent a clear strategic opportunity in this respect.

Such factors should be taken into consideration when determining how to define a residential strategy for the District and the HMA for the next 20-year period.

C) Employment: Which option do you prefer and are there any alternative options we should consider?

Response: Option 2 / Alternative Option - Follow the recommendations of the Employment Land Review reducing the overall target for employment growth within use Classes B1, B2 and B8, whilst encouraging the development of smaller sites / other.

The Mid Devon Employment Land Review (January 2013) suggests that in the period to 2031 there is likely to be demand for 28-51 hectares of employment land in the District and therefore recommends that it would be appropriate to plan for between 30 and 40 hectares of employment land in the period to 2031. This represents the latest evidence base document and therefore its recommendations should inform the Local Plan review.

Although the Scoping Report advises that the adopted Core Strategy vision remains broadly relevant today, the vision should be updated to reflect current National Planning Policy and conclusions within the Sustainability Appraisal. The NPPF defines achieving sustainable development as a combination of three dimensions, the first of which is the fulfilment of an economic role which comprises contributing to the creation of a strong responsive and competitive economy, which should ensure that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. It later states the planning system should do everything that it can to support sustainable economic growth by planning proactively to meet the needs of business and to support an economy fit for the 21st century. In this regard, local authorities are required to set out a clear economic vision and strategy for their area. In developing the Mid Devon Economic Strategy 2012-2015, a key strength of the District is its proximity to both the M5 Motorway and the A361 North Devon Link Road, thereby ensuring it is well placed to attract inward investment into the District. This key consideration needs to be captured and explored in detail as part of the Local Plan review.

MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION
Representations Submitted on Behalf of Friends Life Ltd.August 2013

The Economic Development Strategy prioritises increasing the level of inward investment into the District, while the Mid Devon Corporate Plan (2012-2015) identifies the establishment of a "thriving economy" as a key aim of the plan. The sustainability appraisal concludes that the Local Plan should support the development of strong sustainable and balanced economic growth and that opportunities should be taken to meet the needs of both local economic requirements and the requirements of those investing in the District, ensuring that sufficient land for employment is made available to the market at the right time and in the right place. The 'Plan for Growth' (2011) jointly issued by HM Treasury and the Department for Business Innovation and Skills places significant emphasis on achieving strong economic growth across the whole of the UK and the planning system is seen as a key factor in encouraging growth and inward investment. The Mid Devon Local Plan review should, in accordance with the Local Plan Vision to create a prosperous and sustainable District, embrace these requirements and adopt a proactive and business friendly approach to economic growth and development.

The Employment Land Review (ELR) gives consideration to the potential for enhanced economic performance within the District referring to the key opportunities identified within the Mid Devon Economic Development Strategy:

- Potential for a high quality significant and exceptional development at Junction 27 of the M5;
- Regeneration of the market towns of Tiverton, Cullompton and Crediton, including through tourism;
- Potential opportunities for growth in rural and home based businesses; and
- Opportunities for small business growth through provision of incubator units and grow on space for small businesses.

The ELR acknowledges that each of these actions will be potentially important in supporting economic development and growth within the District. Indeed the report states clearly that economic growth within the District will be underpinned by its location adjacent to the Exeter to Taunton M5 corridor and the rail corridors running through the eastern part of the District. Given this acknowledgement, it would therefore be reasonable for the Council to seek to exploit these significant inward investment opportunities in defining a strategy going forward that meets its visionary objectives for the plan. The ELR gives consideration to land at Junction 27 as an opportunity for attracting inward investment into the District. It should be noted that in considering the employment development potential of Junction 27, the ELR identifies a number of factors that will have an important bearing on the potential of this location. These are listed as:

- The scale of possible jobs growth;
- The plausibility of it, particularly in terms of transport impacts;
- Highways and sustainability impacts; and
- Its relationship with other M5 corridor schemes and subject to the above timings.

The ELR also acknowledges that in each case these issues require further consideration and are in fact, in a number of cases, beyond the scope of the report and should be addressed as part of the Local Plan review. It is also noted that the aforementioned issues change according to the different forms of commercial development considered. In summary, the recommendation is that Junction 27 is not appropriate for office development. However, with regard to the industrial/distribution sector the ELR acknowledges that as a location it has potential to meet modern requirements for industrial and distribution space from occupiers looking within Devon at sites which are accessible from the M5.

Importantly the ELR accepts there is likely to be growing demand for distribution space within the region, in particular for larger units with good motorway access given the emergence and growth of

MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION

Representations Submitted on Behalf of Friends Life Ltd.

August 2013

regional distribution centres focused at highly accessible locations. The authors of the report suggest that the site at Junction 27 would appeal to occupiers seeking medium sized units through to large units, for distribution. While the ELR indicates that provision of land for distribution purposes at Junction 27 would compete with existing sites at Willand and Cullompton, the existing schemes in these locations would not necessarily compete directly with what may be proposed at Junction 27. The size of units currently referred to at Cullompton and Willand is significantly smaller than those that would be favoured by regional distribution markets. It should also be acknowledged that the ELR does not give consideration to the development of Junction 27 for a mixed-use scheme where the distribution element is linked to/associated with a wider offer. In addition, the ELR concludes on this matter at paragraph 7.42 that there are a significant number of issues to be considered carefully by the Council when defining a spatial strategy for the development of employment land. The ELR does not rule one way or another on whether development at Junction 27 is appropriate. In concluding on the prospect of strategic employment land provision at Junction 27, the ELR suggests that there is a growing demand for distribution space within the region, particularly for larger units. However, there does not appear to be an immediate short term shortage of suitable employment land for these uses in the Taunton to Exeter corridor. It should be noted that the Local Plan is not planning exclusively for short term requirements; it has a 20-year horizon that extends to 2031. Given the scale of land uses being considered at Junction 27, it would not be appropriate, based on the rather narrow scope of recommendations within the ELR, to rule out the inclusion of employment land as a component of a wider strategic development scheme at Junction 27.

The highly strategic nature of its location and its close proximity to both strategic road and rail links makes this a unique location within the context of the District. While there could be some short term displacement effects as a consequence of allocation of land at Junction 27, this should be considered as part of an overall strategy for the attraction of inward investment into the District. It is clear from the Scoping Report and associated evidence base documents that the Council's adopted strategy towards the provision of employment land within the District defined within the adopted Core Strategy has not been successful in delivering employment land. It is therefore appropriate at this juncture to consider other opportunities for attracting employment and investment into the District. Indeed, in this context it would be feasible for the Council to consider adoption of a more proactive strategy to land allocation, which adopts a more flexible and positive approach to identifying sustainable and strategically significant locations for development that would be attractive to the market.

D) Retail: Which option do you prefer and are there any alternative options we should consider?

Response: Alternative Option: Relax protection of town centres to attract more retail development to Mid Devon.

The Local Plan Review Scoping Report acknowledges that the retail environment within Mid Devon is facing significant challenges over the Local Plan period. Retail forecasts predict weak expenditure growth, likely reductions in town centre retail space and a greater polarisation between centres. The Scoping Report acknowledges that Mid Devon retailers may need to change and adapt their retail offer to differentiate themselves from online retailers and with the purpose of serving a more local and specialised customer base.

The Mid Devon Retail Study 2012 (GVA) identified a number of key issues which the Local Plan will need to address. In summarising and defining the national outlook for retail trends, it is acknowledged that major retail led town centre schemes are finding the market increasingly challenging. The study suggests that local authorities need to be more flexible and adaptable in defining their approach to retail development through planning policy. It also suggests that edge of centre and out of centre retail development which attracts lower development costs and lower operating costs will remain attractive to

MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION

Representations Submitted on Behalf of Friends Life Ltd.

August 2013

developers and retailers alike.

In spite of the town centre first approach within the NPPF, the question is asked; can local authorities simply ignore retail trends and risk losing developments and inward investment by adopting an inflexible and restrictive policy towards retail development? The study suggests that local authorities that are reasonable and pragmatic may find that edge of centre development, if well planned and with defined links to town centres, might offer the best solution for attracting new development into their District. The study states that in order to encourage new retail investment in Mid Devon, the Council will have to consider whether non-central development is the only realistic proposition. It should be noted here that non-central would include out-of-centre retailing; outlet-type developments and major mixed-use schemes combining tourist attractions and leisure uses with retailing outlets. The report suggests within its overarching assessment of the retail market that these considerations will need to be taken into account in developing a future-proofed approach to retail development.

The retail study also highlights that retailers will continue to seek large modern units and will no longer require stores within every town and settlement; their focus shifting to prime markets and larger towns and cities where suitable space can be accommodated. With regard to small and medium sized towns, the future does not look encouraging, given that retailers will focus their efforts on the top 50 to 100 locations from an investment perspective. Tiverton, the District's main retail centre, is ranked 422nd in the UK and therefore falls well outside this scope. It is therefore inevitable that small towns such as Tiverton will find it increasingly difficult to compete and to attract national multiples into town centre locations.

On this basis if districts such as Mid Devon wish to "put themselves on the map" and to seek to create an attractive environment for investment it will be necessary for planning policy to adopt a far more flexible, and bespoke, approach to retail policy than has previously been the case. The "one size fits all" approach to retail planning set out within the NPPF may not be appropriate in all circumstances in a rapidly changing and evolving retail environment. The retail study acknowledges that retailers are once again turning their focus to out of centre locations with major retailers such as John Lewis developing formats that enable them to trade from an out of centre location.

The Scoping Report suggests that the potential for retail development located outside a town centre to harm an existing town centre is a primary concern and that town centre regeneration should focus on maximising the value of heritage and leisure facilities to broaden the shopping experience within a town centre. This approach appears to ignore the fact that a centre such as Tiverton is highly unlikely to be able to attract well known national multiples, which in turn would attract shoppers from outside the District or from further afield within Mid Devon. Table F within the retail study identifies current retailer requirements for Tiverton from retailers who either do not have a presence within Mid Devon, or who are looking to locate within Tiverton. The Focus data which is referred to is specific to Tiverton and is therefore fairly reliable. The nine operators making enquiries regarding available space within Tiverton are all unlikely to be attractive to shoppers living beyond the immediate locale. This assumption is supported by the fact that the largest requirements for retail space come from Poundland (929m²) and Iceland (750m²). While these are national brands, they are very much located within the "value" retail sector and are not in any way "prestigious". This suggests very strongly that Tiverton is unlikely to attract well known national high street brands into its town centre. Given the situation, it is strongly suggested that the Council's retail policies should adopt a pragmatic and flexible approach to retail development to support the objective.

The land at Junction 27, which is being promoted as a major mixed-use scheme including a significant retail component in the context of a tourist/leisure based attraction, would have a far greater potential catchment area and could attract shoppers/tourists from a wide area. It is considered that development



MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION

Representations Submitted on Behalf of Friends Life Ltd.

August 2013

of such a facility located in close proximity to the motorway junction and Tiverton Parkway Station would operate as an attractor of retail spending which, once captured within Mid Devon, could then be used to support existing town centres within the District which base their attractiveness on a different/complementary and locally-specific type of offer.

- E) Infrastructure: Which option do you prefer and are there any alternatives options we should consider?**

Response: Option 1 - Urban extensions

Large scale comprehensive development offers a significant opportunity to incorporate large items of infrastructure such as schools, community facilities, open space, sports pitches and physical infrastructure into the overall masterplan concept. This also allows infrastructure delivery to be phased in tandem with the delivery of development in an effective manner and ensures that there is sufficient critical mass at single location to sustain new services and facilities without having to rely on other developments coming forward in the future.

- F) Environment: Which option do you prefer and are there any alternatives options we should consider?**

Response: Option 2 - Replace the policy with a broader environmental strategy

Response: The environmental strategy adopted by the Local Plan should be adapted to fit the main strategic aspirations set out at the beginning of the plan. Given that the driving objectives should be to support sustainable economic success, to attract inward investment and to support business expansion alongside significant tourism based development, the environmental policy should be framed to ensure that it does not preclude or prevent the delivery of such overarching objectives for the District (see response to D above).

- G) Tiverton: Which option do you prefer and are there any alternatives options we should consider?**

Response: Option 2 / Alternative.

While Tiverton is the main urban area within the District, it should not automatically be assumed that growth should be focused at Tiverton as there will inevitably be circumstances where constrained urban areas reach saturation point and alternative spatial strategies need to be adopted.

As suggested previously in our representations on employment, housing and retail, it would be an appropriate response for the Council to give consideration to an alternative development strategy which looks at locating strategic development close to sustainable transport links. This would resolve challenges that are likely to arise in Mid Devon as identified in the Scoping Report. Such an alternative strategy would also facilitate a complementary relationship between new strategic development and existing settlements such as Tiverton, where the new development would attract expenditure from the wider catchment that would also benefit existing retail centres such as Tiverton.

The strategic transport links at Junction 27 (M5, A361 and Great Western main rail line) would allow an intermodal approach to mixed-use development to be supported. This established road and rail nodal point represents a significant strategic asset within the District which has yet to be utilised to its fullest potential (as generator of greater levels of employment and sustainable living in Mid Devon).

MID DEVON LOCAL PLAN REVIEW: SCOPING REPORT CONSULTATION

Representations Submitted on Behalf of Friends Life Ltd.

August 2013

However, this is not to say that all growth should be directed to Junction 27, although strategic opportunities afforded by the site should be embraced through the allocation of land for major mixed-use development that would generate additional employment; attract more retail spend into the District, while limiting trade leakage to surrounding Districts; and to take advantage of the strategic sustainable transport links in close proximity to the site.

H) Villages: Which option do you prefer and are there any alternative options we should consider?

Response: Option 1 / Alternative Option – Reassess which villages should be defined as settlements suitable for development.

As suggested above, it would be reasonable and pragmatic (depending on the results of the SHMA) to consider strategic new settlement opportunities that could be based on village expansion/extension depending on proximity to strategic transport links. In this regard and related to the development opportunity at Junction 27 (see SHLAA submission by Friends Life Ltd), large scale residential development in close proximity to Willand could form part of a proactive and revised long-term spatial strategy for development within Mid Devon.

I) Managing Development: Which option do you prefer?

Response: Option 2 – Amend the policies in response to any updates to national policy or guidance.

Having regard to the scope and pace of recent changes to national planning policy and guidance, it is highly likely that there will be further changes between now and the proposed examination of the revised Local Plan in February 2015.

Therefore, as per the general approach suggested in our representations above, it is advisable that the Council adopts a flexible approach in reviewing the Local Plan to ensure it can address amendments to national policy and guidance as well as emerging case law and appeal decisions where the interpretation and application of the existing LP3 policies has been tested.

Tony Clements
Director