

REPORT TO EXECUTIVE

Date of Meeting: 14 April 2015

Report of: Assistant Director City Development

Title: Mid Devon District Local Plan Proposed Submission Consultation

Is this a Key Decision?

No

Is this an Executive or Council Function?

Executive Function

1. What is the report about?

1.1 The purpose of this report is to seek Members' approval for a consultation response to the Mid Devon Local Plan Proposed Submission document. The report also updates Members on proposals for development at Junction 27 of the M5.

2. Recommendations:

2.1 That Members agree a consultation response to the Mid Devon Local Plan Proposed Submission document. That Members also note the emerging proposals for a revised scheme of development at Junction 27.

3. Reasons for the recommendation:

3.1 To help ensure that Exeter's interests are taken into account in planning matters that have cross-boundary implications and that the sub-region is developed in a sustainable manner. In addition, to ensure that the City Council complies with the statutory Duty to Cooperate.

4. What are the resource implications including non financial resources.

4.1 There are no resource implications for the Council contained in this report.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in the report.

6. What are the legal aspects?

6.1 Under the Localism Act 2011, it is a statutory requirement for local authorities in England to engage constructively, actively and on an on-going basis, in order to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary resources. The Act labels this the Duty to Cooperate. By continuing to engage with Mid Devon District Council as it prepares its Local Plan and considers proposals for development at Junction 27, the City Council is fulfilling its Duty to Cooperate.

7. Monitoring Officer's comments:

7.1 This report raises no issues of concern.

8. Report details:

8.1 Mid Devon District Council (MDDC) is preparing a new Local Plan for Mid Devon, to replace its existing Core Strategy (adopted in 2007), Site Allocations and Infrastructure Development Plan Document (adopted in 2010) and Development Management Policies (adopted in 2013). The new Local Plan will cover the period 2013 to 2033.

8.2 On 18 March 2014, a report was presented to Executive setting out Exeter City Council's proposed response to the MDDC Local Plan options consultation. The options consultation included proposals for major retail, leisure and (in the longer term) residential development at Junction 27 of the M5, together with a housing requirement based on existing levels of development rather than an up-to-date Strategic Housing Market Assessment (SHMA), as required by the NPPF. Following agreement by Executive, the City Council responded to the options consultation by:

- advising that housing figures in the Local Plan should be informed by an updated SHMA; and
- expressing strong concern that the scale of leisure/retail development proposed at Junction 27 could have a major impact upon the vitality and viability of existing town and city centres in the sub-region and would also represent unsustainable car-led development; and
- highlighting that the protection afforded by the River Exe Flood Protection Scheme that is currently being implemented will decrease over time, due to climate change. Therefore, it was requested that a flood storage consultation area be identified in the Local Plan, within which MDDC would consult the Environment Agency on any future planning application. This would allow consideration of whether approval of development might prejudice the long term creation of any flood storage area.

8.3 Since the options consultation, the City Council and other neighbouring authorities have attended a number of Duty to Cooperate meetings held by MDDC, where particular concerns about housing figures and Junction 27 have continued to be expressed.

8.4 MDDC has now published its Local Plan Proposed Submission document (referred to henceforth in this report as the Submission document) for public consultation. This represents the final stage of statutory consultation before the Local Plan is submitted to the Secretary of State for Examination. MDDC hope to submit as soon as possible after the consultation period ends on 30 March 2015, followed by Examination and Adoption before the end of the year.

Submission document: key issues for Exeter

8.5 The Submission document does not include a proposed allocation of land at Junction 27. MDDC have taken this approach in light of the concerns raised by neighbouring authorities, including the City Council, together with the conclusions of a Retail Impact Assessment undertaken by consultants on MDDC's behalf.

8.6 Instead, the Submission document proposes to focus residential and employment development at Tiverton in the shorter term, followed in the medium/longer term by a focus on Cullompton. In all, it is proposed that Cullompton should accommodate around 50% of Mid Devon's growth, including 3,600 new dwellings and 77,000 square metres (gross) of commercial floorspace. As shown in the proposed Policies Map for Cullompton that is attached as Appendix 1, eight sites are identified to accommodate this growth, including a large strategic allocation to the east of Junction 28 of the M5.

- 8.7 In proposing this strategy, the Submission acknowledges that a significant investment in Cullompton's infrastructure and connectivity will be required. To this end, it identifies a site for the potential reopening of Cullompton railway station and states that development must be supported by any improvements needed at Junction 28 in order to maintain highway capacity and safety. The Submission document does not set out what these improvements might be.
- 8.8 There is no apparent cause for the City Council to object to this proposed approach. Focusing the bulk of future development on the two largest settlements in the Mid Devon, where amenities and infrastructure already exist (albeit that improvements will be required) represents a sustainable approach in terms of strategic planning. There appear to be no significant negative implications for Exeter or other local authorities in the sub-region.
- 8.9 The Submission document proposes that 7,200 dwellings should be provided in the district over the plan period. This amounts to an annualised average of 360 dwellings per year. Although this is less than the housing requirement identified for Mid Devon in the new Strategic Housing Market Assessment (SHMA), which is for 370 dwellings per year, the difference is only marginal. As such, it is not recommended that the City Council object to the proposed housing figures.
- 8.10 A flood storage consultation area for the River Exe is not identified in the Submission document. However, the Environment Agency is no longer pursuing this as a means of future flood prevention in Exeter. Therefore, it is not recommended that the City Council objects to the absence of a flood storage consultation area in the Submission document.

Junction 27 Proposals

- 8.11 Whilst the Submission document does not propose to allocate land for development at Junction 27, a consortium of developers/consultants that includes AXA, the Eden Project and GL Hearn is currently developing revised proposals for that location. At a recent Duty to Cooperate meeting, the consortium presented an initial concept scheme involving:
- A motorway service area, along similar lines to the new Gloucester services;
 - An agronomy centre that promotes sustainable living;
 - A surf lake; and
 - Outlet retailing on a smaller scale than proposed during the options consultation. However, the consortium insists that some level of retail is necessary if the scheme is to be viable.
- 8.12 The consortium would still like to secure a land allocation at Junction 27 in the Mid Devon Local Plan and will be responding as such to the Submission consultation. Their new proposals will be accompanied by a new Retail/Leisure Impact Assessment, transport analysis and other technical information.
- 8.13 Until the consortium's proposals and impact assessments (etc) are finalised and made publicly available, it will be difficult for neighbouring authorities to make an informed response. At the Duty to Cooperate meeting, MDDC advised that their Members would welcome some form of 'exceptional leisure-led' development at Junction 27 provided that it meets planning policy requirements. This would include not having a negative impact upon the vitality and viability of other city and town centres in the sub region.

8.14 If MDDC decides to support the consortium's proposals for a land allocation at Junction 27, it will need to undertake a further round of public consultation on the Local Plan. This could not take place until after the Local/General Elections on 7 May 2015.

8.15 If and when the consortium's proposals and supporting assessments are made publicly available, a further report will be presented to Executive.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The decision to agree a response to the Mid Devon Local Plan consultation does not in itself contribute to the Council's Corporate Plan.

9.2 Once the consortium's proposals for Junction 27 are made publicly available, the Council will need to consider whether or not they have implications for the 'Supporting business and economic growth' strand of the Corporate Plan, specifically that element relating to the redevelopment of the Bus and Coach Station.

10. What risks are there and how can they be reduced?

10.1 There are no risks involved in agreeing a response to the Mid Devon Local Plan consultation.

11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?

11.1 The decision will have no impact.

12. Are there any other options?

12.1 The Council could choose not to respond to the consultation, or to respond in a different manner. The former is not recommended, because this would not fulfil the Council's statutory duty to cooperate. The latter is not recommended, for the reasons set out in Section 8 of this report.

Assistant Director City Development

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

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