



# Hearing Statement

Plymouth & South West Devon  
Joint Local Plan Examination

## Matter 8

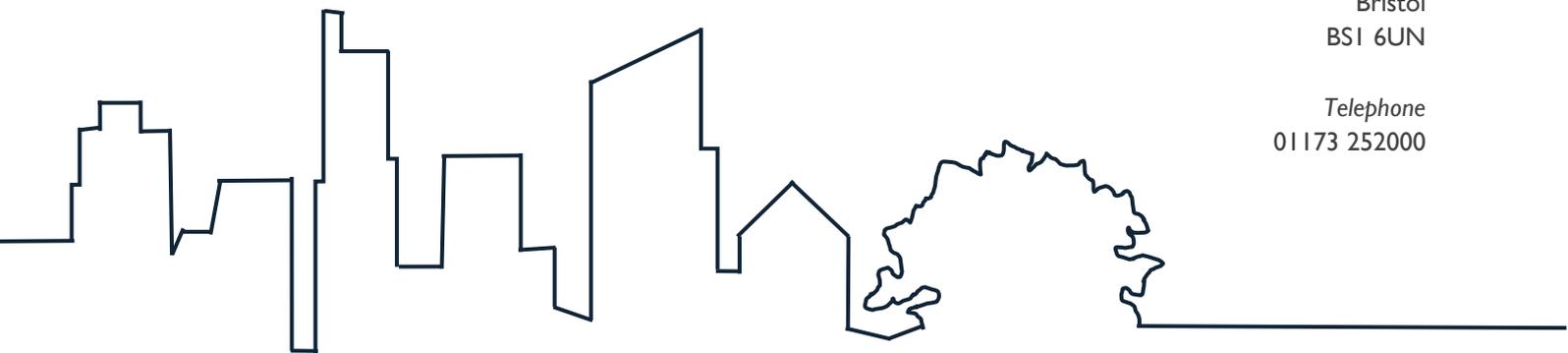
On behalf of Land Value Alliances Ltd  
Person ID: 1096270

January 2018

### **Walsingham Planning**

1 Gas Ferry Road  
Bristol  
BS1 6UN

Telephone  
01173 252000



bristol@walsingplan.co.uk  
[www.walsinghamplanning.co.uk](http://www.walsinghamplanning.co.uk)

*To remove before issue:*

Issue	Date	Status	Issued by	Checked by
1		First draft		
2		Second draft		
3		Final draft		

## **CONTENTS**

<b>1 INTRODUCTION</b>	<b>2</b>
<b>2 MATTER 8: POLICY AREA STRATEGIES: THRIVING TOWNS AND VILLAGES</b>	<b>5</b>

## **APPENDICES**

APPENDIX I – Site Location Plan

## I INTRODUCTION

- I.1.1 This Hearing Statement has been prepared by Walsingham Planning, formerly Ian Jewson Planning Ltd (IJP) on behalf of Land Value Alliances Ltd (LVA) and relates to the Plymouth and South West Devon Joint Local Plan (JLP) Examination. Walsingham Planning previously submitted representations in relation to earlier stages of the consultation process including the Regulation 19 documents.
- I.1.2 LVA has a specific interest in relation to land north of the A3072 in Hatherleigh as edged red on the plan attached at **Appendix I**. This land has previously been identified as a proposed allocation for mixed use development (SHLAA reference WD 06 13 16) in the Extra Sites and Topic Paper Consultation (November 2016) for the Thriving Towns and Villages. However, the site was omitted from the pre-submission Regulation 19 version of the JLP in favour of land on the opposite side of the A3072 known as 'Hatchmoor' (Site 12 in Policy TTV 29). LVA have previously argued that the inclusion of this site as a proposed allocation has not been adequately justified based on available evidence.
- I.1.3 It is recognised that the LVA site is not a specific matter for the Examination but reference to it is included to explain the context of the LVA proposals. A planning application for a mixed use development including 80 dwellings is currently before the Council for determination (LPA Ref: 1885/17/OPA).
- I.1.4 This Statement addresses matters identified by the Inspector in the Matters, Issues and Questions (November 2017) where considered relevant and highlights issues which are still considered to be of concern in relation to the soundness of the plan.
- I.1.5 We note that since the Regulation 19 document, a number of additional documents have been published on the JLP Examination website, including:
- New Housing Trajectories updating base date to March 2017 (Reference: TP3E, TP3F, TP3G).
  - TTV Trajectory agreement document (Reference: TP3I).
  - Summary of Allocated and Rejected Sites (Reference: EXC3D).

I.1.6 Reference is also made to these documents where relevant.

## **2 MATTER 8: POLICY AREA STRATEGIES: THRIVING TOWNS AND VILLAGES**

### **2.1 Approach to development (Policies TTV1 and TTV2)**

- i. Is the hierarchy of sustainable settlements in Policy TTV1 and the settlements within each level of the hierarchy identified in the supporting text justified? Is the assessment framework used to determine if a settlement is 'sustainable' appropriate and justified?**

2.1.1 We are in general support of the settlement hierarchy, however we raise concerns with the proposed distribution of development, and consider further sites should to be allocated in the towns and key villages (second in hierarchy), and in particular the settlement of Hatherleigh (explained further below in response to question iii c).

- ii. Where settlement boundaries are identified are they justified and do they take account of any outstanding planning permissions?**

2.1.2 No comment.

- iii. Figure 5.1 on p176 of the JLP identifies site allocation totals by settlement type and also includes an allowance for Sustainable Villages.**

- a. Can the figures be updated to 2017? Would their inclusion within Policy TTV1 aid certainty?**

2.1.3 LVA welcome that new trajectories have been prepared with a base date of March 2017. It will be important that the relevant figures in the JLP are updated to reflect the new evidence. The figures should also be included within Policy TTV1 to ensure greater certainty. At the very least reference should be made to Figure 5.1 in Policy TTV1.

2.1.4 In addition, as set out in our Regulation 19 representations, the site allocation totals identified in Figure 5.1 should be expressed as 'minimum' requirements to allow flexibility in delivery to ensure local needs are met and to boost significantly the supply of housing. This will also accord with Policy SPT3 (Provision for new homes) which

sets out the overall housing requirement as a 'minimum'. It will be important to ensure a consistent approach across all policies relating to the delivery of housing in the plan period. Therefore, Policy TTVI and Figure 5.1 should be updated accordingly.

**b. As the figures only relate to allocations how much development is proposed to be delivered through existing uncompleted commitments?**

2.1.5 No comment.

**c. How has the distribution of development across the settlements been determined and is it supported by evidence?**

### **Housing Requirement**

2.1.6 As set out in our Hearing Statement relating to Matter 3 (Housing) the housing requirement in Policy SPT3 needs to be updated to reflect a higher OAN.

2.1.7 This will also have implications on other policies in the JLP including the distribution of development set out in Figure 5.1 which supports Policy TTVI. It will be important for this to be updated to ensure housing needs are properly met, with a particular emphasis on the 'towns and key villages' such as Hatherleigh which is a sustainable town with further capacity for growth.

### **Distribution of Development**

2.1.8 Policy TTVI proposes that most of the growth in the TTV should take place in the 'main towns' (first in settlement hierarchy). However, this should not be to the detriment of sustainable growth at the 'towns and key villages' (second in settlement hierarchy).

2.1.9 Policy TTVI identifies the 'town and key villages' as areas "*which will receive support for growth commensurate with their roles in supporting the small villages and hamlets*". Figure 5.1 sets out the site allocation totals by settlement type which includes a requirement to provide 970 new homes in the 'towns and key villages' in the plan period.

- 2.1.10 LVA is concerned that the housing numbers presented in Figure 5.1 may not reflect the true housing requirement over the JLP period (see our Hearing Statement in response to Matter 3), nor does there appear to be any objective assessment informing the distribution of housing across settlement types. Further evidence should be provided to support the proposed distribution of development.
- 2.1.11 There also appears to be an imbalance of housing and employment numbers proposed with 53,868 sqm of new employment space proposed in the ‘towns and key villages’ in the plan period compared to just 970 homes. Whilst it is important to ensure that employment land is available to provide employment opportunities for people living in new homes and to maintain a level of self containment in towns and villages, in our view a more significant proportion of housing should be allocated to achieve a greater balance in growth.
- 2.1.12 We consider that there is potential to achieve more than the 970 units proposed in the ‘towns and key villages’ in the plan period. This is particularly the case for Hatherleigh.
- 2.1.13 As set out in our previous representations submitted in relation to the TTV consultation (July 2016) Hatherleigh is a market town with a good level of services and facilities as well as areas for employment provision. Further growth will have a positive effect in terms of enhancing its self-containment and reducing travel to other centres. In the sustainability appraisal for minimum planned requirements (February 2015), Hatherleigh scored favourably in terms of positive effects to the achievement of a number of sustainable objectives compared to other settlements assessed.
- 2.1.14 As set out further below land north of the A3072 in Hatherleigh was a proposed allocation for mixed use development in the consultation on the TTV (July 2016) and the Extra Sites and Topic Paper (November 2016). It is still considered to be the most suitable location to provide a mixed-use extension to the settlement.
- 2.1.15 Thus, to deliver the final agreed levels of housing in the TTV of the JLP, there should be a greater focus for development at the ‘Towns and Key Villages’ through, specific, deliverable site allocations, in appropriate locations (such as land north of the A3072,

Hatherleigh) in order for the provision of housing to be planned for positively as required by the NPPF (paragraph 157). LVA therefore suggest that the proposed housing requirement for the 'Towns and Key Villages' should be increased.

### **Soundness of the Plan**

2.1.16 Overall JLP is not sound because the distribution of development set out in Figure 5.1 which accompanies Policy TTVI is not justified based on available evidence and further growth should be allocated in the towns and key villages.

### **2.2 Housing delivery in the TTVPA (Housing site allocations [Policies TTV5-6, TTV8-11, TTV13-15, TTV18, TTV21-22, TTV24 and TTV26-29], housing trajectory and Policy DEV8)**

#### **i. In relation to housing site allocations proposed for development within the TTVPA:**

2.2.1 As set out in our Regulation 19 representations, LVA raise concerns with a number of site allocations proposed in the smaller towns and key villages in the JLP.

2.2.2 We consider points a-d of *question i* in relation to a number of sites as set out below.

#### **Policy TTV29 – Hatchmoor (Site 12)**

##### **a. Is the scale of housing for each site justified having regard to any constraints and the provision of necessary infrastructure?**

2.2.3 Objection is raised to the identification of Hatchmoor as a proposed allocation in Hatherleigh. It is not considered that the sites allocation is justified by the evidence base.

2.2.4 Whilst the SHLAA (March 2017) suggests that employment and residential development is suitable on the Hatchmoor site, no detailed evidence has been provided to justify its inclusion in the JLP and particularly its inclusion ahead of the allocation previously proposed on land to the north of the A3072.

2.2.5 It is considered that a number of constraints may exist which would restrict development on the Hatchmoor site and we would question the suitability of

development on this land. The SHLAA (March 2017) has considered development potential on the Hatchmoor site as three separate sites as follows:

- Oak Tree Cottage, Holsworthy Road (Ref: WD\_06\_01\_08/13)
- Land adjacent to Grove Cottage (Ref: WD\_06\_02\_08/13)
- Hillsmoor, Holsworthy Road (Ref: WD\_06\_03\_08/13)

2.2.6 As set out in the SHLAA there are a number of issues with these three sites which could prevent development coming forward. We have summarised the issues below:

- The land is not well related to the existing settlement and development on the three sites would extend the settlement boundary of the town significantly further southwest.
- Some of the land identified is covered by a pond and watercourse which suggests the sites may be prone to flood risk.
- The sites are next to a Care Village and development could have an impact on amenity of residents which may reduce development area of the site.
- The sites are next to an existing industrial estate and housing could potentially be affected by noise and light issues.
- The sites are bisected by Coldharbour Lane which will make an individual proposal very difficult to achieve.
- The sites are less likely to be able to accommodate necessary infrastructure including community facilities if required.
- Development on the sites would result in the loss of hedgerows which may have an ecological impact.

2.2.7 It is also understood that the Hatchmoor site covers land under three separate ownerships and we are not aware that the availability and deliverability of the site has been confirmed.

2.2.8 Furthermore, we are not aware of any technical assessments which have been prepared to demonstrate the acceptability of residential and employment development on this land.

2.2.9 Significantly the Hatchmoor site was not proposed as a potential allocation in previous consultations relating to the JLP including the Thriving Towns and Villages Consultation (July 2016) and the Extra Sites and Topic Paper Consultation (November 2016).

**b. Is the housing trajectory (TP3C) realistic for each allocation: are there any sites which might not be delivered in accordance with the timescale set out in the trajectory?**

2.2.10 The updated TTV trajectory (TP3G) suggests the Hatchmoor site will deliver 25 dwellings per annum between 2022/2023 period and 2025/2026. We welcome that the Council has sought to engage with developers regarding delivery rates and subsequently have issued a document called TTV housing trajectory agreement (ref: TP3I). This document suggests no response was received from the landowners for this site raising uncertainties regarding its delivery.

2.2.11 As set out above the sites suitability for development is questionable and on this basis the site cannot be considered as deliverable in the timescales suggested.

**c. Are the specific development requirements of each site allocation policy effective and justified by evidence?**

2.2.12 As set out above LVA do not consider that the allocation of Hatchmoor (Site 12) under Policy TTV29 is justified as it is not a suitable site for development.

**d. Will the allocations achieve sustainable development?**

2.2.13 As set out above there are a number of environmental issues with the Hatchmoor site and LVA consider it is not the most sustainable option. In comparison, land to the north of the A3072 as edged red on the attached site location plan (**Appendix I**) is the most sustainable option for growth in Hatherleigh.

2.2.14 This site has previously been proposed as an allocation in earlier consultations on the JLP and an outline planning application for a mixed-use development including 80 dwellings is currently before the Council for determination (LPA Ref: 1885/17/OPA). The application included a full suite of technical assessments which help to confirm the

sites overall acceptability. Land also exists within the control of LVA directly adjacent to the land currently subject to planning application. This land is also available for development if required and is suitable to accommodate additional residential development or can be used for community/employment use.

### **Soundness of the Plan**

2.2.15 Overall we consider that the JLP has not provided sufficient evidence to justify the allocation of 'Hatchmoor'. In this regard the JLP as currently drafted should not be considered sound. To make the plan sound the site should be omitted in favour of land to the north of the A3072.

### **Policy TTV29 – Market, Hatherleigh (Site 11)**

**a. Is the scale of housing for each site justified having regard to any constraints and the provision of necessary infrastructure?**

2.2.16 No comment.

**b. Is the housing trajectory (TP3C) realistic for each allocation: are there any sites which might not be delivered in accordance with the timescale set out in the trajectory?**

2.2.17 Objection is raised to the identification of Hatherleigh Market as an allocation in Hatherleigh. In previous representations submitted in relation to the JLP process, LVA raised concerns with the deliverability of the site and the importance of ensuring that sufficient land is available to meet overall housing requirements.

2.2.18 The new trajectory issued by the Council on 29<sup>th</sup> November 2017 (Ref: TP3G) which identifies a base year of March 2017 suggests that housing on the Hatherleigh Market site will deliver as follows:

- 36 homes in 2019-2020
- 36 homes in 2020-2021
- 34 homes in 2021-2022

2.2.19 Therefore, this suggests that the Hatherleigh market site will be fully built out in the first five years of the plan period. Significantly, the timescales for delivery of this site have been pushed back by one year since the publishing of the previous JLP trajectory (base year of March 2016). This in itself suggests there is some uncertainty regarding its delivery.

2.2.20 This site was previously subject to an outline planning application for a mixed-use development including 106 dwellings which was granted planning permission on 1<sup>st</sup> August 2014 (LPA Ref: 00760/2013). No further progress has been made in terms of submission of reserved matters and discharge of outline planning conditions since this time. As a consequence of the significant delays in any progress on this site, the outline planning permission lapsed on 1<sup>st</sup> August 2017 and there have been no further applications on the site since this time. There remain concerns about the viability issues which are preventing development on this site coming forward.

2.2.21 Footnote 11 of Para 47 clarifies the meaning of deliverability as:

*“achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable”*

2.2.22 On this basis the Market site cannot be considered a deliverable site to deliver growth needs in Hatherleigh in the plan period and it should be omitted as an allocation in the JLP. As set out further above there is potential for a mixed-use development on land to the north of the A3072 which can deliver 80 dwellings in the first five years of the plan period.

**c. Are the specific development requirements of each site allocation policy effective and justified by evidence?**

2.2.23 As set out above LVA do not consider the Market Site (Site 11) allocated under Policy TTV29 is effective as it is not deliverable.

**d. Will the allocations achieve sustainable development?**

2.2.24 As set out above LVA do not consider the site is deliverable so it will not be able to achieve sustainable development.

### **Soundness of the Plan**

2.2.25 Overall LVA do not consider sufficient evidence has been provided to justify the allocation of 'Hatherleigh Market', and its allocation is not justified based on proportionate evidence. In this regard the JLP as currently drafted should not be considered sound.

- ii. Is there sufficient flexibility in the housing trajectory to ensure that housing land supply within the TTVPA will be maintained and will deliver the requirement of Policy STP3?**

2.2.26 The NPPF outlines the importance of maintaining a five year land supply and providing robust evidence to demonstrate deliverability of the identified sites. Further sites should be allocated in the TTVPA which can deliver housing in the first five years to ensure a flexible supply of sites.

- iii. Will the housing provision made within the TTVPA have a reasonable prospect of delivering its share of the five year housing land supply at the point of adoption of the JLP?**

2.2.27 No comment.

- iv. Are the levels of affordable housing proposed in DEV8 supported by the evidence or would a higher figure be justified? In particular:**
  - a. Point 2 refers to the provision of 30% affordable housing, whilst point 3 refers to the provision of a 'minimum' of 30%. Is the difference in wording justified? Does the policy seek to deliver a higher % of affordable homes (above 30%) within the Main Towns and if so how will this be achieved?**

2.2.28 LVA support the policy as currently drafted as it will provide flexibility to deliver a higher affordable housing percentage within the main towns where appropriate. In other areas it will be important to ensure 30% affordable housing is kept as the maximum.

**a. Is it clear that the affordable housing requirements are subject to viability and Policy DELI?**

2.2.29 To ensure a flexible approach the policy should be amended to reflect the need for viability to be considered (where relevant), as follows:

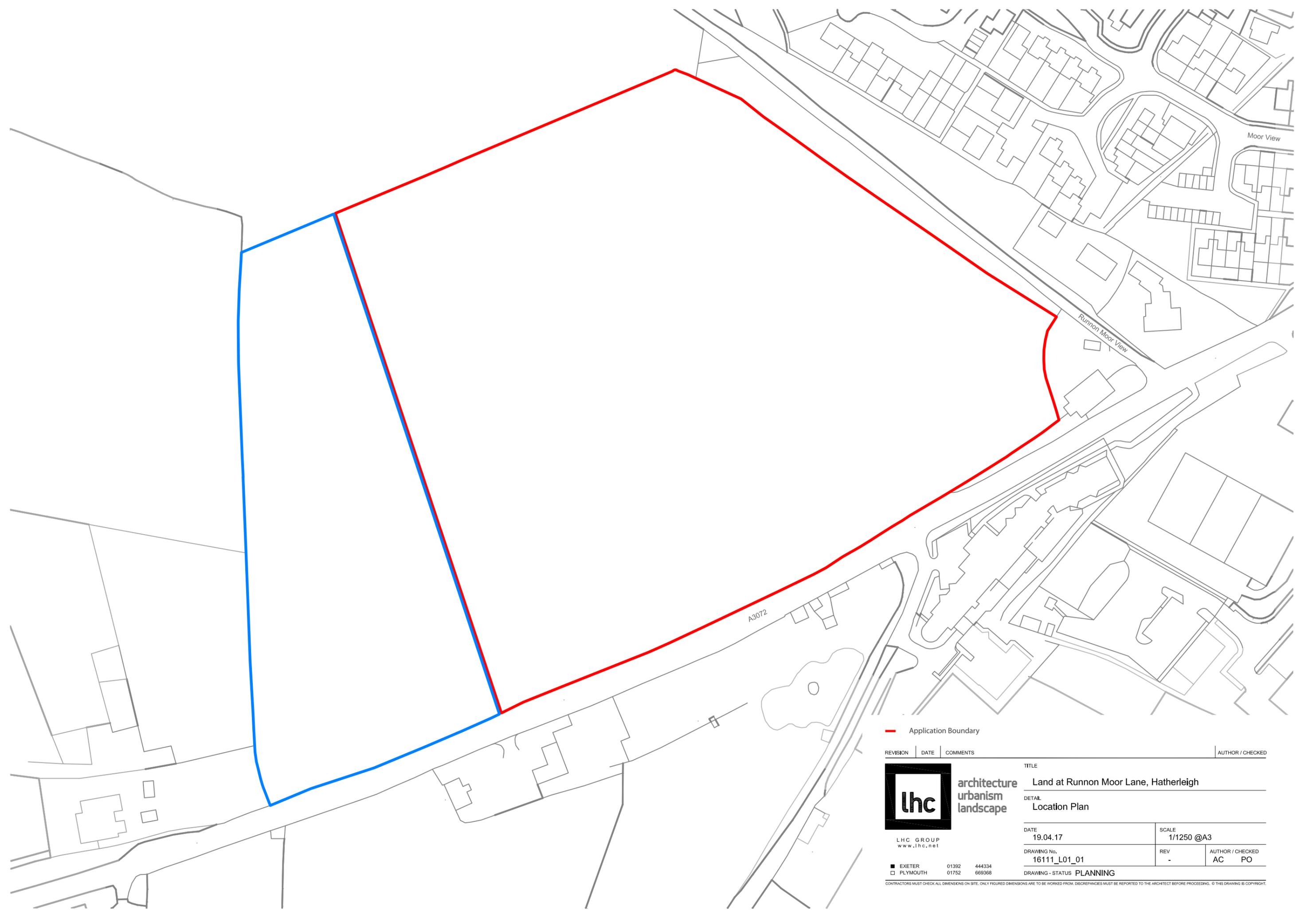
*“The LPAs will seek to deliver a wide choice of high quality homes which widen opportunities for home ownership, meet needs for social and rented housing, and create sustainable, inclusive and mixed communities. The following provisions will apply (**subject to viability**):*

**2.3 What needs to be changed to make the Plan sound?**

2.3.1 For the plan to be sound LVA consider Land to the north of the A3072 should be allocated for choice and flexibility. We have previously argued in response to *question iii c*) in the ‘Approach to Development Section’ further above that additional housing should be distributed to the towns and key villages, with a particular emphasis on Hatherleigh, and in response to Matter 3 (Housing) that the housing requirement in Policy SPT3 needs to be increased, therefore further sites will need to be allocated.

2.3.2 As set out in response to the *question i* in the ‘TTVPA Section’ above LVA question the suitability and delivery of the two sites proposed as allocations in Hatherleigh (Site 11 and 12 of Policy TTV29) which are not based on robust evidence and one of these sites should be deallocated from the JLP. In comparison a suitable development opportunity exists on Land to the north of the A3072 in Hatherleigh which should be added as an allocation in the JLP to make the plan sound.

## **APPENDIX I – SITE LOCATION PLAN**



— Application Boundary

REVISION	DATE	COMMENTS	AUTHOR / CHECKED
----------	------	----------	------------------



**architecture  
urbanism  
landscape**

LHC GROUP  
www.lhc.net

- EXETER 01392 444334
- PLYMOUTH 01752 669368

TITLE  
**Land at Runnon Moor Lane, Hatherleigh**

DETAIL  
**Location Plan**

DATE  
**19.04.17**

SCALE  
**1/1250 @A3**

DRAWING No.  
**16111\_L01\_01**

REV  
**-**

AUTHOR / CHECKED  
**AC PO**

DRAWING - STATUS **PLANNING**

CONTRACTORS MUST CHECK ALL DIMENSIONS ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE WORKED FROM. DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING. © THIS DRAWING IS COPYRIGHT.