

**MID DEVON DISTRICT COUNCIL**  
**Forward Planning and Conservation Department**  
**Phoenix House, Phoenix Lane, Tiverton, Devon EX16 6PP**

**REPRESENTATIONS ON MID DEVON DISTRICT COUNCIL**  
**DEVELOPMENT PLAN DOCUMENT**

**With Particular Reference to**

**Allocation (AL/BA/2)**

**BOURCHIER CLOSE**

***BAMPTON TOWN COUNCIL***

***28 Brook Street***

***Bampton***

***Devon***

***EX16 9LY***

**November 2009**

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**DOCUMENTS MDDC EVIDENCE BASE (SUBMITTED)**

Allocations & Infrastructure Development Plan Document (October 2009)

Statement of Community Involvement

MDDC Core Strategy (June 2007)

Sustainability Appraisal and Strategic Environmental Assessment

Mid Devon Infrastructure Plan (Annexe 5 of above Publication Version DPD)

Strategic Flood Risk Assessment (June 2009)

Low Carbon and Low Emissions Strategies (March 2009)

Affordable Housing Viability Assessment (April 2009)

Strategic Housing Land Availability Assessment (March 2009)

**CONTRIBUTORS**

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## DPD BAMPTON (AL/BA/2)

### SUMMARY

1. This representation is made on behalf of the people of Bampton ('Bampton') to object to the Allocation of land at Bouchier Close, Bampton (AL BA/2) for housing and employment provision. The present Bampton Town Council (elected 2007) views this representation as a 'last chance' for Bampton to influence the future of a much-loved place for many years to come.
2. This representation sets out the basis of Bampton's contention that the District Authority's most recent Consultation process has failed to consider or engage with the representations of this Council and the people it represents. As a result, the development proposals for Bampton are not informed by knowledge of the local circumstances, factors and influences that should reasonably guide appropriate development. Correspondence between the Town Council and Mid Devon District Council is exhibited at Appendix **(o)** and having regard to The Planning Inspectorate's 'Soundness' Guidance, the Town Council sets out its observations of the consultation experience at Appendix **(a)**. Working with other Town and Parish Councils it is clear that we are not alone in our complaint as others have found the experience 'wanting'.
3. Bampton is aware of the content and objectives of the Core Strategy for the Town as set out in **COR16**. Bampton acknowledges that there may be a requirement for reasonable growth within the community but its objection is to inappropriate and ill-conceived development of the type advanced in the DPD for Bampton in the Allocation **(AL/BA/2)**. We set out the rationale for the changes that we would ask be made to the DPD for Bampton. The changes are identified below and we thank you for this opportunity.

4.

#### **PROPOSED CHANGES TO DPD BAMPTON**

- **Reinstate identified (deleted) site NS5 (South Molton Road) housing 40 dwellings**
- **Identify reduced (1.2 hectare) Allocation AL/BA/2 (Bourchier Close) as a Contingency Site, for employment only.**

#### **INTRODUCTION**

##### **EMPLOYMENT - HOW WE WORK**

5. Bampton is a rural community with a population of less than 2000 set in a steep narrow valley. As observed in the Core Strategy (COR16), it is a small rural town heavily influenced by agriculture and the Exmoor National Park with over half of its employed population working in and around Bampton.
6. Alongside agriculture, Bampton's employed sector is primarily involved in the service industry, catering to a healthy tourism trade in rural leisure and related activities. In this connection employment 'stables' include shooting, fishing, horse riding, support to ramblers, campers and those who enjoy the network of cycle links in the locality. In turn shops, B&B's, hotels, restaurants, teashops and public houses are key employers and additional employment is of a home-based or cottage industry nature. As a matter of course therefore, the employment 'stables' do not naturally require the provision of significant B1, B2 or B8 facilities.

##### **THE CORE STRATEGY**

7. By the Core Strategy, Bampton's strategic requirement for employment provision to 2026 is 400m<sup>2</sup> per annum (6,232m<sup>2</sup>). The DPD observes at page 144, paragraph 8.3 that suitable land for employment (and housing) is difficult to find in Bampton, given the need for relatively level land with close proximity of the town centre, good road

access for heavier vehicles to employment sites and avoiding land in the floodplain. This difficulty is accepted.

### **THE WORKING INFLUENCES AND PATTERNS**

8. The DPD Bampton makes provision for 4,000m<sup>2</sup> employment land in a single allocation on a mixed-use site at Bouchier Close, (AL/BA/2). Whilst accepting that key national, regional and district planning policy objectives go to achieving sustainable communities where people can work where they live, the concern is that Policy should not be applied without due regard to the nature of the community in issue and in the subject circumstances, the influences that tend to direct the work that its people do. Having regard to these influences, Bampton questions the need for the forward employment provision identified in the DPD .

### **CURRENT PROVISION AND TAKE UP**

9. In this connection and having regard to the matters set out at paragraph 6 above, it is useful to consider the existing employment land provision in Bampton and to analyse how and by whom it is used. The map exhibited at Appendix **(b)** identifies existing employment provision. Each site is referenced in the table overleaf, detailing Use Class, approximate size, whether vacant or occupied and if vacant the term of the vacancy.
10. The table at **Fig 1** below shows the current employment land provision to be 54,714 ft<sup>2</sup> (5,083 m<sup>2</sup>) of which 17,171 ft<sup>2</sup> (1,595m<sup>2</sup>) is occupied and 37,543 ft<sup>2</sup> (3,488m<sup>2</sup>) is vacant. The majority of the vacant sites are known to have been vacant for between 1-3 years. Mr Peter Govier, owner of Employment Units F-R writes to verify the information provided above and this letter, together with agent letting details are exhibited at Appendix **(c)**.

## EMPLOYMENTS FACILITIES

UNIT	USE CLASS	AREA FEET <sup>2</sup>	OCCUPIED/LET	VACANT	HOW LONG VACANT
A	B2	3106	√	N/A	-
B	B2	2325	X	√	2 YEARS
C	B2	2325	√	N/A	-
D	B2	15,000	X	√	3 YEARS
E	B2	4,000	X	√	2 YEARS
F	B2	1,750	X	√	1.5 YEARS
G	B2	4,740	√	N/A	-
H	B2	1,750	X	√	1.5 YEARS
I	B2	1,000	X	√	1.5 YEARS
J	B2	1,000	X	√	1.5 YEARS
K	B2	1,000	X	√	1.5 YEARS
L	B2	2,000	X	√	1.5 YEARS
M	B2	2,000	X	√	1.5 YEARS
N	B1	1,100	X	√	1.5 YEARS
O	B2	4,000	√	N/A	-
P	B2	3,156	X	√	1 YEAR
Q	A1	1,462	X	√	2 YEARS
R	B2	3,000	√	N/A	-
<b>TOTALS</b>		<b>54,714</b>			

**Fig 1 EMPLOYMENT PROVISION BAMPTON (NOVEMBER 2009)**

11. Upon the facts, Bampton has the benefit of 54,714 ft<sup>2</sup> of useable employment floor space of which 69% is vacant, despite efforts to market under lease/sale arrangements. It is Bampton's respectful observation that the Town has an adequate supply of employment land for the foreseeable future. Further, it is observed that the requirements of the Allocation AL/BA/2 (DPD, page 146 (e) include that no more than 20 of the 40 houses to be accommodated on the site shall be occupied until all of the 4,000m<sup>2</sup> employment land is available and serviced. Given the level of existing (vacant) employment provision in Bampton, it seems unlikely that the investment required to build the employment provision would be commercially attractive to many developers.

### **BOURCHIER CLOSE AND ITS CHALLENGES**

12. In real terms, Bouchier Close sits in the open countryside, an interval between Bampton and Morebath. The Allocated Site AL/BA/2 is accessed via the B3190, Morebath Road which itself is accessed through Castle Street. Castle Street feeds through to Bampton Town Centre and from here to the Old Tiverton Road, Tiverton and the strategic road network.

### **ALLOCATION AL/BA/2 - A 'TENTACLE'**

13. The proposed mixed use Allocation AL/BA/2 Bouchier Close for 40 dwellings and 4,000m<sup>2</sup> of employment use, will feature as a tentacle of development breaching this open area and bringing with it inescapable visual impact in a sensitive location. The analyses exhibited at Appendix (j) is instructive in this connection.

### **ACCESS AND EGRESS**

14. The Allocation fails to have regard to the practical access difficulties that would flow from the Bouchier Close Allocation, given the width constraints of the B3190 and its inadequacy to deal with the current daily traffic movements let alone those associated with 40 dwellings and 4,000m<sup>2</sup> of employment floor space. The physical constraints of Castle Street and Bampton Town Centre are of concern to local people, as indeed are the concerns for road and pedestrian safety. Images demonstrating the problem (Castle Street) are exhibited at Appendix (n).
15. Observing the problems associated with Allocation AL/BA/2 – Bouchier Close, the DPD observes at page 147, paragraph 8.11 that: ***“Existing pedestrian access to the town centre is poor, with no continuous pedestrian footpath along either the B3190 or Frog Street.”*** It goes on: ***“Frog Street is also narrow with many dwellings directly fronting the highway. The upper part of the street is bounded by mature hedging which it would not be desirable to lose. These factors make the widening of Frog Street difficult.”***

### **BAMPTON'S HOUSING ALLOCATION**

16. In the DPD for Bampton, Allocations are made to accommodate 110 dwellings. AL/BA/1 – School Close (60 dwellings), AL/BA/3 – Ashleigh Park (5 dwellings) AL/BA/4 – Newton Court(5 dwellings), all of which can be considered and finally, AL/BA/2 –Bouchier Close (40 dwellings). For the reasons stated above, the town objects to the Bouchier Close allocation.

There is a further risk associated with the allocation of the Bouchier Close site in respect of the potential for change of use at a later date from employment to

residential if the site is provided with an access and utilities. This could provide a further 2.4 hectares of land, or up to 100 houses at 40 dwellings per hectare, over and above the proposed allocation, which could be difficult to resist at a later date.

#### **BAMPTON'S PREFERENCE - (DELETED SITE NS5)**

18. If the Town has to accept further large development its preference is for a site (NS5 South Molton Road) previously identified as 'preferred' following the 2007 Issues and Options stage of consultation. The site is identified at Appendix **(d)** with the MDDC 2008 'Preferred Options for Bampton 2008' text document exhibited at Appendix **(f)**.
19. Against strenuous representation to the contrary (a sample of which is exhibited at Appendix **(i)** with MDDC's Summary of the Consultation Responses at Appendix **(g)**), Site NS5 was 'deleted' by MDDC as a preferred Option in early 2009, on grounds of its visual impact. This decision followed submission of detailed graphic analysis of the Site's suitability as part of a wider analysis of the various available sites in Bampton. Other relevant documents are exhibited at Appendices **(j)**, **(k)** and **(l)**.
20. MDDC's decision was against the wishes of the present Town Council, contrary to the evidence presented to support its retention and the decision was not informed by an expert appraisal of potential visual impacts.

#### **ABOUT (DELETED) SITE NS5**

21. The site abuts the Conservation Area on the eastern side but is otherwise located within late 19C and 20C development. In terms of potential visual impacts of development the Town Council has the benefit of an expert visual appraisal of the site and its potential impacts. The same is exhibited at Appendix **(m)** and provides we suggest, a comprehensive assessment which is conclusive in the issue finding no material adverse impacts given appropriate sensitivity in design.

### **40 DWELLINGS + 500m<sup>2</sup> LIVE/WORK + HIGHWAY BENEFITS TO BAMPTON**

22. Site NS5 has the capacity to accommodate forty dwellings including approximately 500m<sup>2</sup> of live-work provision, which as stated at paragraph 6 above, is consistent with the patterns of employment in the town. Finally development of Site NS5 would furnish additional highway benefits to Bampton providing an access road through the site an alleviating congestion on High Street. Details of a previous proposal supported by Bampton are exhibited at Appendix **(p)** with the County Highways Response to the proposal exhibited at Appendix **(q)**.

### **MAKING SPACE FOR CHANGE**

23. The Bampton Town Council accepts that the requirements of the Core Strategy are to furnish provision for employment in Bampton to 2026. It has explained why it does not believe that the allocation will be required for some years to come but nevertheless accepts that it would be prudent to identify a contingency allocation to serve the town in the event of change, provided that current allocations are fully utilised.

### **CONCLUSIONS AND PROPOSED CHANGE**

#### **[PROPOSED CHANGE \(1\)](#)**

#### **BOURCHIER CLOSE – 1.2 HECTARES - CONTINGENCY EMPLOYMENT ONLY**

23. In the absence of alternative available employment provision, we would reluctantly suggest that Allocation AL/BA/2 be reduced to 1.2 hectares to accommodate 4,000m<sup>2</sup> of employment provision only provided that current allocations are fully utilised and then as a contingency site only. As a contingency site, it would not be linked to housing delivery and would only come forward when demand identified potential occupiers. This would avoid the concern that a serviced site would be subject to a change of use to residential, and that Bampton would have an over provision of housing and the employment would not be delivered.

**PROPOSED CHANGE (2)**

**PLUGGING THE HOUSING GAP**

23. The reduction in site AL/BA/2 will leave a deficit of land for the housing provision displaced by the above reduction to AL/BA/2. We would recommend that Site NS5, previously identified at the Issues and Options Stage of the DPD Consultation process, be reinstated and Allocated for Housing (40 dwellings). In terms of sustainability it is to be noted that MDDC's Evidence base includes a sustainability appraisal for Bampton, which draws no material distinction between Site AL/BA/2 and Deleted NS5.
24. Thank you for your consideration.

**Ann Guilfoyle**  
**Clerk to the Bampton Town Council**

November 2009