

Filtered Data Export

Full name: Nick Yeo

Organisation (where relevant): 3West Group Ltd

Other party name (if relevant):

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Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD10

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

[Summerfield Planning on behalf of 3West Group Ltd] 3West Group support Strategic Policy SD10 and specifically the proposed allocation of the Land north west of Strawberry Hill, Lympstone (GH/ED/73).

An outline planning application for the site for up to 42 dwellings (application reference: 24/0301/MOUT) received resolution to grant planning permission at the EDDC planning committee held on the 19.11.2024.

The planning application site location plan is attached for reference.

The planning decision is pending agreement of a Section 106 Legal Agreement which at the time of writing is at an advanced stage with a planning decision expected to be issued during April 2025.

A reserved matters planning application has been prepared and is awaiting submission.

As a result of the comprehensive programme of work undertaken in support of the planning submission and approval of the planning application by EDDC, the site is proven to be deliverable.

We can confirm that construction work is forecast to commence during 2025 (subject to the timely grant of reserved matters planning) and therefore the site is able to make a valuable contribution to EDDC's 5 year housing land supply.

We fully support the inclusion of the Land north west of Strawberry Hill, Lymstone (GH/ED/73) in the Regulation 19 plan as housing allocations.

The site remains a very good candidate for allocation in the emerging Local Plan, and this is supported by the technical work and masterplan's prepared to support the planning application.

Due to the imminent grant of Outline planning permission, we are able to demonstrate the deliverability of both sites to meet the Local Plan objectives. Furthermore, the site is able to make a meaningful contribution to EDDC's 5-year housing land supply.

We trust our comments will be fully taken on board and the allocation of the site is confirmed.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To be available at the hearing session to provide further clarification or respond to any site specific queries from the Inspector or third parties.

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[Summerfield Planning on behalf of 3West Group Ltd] 3West Group support Strategic Policy SD10 and specifically the proposed allocation of the Land at Gilbrook, Woodbury (Wood_10).

An outline planning application for up to 60 dwellings (application reference: 23/2166/MOUT) received resolution to grant planning permission, at the EDDC planning committee, held on the 19.11.2024.

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD14

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:

[Summerfield Planning on behalf of 3WestGroup] The representation is accompanied by a copy of the Regulation 16 Consultation response and objection to the Clyst St Mary and Sowton (Bishops Clyst) Neighbourhood Plan (Modification Proposal) (hereafter the "Neighbourhood Plan"). That representation is provided Appendix A and should be read in conjunction with this submission. The response to the Regulation 16 Consultation demonstrates that the proposed allocation of Strategic Environmental Assessment (SEA) Option 3 (sites Sowt03 and Sowt11), as proposed by Policy BisC12 'Land East of Clyst St Mary' in the draft Neighbourhood Plan, is fundamentally flawed and completely unsupported by evidence. This includes evidence prepared by the Parish Council's specialist consultant and appointed consultants AECOM. That evidence demonstrates that SEA Option 4 (sites Sowt03 and Sowt09) is the appropriate strategy for development at Clyst St Mary. Any other conclusion ignores the available evidence, and no credible or reasonable explanation or justification has been provided to support an alternative strategy. The rationale for the allocation of sites SEA Option 3 was predicated on a misplaced belief that suitable access cannot be provided to site Sowt09 (land at Bishops Court Lane) and that the delivery of a proposed link road between the A3052 and Bishops Court Lane will be provided as an integral part of proposed allocation site BisC12. It should be noted that the consideration of the current planning application for site Sowt09 (Application Reference: 23/1948/FUL) has confirmed that the Local Highway Authority Devon County Council (LHA) does not agree with the Parish Council's

conclusion regarding the highway impacts of the development of that site. In fact, there are no reasons to object to the development of the site on highway grounds. It has also been confirmed at both the Regulation 14 and Regulation 16 stages of the preparation of the Neighbourhood Plan that the LHA does not support the link road proposed as part of site BisC12. The LHA response to the Regulation 16 Consultation is provided in Appendix B to this representation. This response confirms that the LHA does not support the provision of the proposed link road due to the potential for unacceptable road safety risks, with the link inadvertently creating a vehicular route for through traffic between the A3052 and A30 Exeter Airport junction. This may lead to significant volumes of traffic attempting to turn right from the A3052 into the proposed allocation. The LHA go on to advise that the likely increase in traffic flows should the vehicular link to Bishops Court Lane be provided (and the likely use of the road by traffic accessing the business park and 'rat running') could raise material concerns regarding the suitability and safety of the access's operation on the A3052. National policy and guidance confirm that neighbourhood plans must be underpinned by evidence that supports and justifies their policies. The inclusion of site BisC12 in the Neighbourhood Plan, without supporting evidence and/or justification, means that it has not been prepared in a manner that aligns with national planning policy. Therefore, the Basic Conditions have not been met. While this is a matter that 3West considers should be assessed and scrutinised in detail through the Independent Examination of the Neighbourhood Plan, it is also highly relevant to the emerging Local Plan. 3West objection to Strategic Policy SD14 The issues outlined above (and in Appendix A) are relevant to the Regulation 19 consultation because Strategic Policy SD14 of the emerging Local Plan defers responsibility for meeting the identified need for future residential development at Clyst St Mary to the Neighbourhood Plan. It should be noted that Strategic Policy SD14 is the only residential allocation related policy that proposes to defer responsibility for meeting future needs to a neighbourhood plan. Given that the Neighbourhood Plan in question has not been yet progressed to Independent Examination (and there is no indication at this stage that it will be found to accord with the Basic Conditions and other requirements and progress to Referendum and then be approved at Referendum and Made) this approach is considered to be inappropriate. It is clear that limited weight should be afforded to the emerging Neighbourhood Plan at this stage. It is self-evident that in the event that the Neighbourhood Plan does not progress to being Made (which to confirm 3West consider there are clear reasons why in its current form it should not do so) then Clyst St Mary will be left without any provision for planned growth to meet needs for new homes, including affordable housing. No explanation or justification is provided in the emerging Local Plan for why this approach is considered to be an appropriate approach to strategic planning. Furthermore, if Strategic Policy SD14 were to be retained in its current form, it would effectively be endorsing the proposed allocation of a site that (for the reasons explained above and further in Appendix A) is not supported by evidence and is therefore unjustified. The proposed allocation is also

very unlikely to be deliverable due to the lack of support from the LHA for the proposed link road, which forms an integral part of the justification for the allocation. The objection from the LHA and its clear implications for deliverability of development at Clyst St Mary should not simply be ignored by the emerging Local Plan process. It is also relevant that the support in the emerging Local Plan for the Neighbourhood Plan's proposed allocation at Clyst St Mary runs a significant risk of undermining the strategy set out in Strategic Policies SP01 'Spatial Strategy' and SP02 'Levels of Future Housing Development' of the emerging Local Plan. These policies set both the level of new development required to address housing needs and the distribution of that development across the district. Strategic Policy SP01 recognises the importance and need for 'limited development' at the identified Service Villages, including Clyst St Mary. This supports the emerging Local Plan's Objective 11, which seeks to support villages and protect and enhance the facilities and services they offer. The emerging Local Plan confirms that the identified Service Villages are those settlements with good local facilities, providing essential services and infrastructure for their immediate rural areas, and supporting more localised, sustainable development. This approach accords with the National Planning Policy Framework (Paragraph 83), which advocates the promotion of sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities. It specifically states that planning policies should identify opportunities for villages to grow and thrive. The doubts about the deliverability of the Neighbourhood Plan's proposed allocation at Clyst St Mary must call into question whether the emerging Local Plan's spatial strategy, as it relates to that particular settlement and with it the provision of sufficient homes across district, is deliverable. A failure to deliver this element of the strategy will mean that the identified need for new homes, including affordable homes, would not be met at Clyst St Mary. Accordingly, 3West considers that the emerging Local Plan fails the tests of soundness on the basis that, with the inclusion of Strategic Policy SD14, it is not justified, effective, or consistent with national policy. Proposed allocation of Site Sowt_09 (Land at Bishops Court Lane) For the reasons outlined above 3West considers that Strategic Policy SD14 should be replaced with a policy that allocates sufficient land to accommodate at least 72 dwellings on sites at Clyst St Mary that are supported by evidence, including site assessments and site selection evidence prepared by EDDC and for the purposes of preparing the Neighbourhood Plan. Alternatively, the emerging Local Plan should include a further allocation at Clyst St Mary to ensure that the 'minimum' requirement for 72 new homes over the plan period will be met. Either approach will ensure that new homes to meet identified needs are delivered in a settlement which is in a highly sustainable location with excellent links to the strategic highway network and the city of Exeter to the west. It should be noted that separate representations made on behalf of 3West by consultants Savills have raised significant issues regarding the proposed approach to the progress of the emerging Local Plan and whether it can even proceed under the transitional arrangements. These representations highlight that the proposed

level of housing proposed exceeds the suggested minimum requirement by less than one dwelling per annum. Whilst this representation does not repeat the other submission made on behalf of 3West, the fact that EDDC have not allocated additional sites over and above the perceived minimum requirement supports a proposition that (in the event that the Local Plan does indeed proceed as proposed) additional sites are allocated for the development of new homes in the most sustainable locations, including Clyst St Mary. As Appendix A confirms, the available evidence indicates that the most appropriate locations for future development at Clyst St Mary are those set out in SEA Option 4 (sites Sowt03 and Sowt09). Specifically, this was confirmed through a review of the following documents which are discussed in detail in Appendix A: ? Site Options Assessment Bishops Clyst Parish Council – prepared by consultants AECOM published on the Parish Council’s website here: <https://www.bishopsclyst.org.uk/wp-content/uploads/2022/05/220510-Bishops-Clyst-Site-Options-and-Assessment-Final-Report.pdf> ? Site Residential Selection Process Report June 2022 – published on the Parish Council’s website here: <https://www.bishopsclyst.org.uk/wp-content/uploads/2022/06/Bishops-Clyst-Site-Residential-Selection-Process-Report-9Jun22.pdf> ? Site Consultation Report September 2022 – published on the Parish Council’s website here: <https://www.bishopsclyst.org.uk/wp-content/uploads/2022/10/CSMSNP-Site-Consultation-Report-September22.pdf> ? Strategic Environmental Assessment for the Clyst St Mary and Sowton Neighbourhood Plan (SEA) – prepared by consultants AECOM published on the Parish Council’s website here: https://bishopsclyst.org.uk/wp-content/uploads/2024/11/241113-Clyst-St-Mary-and-Sowton-NP_SEA-Environmental-Report_v3.0.pdf It should also be noted that site Sowt_09 was identified as preferred option by EDDC in the emerging Local Plan at the Regulation 18 stage. This is confirmed at Page 96 of the following document: <https://eastdevon.gov.uk/planning/planning-policy/emerging-local-plan-2020-2042/draft-local-plan-consultation-nov-2022-to-jan-2023/> The ongoing process of the determination of the current full planning application for the site (Application Reference: 23/1948/FUL) has confirmed that site Sowt09 is deliverable and that there are no technical reasons why the site could not be developed. This includes confirmation from the Lead Local Flood Authority that the principles of the drainage strategy for the site are acceptable (with the inclusion of an appropriately worded condition) and from the LHA that they have no objections on highway grounds. The Site Location Plan for site Sowt_09 accompanies this submission. A full set of technical reports and consultation responses are available on the planning application file and copies can be provided on request. Conclusion This representation is made on behalf of 3West Group in response to the Regulation 19 Consultation on the East Devon Local Plan 2020 to 2042. For the reasons outlined above, 3West object to Strategic Policy SD14. The policy’s deferral of responsibility for allocations to meet the identified need for new housing to the emerging and uncompleted Neighbourhood Plan (and with it the endorsement of a flawed approach to plan making and in particular site selection)

means that this element of the emerging Local Plan is considered to fail the tests of soundness.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

3West considers that to address this issue Strategic Policy SD14 as currently drafted should be removed from the emerging Local Plan and replaced with a policy that allocates sufficient land to accommodate at least 72 dwellings on sites at Clyst St Mary that are supported by evidence. Alternatively, the emerging Local Plan should include a further allocation at Clyst St Mary to ensure that the 'requirement for 72 new homes over the plan period will be met. As the available evidence, including site assessments and SEA and the ongoing determination of planning application reference 23/1948/FUL, have demonstrated that site Sowt09 (land at Bishops Court Lane) is deliverable and that there are no technical reasons why the site could not be developed. Accordingly, 3West recommend that Sowt_09 is allocated for future development

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