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28 March 2025

East Devon District Council
Planning Policy
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Dear Sir or Madam

East Devon Local Plan: Publication Draft (Regulation 19)

Land North of A30 (Wares Farm)

Introduction

This submission has been prepared in response to the Publication Draft of the East Devon Local Plan which is subject to public consultation as part of preparing a new Development Plan. The response is prepared on behalf of our client, Charles Kislingbury and the owners of land to the north of the A30 and to the east of the airport.

The submission focuses on the proposed employment land allocation on land east of airport (ref. Strategic Policy WS06) which our clients own. Our clients are supportive of the proposed allocation of land in their control, forming the majority of the wider employment allocation and are exploring plans to redevelop this area for a mixed-use business park.

Our clients welcome and supports the continuing progress made by the Council in preparing a new Local Plan for East Devon and hopes the comments contained within these representations are helpful in progressing it to adoption.

These representations have been prepared having regard to the requirements of the National Planning Policy Framework (NPPF) which requires plans to be 'sound' in terms of being positively prepared, justified, effective and consistent with national planning policy. The NPPF was revised in December 2024, however, it is understood that the plan is to progress in line with transitional arrangements and therefore the relevant NPPF is that issued in December 2023. Therefore, the relevant NPPF references in this submission are those outlined in the NPPF under which the Local Plan will be examined.

Background

Our client's land interest is outlined on the attached site plan.

Having regard to the adopted local plan policy map, the subject site comprised 'white land' and is therefore not subject to any proposed land use or designation.

Land to the west of the subject site comprises an employment allocation which benefits from a Local Development Order allowing up to 26,000 sqm of employment space. Land further to the west comprises Exeter Airport and Exeter Airport Business Park.

In the now emerging Local plan our client's land forms part of the proposed employment allocation at land east of airport. Our client broadly supports this allocation and would welcome the opportunity to work in collaboration with the Council and other key stakeholders to deliver this allocation.

Our client's representation to the draft Local Plan are made in this context and are set out below in the following sections.

Visions, Aims and Objectives of the Plan

Our client welcomes and share the aims and objectives of the draft Local Plan.

A core objective of the Plan is to support business investment and job creation opportunities within East Devon and support a resilient economy. Our client wholly supports this ambition which represents an important step in the right direction, but this must be matched by a robust approach ensuring that development will be viable and hence delivered. The delivery of new development including employment and commercial floorspace will help support mixed and balanced communities, ensuring sustainable growth for all.

Policy SP01 Spatial Strategy

The NPPF (paragraph 20) requires strategic policies to set out an overall strategy for place-making, focusing significant development on sustainable locations that reduce travel needs and offer transport choices.

Draft policy SP01 sets out the proposed spatial strategy which directs new development towards the most sustainable locations in East Devon. The proposed strategy directs new development towards the West End of the district, comprising a further new community, ongoing development of Cranbook and other strategic developments.

The 'West End' comprises a highly sustainable area that has seen significant development since 2010, with substantial residential growth, employment opportunities, and strong functional links to Exeter. This zone offers extensive infrastructure, proximity to urban services, and efficient transport connections, making it a prime location for strategic and new development.

The draft Local Plan therefore promotes a sustainable pattern of development that aligns growth with infrastructure. Our client supports East Devon District Council's approach to the spatial strategy which focuses new development at the West End of the district, as soundly based in evidence and in accordance with national planning policy and guidance.

Policy SP07 – Delivery of infrastructure

Draft policy SP07 outlines the requirement for infrastructure provision in new development proposals.

The policy outlines a series of policy requirements that planning applications will be required to demonstrate, in ensuring that proper infrastructure provision is delivered to support the creation of sustainable communities and that meets the needs of resident and businesses. The objective and thrusts of this policy are noted and supported.

Greater flexibility should however be introduced into policy SP07 in order to ensure that infrastructure delivery and obligations do not render new development unviable. NPPF paragraph 35 states that policies in local plans should not undermine the deliverability of the plan.

An additional reference should be introduced into the policy wording which reads

“Where developers consider that scheme viability may be affected by the above policy’s requirements, they will be expected to demonstrate whether particular circumstances justify the need for a viability assessment and provide full development appraisals to demonstrate an alternative provision”.

The suggested additional policy wording noted above would ensure that the policy is effective and consistent with national policy, as required by the NPPF under paragraph 35.

Policy WS06 – Employment land east of airport

Draft Policy WS06 allocates an area of 24.34 hectares of land east of the existing airport buildings, and lying either side of Long Lane, for employment use.

Our client’s land interest relates to the majority of the land identified under this allocation. Our client wholly supports the principle of the proposed development allocation on ‘land east of airport’ under policy WS06.

The proposed allocation is set to come forward for a mixed-use business park. The land is situated adjacent to Exeter airport as well as Power Park which benefits from a Local Development Order allowing up to 26,000 sqm of additional employment space. The subject site is therefore suitably placed to provide further land to support ongoing employment and commercial activities in the West End of the district.

The draft policy wording outlines a series of land uses which are considered appropriate to come forward as part of the allocation as follows:

A. B2 (general industrial);

B. B8 (storage and distribution);

C. E(g) (Uses which can be carried out in a residential area without detriment to its amenity:

- 1. Offices to carry out any operational or administrative functions,*
- 2. Research and development of products or processes;*
- 3. Industrial processes;*

D. A limited element of ancillary uses such as indoor sports, recreational or café will be permitted but only where strictly supporting and subordinate to the development of the above employment uses;

E. With its proximity to Exeter Airport the site is well positioned to assist the role of the airport. Uses which relate to the aviation sector and its wider supply chain will be particularly supported alongside other high value employment uses that facilitate economic growth within the area.”

To ensure greater flexibility, the policy wording should include a bullet reference between ‘c’ and ‘d’ to read “sui generis uses that exhibit characteristics of a similar nature to the uses listed above”. Expanding the category of land uses to include sui generis uses aligned with the principal allocation uses would appeal to a wider market thus providing an attractive and flexible development opportunity which in turn supports delivery.

Criteria ‘d’ includes subjective language which is not conducive for clear policy wording. The NPPF (paragraph 16) requires policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Plans and policies are required to be consistent with national policy in order to be found sound having regard to paragraph 35 of the NPPF.

Criteria ‘d’ should therefore be re-written as follows to provide a simplified and clear policy requirement.

“D. Ancillary uses which support the functioning of the employment area including indoor sports, recreational or cafes”.

The supporting text to the policy should also be updated to note that the list of uses set out under criteria ‘d’ is not exhaustive.

Draft policy WS06 notes that *“This allocation will need to come forward on the basis of an agreed masterplan for the whole site that clearly demonstrates how comprehensive development will be undertaken and implemented. The masterplan must include measures to provide fully for infrastructure requirements and appropriate mechanisms for apportionment of development costs and contributions across separately owned land parcels. Planning permission will not be granted for any individual parcel of land in the allocation in the absence of this Masterplan.”*

Our client supports the principle of a masterplanning approach to ensure a comprehensive and coordinated approach is taken to ensure delivery of high-quality place-making, however the following comments and observations are made in respect of this policy requirement.

It is not clear who is to agree the proposed masterplan and by what process. For example, whilst our client is the majority landowner for the proposed allocation and is open to working with other parties in bringing forward the land for development, it is not clear what the implications would be if other landowners did not engage in this process and needed to agree a masterplan for the whole site.

The assertion that planning permission on individual parcels of land will not be granted in the absence of a masterplan could stymie development for the reasons given above. As such, greater flexibility should be sought for the policy requirement around masterplanning.

Proposed alternative wording could read as follows.

“This allocation will need to come forward on the basis of masterplan that clearly demonstrates how comprehensive development will be undertaken or that opportunities have been sought to progress co-ordinated forms of development with other sites in the locality. The masterplan must include measures to provide fully for infrastructure requirements and appropriate mechanisms for apportionment of development costs and contributions across separately owned land parcels.”

Summary

On the whole, our client is supportive of the direction of the draft Local Plan. However, it is important that the emerging policy requirements do not constrain growth and looks to support the delivery of new development.

I trust careful consideration will be given to these representations.

If you have any queries, please do not hesitate to contact [REDACTED] or [REDACTED] in the first instance.

Yours faithfully

Jones Lang LaSalle Ltd

JLL