

Regulation 19 Representations to East Devon Local Plan

On Behalf of Mr P and Mrs A Broom

McMurdo Reference 20009

Strategic Land at the “West End” of East Devon
District

March 2025

McMurdo Land Planning and Development Ltd
a The Basement Office, 4 Baring Crescent, Exeter, EX1 1TL
e james@mcmurdolpd.com
t 01392 422297
m 07738 447001

Contents

1. Introduction
2. Setting the Scene to the Policy Making and the Duty to Cooperate (DTC)
3. Comments on Vision and Objectives of the Plan
4. – 17. Comments on Specific Plan Policies
18. Conclusion

Appendices 1-3

1. Introduction

1. Our Client is Mr P and Mrs A Broom, and their land interest are free from significant environmental and physical constraints, suitable and available to meet East Devon's and Exeter's residential and employment needs. Whilst within East Devon District Council (EDDC)'s jurisdiction, it is in close proximity to Exeter City Council (ECC)'s administrative boundary, in an area identified for strategic development in relevant policies and near key existing and planned for infrastructure and services.
2. These representations should be read together with representations made by Carney Sweeney on behalf of our client and Down, on land making up a significant part of a proposed village between Clyst St George and Clyst St Mary to supplement the new community for up to 2,000 houses

Land Between Clyst St George and Clyst St Mary (Appendix 1)

3. Our Client's land interest is in a sustainable location. Technical work commissioned has informed a Masterplan which demonstrates that the land would deliver C1,500 (up to C2,000) houses. The Masterplan includes a strategic road link between the A376 and the A3052 without subsidy, taking traffic away from East Devon villages and Junctions 29 and 30 of the M5, towards the first-choice new town option and onto the strategic employment sites on the A30, all benefitting existing and future residents of the district.
4. The scheme would require only a 2-year lead in from adoption to strategic scale housing delivery without significant environmental harm and would dovetail with the selected new town proposal in East Devon which would begin to deliver scale later in the plan period.
5. Together with EDDC's preferred option for a new town, our proposal would ensure housing delivery, achieving about 10,000 houses in the right locations

across 2 Local Plan periods with the potential to deliver strategic road infrastructure all the way from the A376 to the A30.

6. This land is suitable and available to meet Exeter's (and East Devon's) housing needs broadly in line with the issues that subregion faces.

Land at Clyst St George Including Courtbrook Farm (Appendix 2)

7. Our Client's land is in a sustainable location in Clyst St George. Two of the existing buildings have already achieved prior approval for employment uses under application reference 24/1516/PDR.
8. The site is in a sustainable location with good access to the existing highway network. It is free from planning policy constraints and well placed for employment development.
9. This land is suitable and available to meet Exeter's (and East Devon's) employment needs broadly in line with the issues that subregion faces.

Land at Clyst St Mary (Appendix 3)

10. Our Client's land is located around the western, northern, and north-eastern edge of Clyst St Mary, within the Parish of Sowton.
11. The site(s) are strategically located adjoining the Clyst St Mary built up area boundary and are free from planning policy constraints and in an eminently sustainable location. The sites have accesses and are deliverable without public subsidy, benefiting from a close spatial relationship with existing and planned for strategic employment sites in the area.
12. Development in this location has high potential for a green infrastructure and Clyst Valley Regional Park Masterplan led housing development. The location of the site(s) offers the opportunity for quality green infrastructure onsite and

improvements to linkages with the wider Clyst Valley Regional Park environment also.

13. The site(s) have limited infrastructure costs meaning that the land is suitable and available to deliver both open market and affordable homes within a short period (5 years) to meet Exeter's (and East Devon's) housing needs broadly in line with the issues that subregion faces.

Commentary

14. Though the land parcels are in East Devon, they are also relevant to Exeter's Local Plan making too (representations have been made to all emerging EDDC and ECC plans since 2021).

15. Whilst there are many elements of the plan that our client fully supports, in this response we raise key themes that require attention by EDDC (and ECC) as part of the due process regarding appropriate consultation of the plan, its policies, and proposed allocations.

16. It is clearly in the interests of everyone that both EDDC and ECC adopt "sound" plans as soon as possible and our client will support the Councils in their aims. However, the plan is not "sound" as it stands.

2. Setting the Scene to the Policy Making and the Duty to Cooperate (DTC)

Housing Delivery and 5 Year Housing Land Supply (5YHLS)

1. Neither EDDC nor neighbouring ECC have a robust 5-years housing land supply (5YHLS):

- EDDC's housing land supply position is confirmed (by the Council) at only 2.97 years.
- ECC's, housing land supply is confirmed (by the Council) at 4 years and 10 months.¹

2. If these Local Plans are to be found "sound" at examination then the Councils will have to robustly demonstrate a 5 YHLS.

Employment Land Supply

3. Concerning employment land supply in East Devon (and the subregion) Appeal Reference APP/U1105/W/23/3323252 on land at Hill Barton Business Park in East Devon district, is relevant. From Paragraph 29 the Inspector states:

"29. It is common ground between the parties that there is a lack of supply of available employment land at present. The draft Framework indicates support for key industries, including freight and logistics...."

30. Consequently, I need to consider the weight to be attached to that lack of supply of available employment land, weight to be attached to policies of the emerging Local Plan and draft Framework, and the need for this development.

¹ This figure is not robust and arguably substantially less than published. In any case, ECC's adopted Core Strategy set a housing target of at least 12,000 dwellings between 2006 and 2026, equivalent to 600 homes per annum. By March 2024, 8,689 homes had been delivered, equivalent to 483 homes per annum and representing a shortfall of 2,111 homes up to 2024. The headroom figure provided within the Exeter Plan (even if achieved in full) does not account for this shortfall.

Supply of employment land

31. The East Devon Local Economic Review published by the Council in October 2023 summarises the most up to date position in relation to the need for employment land. This indicates current demand (2022) for over 50ha of employment space, of which around 80% relates to the logistics sector, that would include the businesses occupying the appeal site. However, currently available space comprises only 1.7ha, of which over 70% is office space, i.e. unlikely to be suitable for the logistics sector.

32. Over the period 2019-2040 demand for employment space in East Devon is expected to be nearly 130ha, of which over 123ha would be for industrial and logistics space. Current and future supply over that period is anticipated to be approximately 87ha. That indicates a remaining shortfall at the end of that period of approximately 43ha.

33. Logistics businesses, such as those using the appeal site, need locations with good access to the road network. In this part of Devon, this means demand is focussed on Exeter and around the M5. Hill Barton Business Park is well located within that area, with good access to the M5. However, only the west part of East Devon is located within that market area, with potential sites for development to meet the needs of logistics operators being both within and outside East Devon. The Council accept that more land needs to be found for these operators.

34. In conclusion, there is a demonstrable and significant shortfall in the provision of employment land in the area around Hill Barton Business Park, particularly for logistics operators. This must carry significant weight in the planning balance.”

4. ECC in this context, in its Regulation 19 Plan, proposes 85% of its housing delivery on brownfield land, a substantial proportion of which is existing high

value employment land (when ECC accepts it needs to provide 80ha of employment land in the Plan period).²

5. In short, the sub region is facing a housing (and an affordable housing) crisis and an employment land supply crisis and plan making has been, and still is being, woefully inadequate and well behind the curve.

Duty to Cooperate

6. The Duty to Cooperate places a legal duty on Local Planning Authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
7. The NPPF sets out under paragraphs 24-28 that Local Planning Authorities and County Councils are under a duty to cooperate with each other on strategic matters that cross administrative boundaries. Paragraph 26 specifically notes that joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met within a particular plan area could be met elsewhere. This process within Devon is guided by the Devon Duty to Cooperate Protocol. This protocol includes reference to the development of appropriate housing development strategies across administrative boundaries.

² The viability of the Regulation 19 Draft Exeter Plan (and its proposed allocations) is highly questionable. The Plan's Viability Assessment (VA) (para.6.8) caveats that "there is little detail available on site costs or funding mechanisms for the allocation specific policies" and that "the approach taken within the viability assessment is to separately test the likely forms of development and tenures and consider the viability headroom available to meet any site specific cost implications".

In light of this caveat, the accuracy and reliability of the findings of the VA with regard to brownfield allocations is questionable. Further, the VA assumes lower values than existing use values, i.e. the viability assumes brownfield land values, not existing high value employment use values, resulting in unrealistic outcomes when determining the viability of the Exeter Plan. In light of this, the accuracy and reliability of the findings of the VA with regard to brownfield allocations is highly questionable. The VA does not demonstrate that a viable plan led approach exists or will soon exist to secure the housing numbers required in Exeter.

8. EDDC has a duty to cooperate with neighbouring authorities. Moreover, its Local Plan must align with the requirements of the NPPF and synchronise with ECC's Local Plan, particularly if it (or any neighbouring authority), cannot show that it (or any neighbouring authority), can viably meet its (their) housing and employment land needs on land in its (their) jurisdiction.
9. At present, the Council is proposing a 22-year Local Plan to meet its needs without harm. This means that the Local Plan will have to earmark land to meet the required housing and jobs numbers projected for 22 years without significant harm to the climate or the environment.
10. Encapsulated, EDDC's present position appears to be that it has decided to meet its own needs on land in its jurisdiction without reliance on other Councils; but crucially it has not considered the needs of other Councils (like ECC) and whether other neighbouring authorities (like ECC) can meet their development needs. We do not believe that the Local Plan can be found "sound," in such circumstances, unfortunately.
11. The neighbouring authority, ECC, has also taken the position that it can meet all of its development needs on land in its jurisdiction without reliance on other Councils but quite simply its "vision" is undeliverable and unviable mainly because it proposes to build around 8,000 homes on high performing brownfield employment land when it is already 2,000 houses shy (pro rata) of an "at least" housing requirement of 12,000 in the current plan period.
12. In other words, there is a strong possibility that East Devon will have to accommodate a significant proportion of ECC's development needs because either housing will displace employment land (unlikely in our view) or land will be required for Exeter's housing needs in other districts, including in the "West End" of East Devon.
13. EDDC is failing in its Duty to Cooperate (as is ECC), to responsibly and sustainably identify and allocate the most appropriate land for development.

Further work must be done to ensure that development is delivered in the most sustainable locations around the Exeter area (irrespective of whether it is in EDDC, or ECC).

14. The Plan should be redrafted via constant dialogue with adjoining Councils and key stakeholders including key landowners, such as our client.

3. Vision and Objectives of the Plan

1. The “vision” includes:

“By 2042 and beyond East Devon will be a diverse, inclusive, and thriving place to live and work and a pleasure to visit and enjoy...”

The western side of East Devon will remain a focal point for growth with....

Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities....

Our beautiful and diverse countryside, National Landscapes, world class Jurassic coast, nature reserves and built heritage assets will be protected and enhanced”

2. The Objectives include:

“Meeting future housing needs Objective 3 To provide high quality new homes to meet people’s needs...”

Supporting jobs and the economy Objective 4 To support business investment and job creation opportunities within East Devon and support a resilient economy....

Our outstanding natural environment Objective 8 To protect and enhance our outstanding natural environment and support an increase in biodiversity.”

3. In response, our client believes that the Council, in line with its vision, objectives and sustainability appraisal work, evidenced housing and employment land need, and market forces, should continue to encourage development away from National Landscapes afforded the highest level of

national planning policy protection within EDDC (e.g., World Heritage Sites; 2/3 of the district is covered by National Landscape designation).

4. Strategic housing and employment development should be focussed within the “West End” of East Devon and/or close to it where the vast majority of key physical, social and community and green infrastructure exists or is planned for. The “West End” of East Devon (which is where all of our client’s land is), together with Exeter City is the area considered to be the economic driver for the subregion, and its growth cannot be constrained for social and economic reasons.
5. The under supply of housing and employment land in the current plan period needs to be correctly addressed by the Council and the shortfall should be rectified within the emerging Local Plan.
6. The Council should positively engage with ECC and accommodate the development needs of the City which cannot be met there, in the area closest to the City free from strategic development constraints (i.e. in the “West End”).
7. Instead, against the vision, objectives and sustainability appraisal work, evidenced sub regional housing and employment land needs, and market forces, the Plan proposes C50% of its housing and employment land needs in national landscape areas and a significant majority of its “West End” housing and employment land as part of a future Part B plan making process, and does not even attempt to deal with Exeter’s unmet need.
8. This is neither sustainable nor “sound” plan making.

4. Strategic Policy SP01: Spatial strategy

Object

Reasons

Figure 1 from the Local Plan below refers.

As the plan stands, against the vision, objectives and sustainability appraisal work, evidenced sub regional housing and employment land needs, and market forces, it proposes C50% of its housing and employment land needs in national landscapes and a significant majority of its “West End” housing and employment land as part of a future second stage plan making process, and does not even attempt to deal with Exeter’s unmet need.

The Council, in line with its vision, objectives, sustainability appraisal work, evidenced housing and employment land need, should continue to encourage development away from national landscapes afforded the highest level of national planning policy direction within EDDC.

Strategic housing and employment development should be focussed within the “West End” of East Devon and/or close to it where the vast majority of key physical, social and community and green infrastructure exists or is planned for. The “West End” of East Devon (which is where all of our client’s land is), together with Exeter City is the area considered to be the economic driver for the subregion, and its growth cannot be constrained for social and economic reasons.

However, the under supply of housing and employment land in the current plan period in EDDC, and ECC, (i.e. in the subregion) needs to be correctly addressed by the Council and the shortfall rectified within the emerging Local Plan by positively engaging with ECC, accommodating the development needs of the City which cannot be met there, in the “West End” of East Devon.

Suggested Amendments Required

Remove significant levels of housing and employment land allocations from national landscapes (which are not market facing in any case) and

Reallocate the deleted allocation numbers from national landscapes to the “West End” of East Devon and

Allocate additional housing and employment land away from national landscapes to meet Exeter’s unmet needs, on the area free from development constraints, the “West End” of the district.

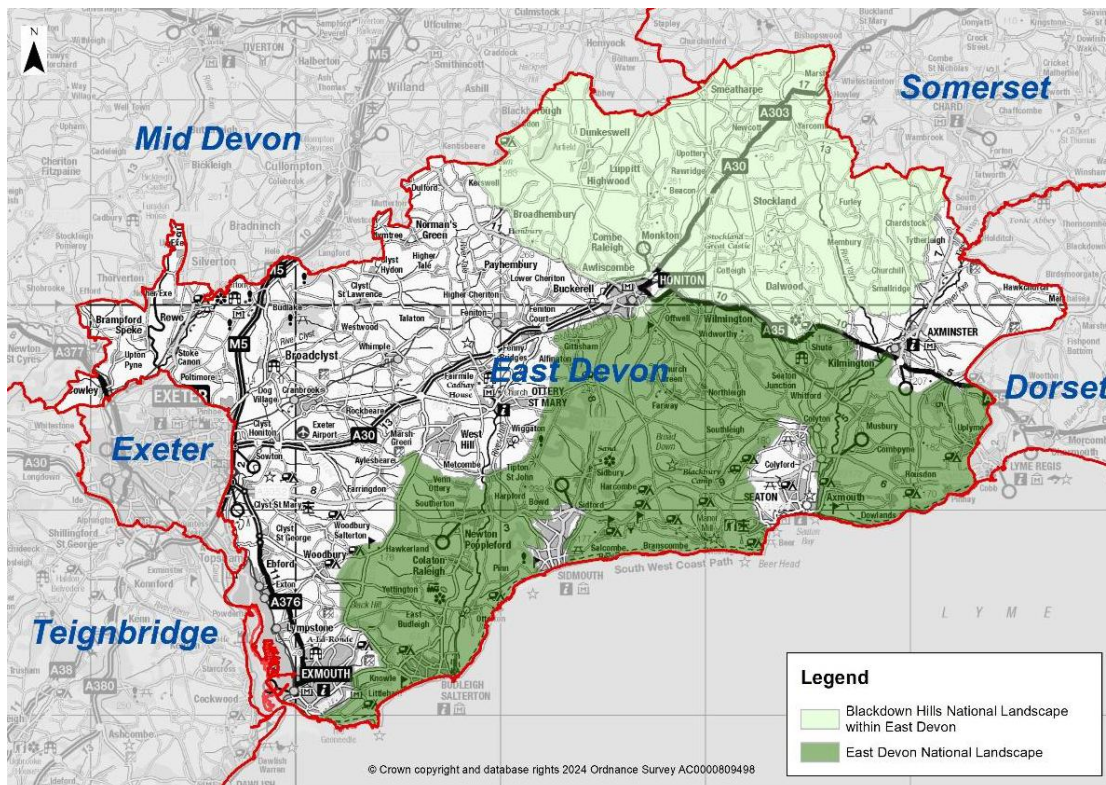


Figure 1 East Devon District and neighbouring authorities

5. Strategic Policy SP02: Levels of future housing development

Object

Reasons

Neither East Devon District Council (EDDC) (2.97 years) nor neighbouring Exeter City Council (ECC) (4.10 years) have a robust 5-years housing land supply (5YHLS), and Exeter is more than 2000 houses behind an “at least”12,000 houses figure in the current plan period.

The under supply of housing in the sub region in the current plan period (s) needs to be correctly addressed and the shortfall should be rectified within the emerging Local Plan.

The Council should positively engage with ECC and accommodate the housing land “needs” of the City which cannot be met there.

Instead, against the vision, objectives and sustainability appraisal work, evidenced sub regional housing and employment land needs, and market forces, the Plan proposes C50% of its housing and employment land needs in national landscapes and a significant majority of its “West End” housing and employment land as part of a future second phase of plan making, and does not even attempt to deal with Exeter’s unmet need.

Suggested Amendments Required

Remove housing land allocations from national landscape areas (which are not market facing in any case) and

Allocate more housing land away from national landscapes and to meet EDDC’s and ECC’s unmet needs, on the area free from development constraints, the “West End” of the district.

6. Strategic Policy SP04: Employment provision and distribution strategy

Object

Reasons

Allocating C 50% of employment land in national landscapes is at odds with the NPPF and the vision, objectives, and sustainability appraisal work, evidenced sub regional housing and employment land needs, and market forces, especially when other far better, more sustainable and market facing, alternatives (Like Hill Barton and Greendale Barton) exist in the “West End” of the district.

Concerning employment land supply in East Devon (and the subregion) Appeal Reference APP/U1105/W/23/3323252 on land at Hill Barton Business Park in East Devon is relevant. From Paragraph 29 the Inspector states:

“29. It is common ground between the parties that there is a lack of supply of available employment land at present. The draft Framework indicates support for key industries, including freight and logistics....

30. Consequently, I need to consider the weight to be attached to that lack of supply of available employment land, weight to be attached to policies of the emerging Local Plan and draft Framework, and the need for this development.

Supply of employment land

31. The East Devon Local Economic Review published by the Council in October 2023 summarises the most up to date position in relation to the need for employment land. This indicates current demand (2022) for over 50ha of employment space, of which around 80% relates to the logistics sector, that would include the businesses occupying the appeal site. However, currently available space comprises only 1.7ha, of which over 70% is office space, i.e. unlikely to be suitable for the logistics sector.

32. Over the period 2019-2040 demand for employment space in East Devon is expected to be nearly 130ha, of which over 123ha would be for industrial and logistics space. Current and future supply over that period is anticipated to be

approximately 87ha. That indicates a remaining shortfall at the end of that period of approximately 43ha.

33. Logistics businesses, such as those using the appeal site, need locations with good access to the road network. In this part of Devon, this means demand is focussed on Exeter and around the M5. Hill Barton Business Park is well located within that area, with good access to the M5. However, only the west part of East Devon is located within that market area, with potential sites for development to meet the needs of logistics operators being both within and outside East Devon. The Council accept that more land needs to be found for these operators.

34. In conclusion, there is a demonstrable and significant shortfall in the provision of employment land in the area around Hill Barton Business Park, particularly for logistics operators. This must carry significant weight in the planning balance.”

ECC, in this this context, in its Regulation 19 Publication Plan, proposes 85% of its housing delivery on brownfield land, a substantial proportion of which is existing high value employment land (when ECC accepts it needs to provide 80ha of employment land in the Plan period).

The under supply of employment land in the current plan period in EDDC and ECC (i.e. in the subregion) needs to be correctly addressed by the Council and the shortfall rectified within the emerging Local Plan by positively engaging with ECC, accommodating the development needs of the City which cannot be met there, in the “West End” of East Devon.

Suggested Amendments Required

Remove non-strategic (i.e. small sites) from employment land allocations (many of which are not proven to be deliverable in any case and

Remove employment land allocations from national landscapes (which are not market facing in any case) and

Allocate more employment land away from national landscapes and to meet EDDC’s, and ECC’s unmet, needs, on the area free from development constraints, the “West End” of the district, including expanding Hill Barton early in the plan period

to meet clearly evidenced pent up demand in the logistics, waste, and energy sectors.³

³ We will present detailed expert evidence on these matters as the plan progresses to EiP

7. Strategic Policy SP06: Development beyond Settlement Boundaries

Object

Reasons

This policy seems to suggest that if lower tier “made” neighbourhood plans forbid development then that is the end of the matter, at odds with the NPPF (and other Strategic Policies as proposed in this Local Plan and in ECC’s Plan).

But land not currently earmarked for development in neighbourhood plans may well be required in the plan to meet the district’s housing and employment land needs in addition to the unmet needs of Exeter.

Suggested Amendments Required

Amend the policy to be flexible to ensure adequate housing and employment land is delivered and to comply with the NPPF

8. Strategic Policy WS09: Clyst Valley Regional Park

Object

Reasons

It would not be sound to prescribe Clyst Valley Regional Park boundaries based on a “Management Plan” that is not to be robustly examined in public as part of the Local Plan.^{4 5}

The CVRP is supported as a concept (and our client group wants to help deliver it) but it is to be located in the only area in East Devon free from significant strategic development constraints and consequently it will have to compete with higher tier land uses, especially bearing in mind what we state on the DTC, meeting unmet housing and employment land need (including from Exeter), all meaning that its boundaries cannot yet be defined and robustly defended as part of policy making.

The reality is it should evolve over time, paid for largely by strategic development that it will serve.

Suggested Amendments Required

Amend the policy so that the CVRP can be delivered as part of strategic development proposals at more intensive Masterplan stages, reviewed periodically.

⁴ This applies to other documents referenced.

⁵ May not comply with CIL regulations

9. Strategic Policy HN02: Affordable housing

Object

Reasons

There is a housing delivery crisis within East Devon, Exeter City and across the subregion. The western part of East Devon (along with Exeter City) is the area considered to be the economic driver for the sub region, and its growth should not be constrained for social and economic reasons.

The drastic shortfall in affordable housing should be addressed within the emerging Local Plans (added to the numbers required) for the two authorities.

The East Devon Local Plan must prioritise securing appropriate, viable levels of affordable housing within the Plan period.

Para 3.10 of the Local Plan cites that the affordable housing target for the plan is C4,000 houses; about 50% of the need of the evidenced need of C8,000 (not including the shortfall in delivery in current Exeter and East Devon Local Plan periods).

The Local Plan must maximise the delivery of affordable housing across East Devon by allocating more land for market housing in the “West End.”

Suggested Amendments Required

The Local Plan should state how it is going to deliver the affordable housing need of re than 8,000 houses (it has to address the current shortfall).

Allocate more housing land in the “West End” of the district to enable affordable housing delivery and reflect in other strategic policies.

10. Policy OL04: Areas of strategic visual importance

Object

Reasons

The areas of strategic visual importance are unidentified and the criteria for selection could result in practically every area in the district being subjectively assessed as being in an area of strategic visual importance.

This policy is imprecise and unworkable.

Suggested Amendments Required

1. Delete the policy

11. Policy OL10: development on high quality agricultural land

Object

Reasons

Paragraph 187 of the NPPF refers and this policy as drafted is at odds with it; it is imbalanced and could prevent potential required sustainable development sites from coming forward in the district.

Suggested Amendments Required

Either:

1. Delete the policy and rely on Paragraph 187 (and footnotes) of the NPPF (which should be the preference, we respectfully suggest); or
2. Redraft the policy based on Paragraph 187 of the NPPF (but all that would do is duplicate policy provision).

12. Strategic Policy PB05: Biodiversity Net Gain (BNG)

Object

Reasons

Statute prescribes 10% BNG . Whilst Paragraph 192 of the NPPF allows for Local Plans to prescribe a different level of BNG, it is clear that deviations cannot be set higher than 10% unless the figure is justified and evidenced by reference to local needs, local opportunities, and any impacts on viability (PPG on BNG), and that is not the case here. (The viability evidence is out of date and significantly off the pace.)⁶

Suggested Amendments Required

1. delete the policy, rely on statutory provisions and the NPPF, and focus on securing 10% BNG as required by statute.

⁶ PPG 006 Reference ID: 74-006-20240214

13. Policies PB03: Protection of irreplaceable habitats and important features and
PB08: Tree, hedges and woodland on development sites

Object

singularly and cumulatively to policies:

- PB03: Protection of irreplaceable habitats and important features
- PB08: Tree, hedges and woodland on development sites

Reasons

Regarding PB03, mature trees and hedgerows may not be “irreplaceable habitats” and/or “important features”.

Policy PB08 is complicated, and it is difficult to decipher exactly what it requires and of whom.

There is no evidence (bar *Bristol City Council* papers) presented as to why this policy has to be part of the Local Plan.

Nearly all planning applications for strategic development schemes are accompanied by detailed arboricultural reporting, in any case.

Asking applicants to commit to such expensive detail (at outline stage) is unjustified and inappropriate.

The Council has other tools available to it should it deem it necessary to protect trees and/or vegetation of merit (singular trees and grouped vegetation).

Suggested Amendments Required

Either:

1. delete the policies; or,
2. amend PB03 to delete mature trees and hedgerows from “irreplaceable habitats and important features”) **and** simplify PB08 and provide detailed, reasoned justification for analysis for the policy as written, and reconsult.

14. Policy PB09: Monitoring requirements for new planting schemes

Object

Reasons

There is no evidence at all for analysis to justify the main elements of this policy (especially the bond element).

Suggested Amendments Required

Either:

1. delete the policy;
2. provide detailed, reasoned justification for analysis for the policy as written and reconsult.

15. Strategic Policies OS01: Access to open space and recreation facilities and OS02: Sport, recreation, open space provision in association with development

Object

singularly and cumulatively to policies:

- OS01: Access to open space and recreation facilities,
- OS02: Sport, recreation, open space provision in association with development

Reasons

Housing Development

It is for the Council (not each and every applicant for planning permission) to evidence open space requirements based on existing supply and future demand considering its existing and emerging policy. That is fair and reasonable for all involved in development proposals, including the Council and its residents.

There is no evidence for analysis to justify the onerous provision that all schemes for more than 200 dwellings should provide an open space audit upon submission or that schemes for over 300 houses should provide all of the open space as tabulated (including formal playing pitches in proximity to the proposed scheme).

Such policy wording has no evidence basis, is not justified, can affect development viability, lead to open space in the wrong places (including duplication), potentially at the expense of much needed housing delivery, and could stop the Council from collecting planning obligations monies to deliver open space in the right places at the right times.

Other Development Types

There is no evidence for analysis to justify these requirements.

Suggested Amendments Required

Either:

1. delete the policies and rely on Chapters 2, 6 and 8 of the NPPF;

2. delete the following aspects from the policies:
 - the onerous, unjustified, and unclear, requirements for schemes of over 200 houses and over 300 houses;
 - the onerous, unjustified, and unclear, requirements for schemes for non-residential uses.
3. provide detailed, reasoned justification for analysis for the policies as written and reconsult.

16. Policies HE01: Historic Environment, HE02: Listed Buildings and HE03: Conservation Areas, HE04: Archaeology and Scheduled Monuments

Object

singularly and cumulatively to policies:

- HE01: Historic Environment,
- HE02: Listed Buildings,
- HE03: Conservation Areas,
- HE04: Archaeology and Scheduled Monuments

Reasons

Chapter 16 of the NPPF provides detailed guidance on how the Government expects plan makers, decision takers, and those involved in development, to deal with the conservation and enhancement of heritage assets

These policies, individually and together, either mirror Chapter 16 of the NPPF or, in some instances, with neither justification nor reason, attempt to take Chapter 16 beyond Government expectations in Local policies.

Suggested Amendments Required.

Either:

1. delete the policies and rely on Chapter 16 of the NPPF;
2. amend the policies to mirror Chapter 16 of the NPPF;
3. provide detailed, reasoned justification for those aspects out of kilter with the Chapter 16 of the NPPF, and reconsult.

17. Policy CF02: Loss of Community Facilities

Object

Whilst we support the sentiment of this policy, “community facilities” need to be defined tightly on such a restrictive policy.

Moreover, there needs to be an understanding that on occasion there could be justification for the loss of a community facility because that loss would lead to greater social and/or economic and/or environmental gains that would justify the loss.

Reasons

For such a restrictive policy, “community facilities” need to be defined tightly.

The tests do not include words effecting *“unless it is proven that there would be other greater social and/or economic and/or environmental gains to justify the loss.”*

Suggested Amendments Required.

Define “community facilities” and reconsult;

Add another “test” to include such words.

18. Conclusion

1. We thank you for the opportunity to comment and trust our views will be taken into consideration as the plan progresses.
2. Reiterating, there are many elements of the plan that our client fully supports (and where we are silent that can be taken to infer support), however, in this response we raise key themes that require attention by EDDC (and ECC) as part of the due process regarding appropriate consultation of the plan, its policies, and proposed allocations.
3. It is clearly in the interests of everyone that both EDDC and ECC adopt “sound” plans as soon as possible and our client will support the Councils in their aims.
4. However, the plan is not “sound” as it stands.

McMurdo Land Planning and Development Ltd

a The Basement Office, 4 Baring Crescent, Exeter, EX1 1TL

e james@mcmurdolpd.com

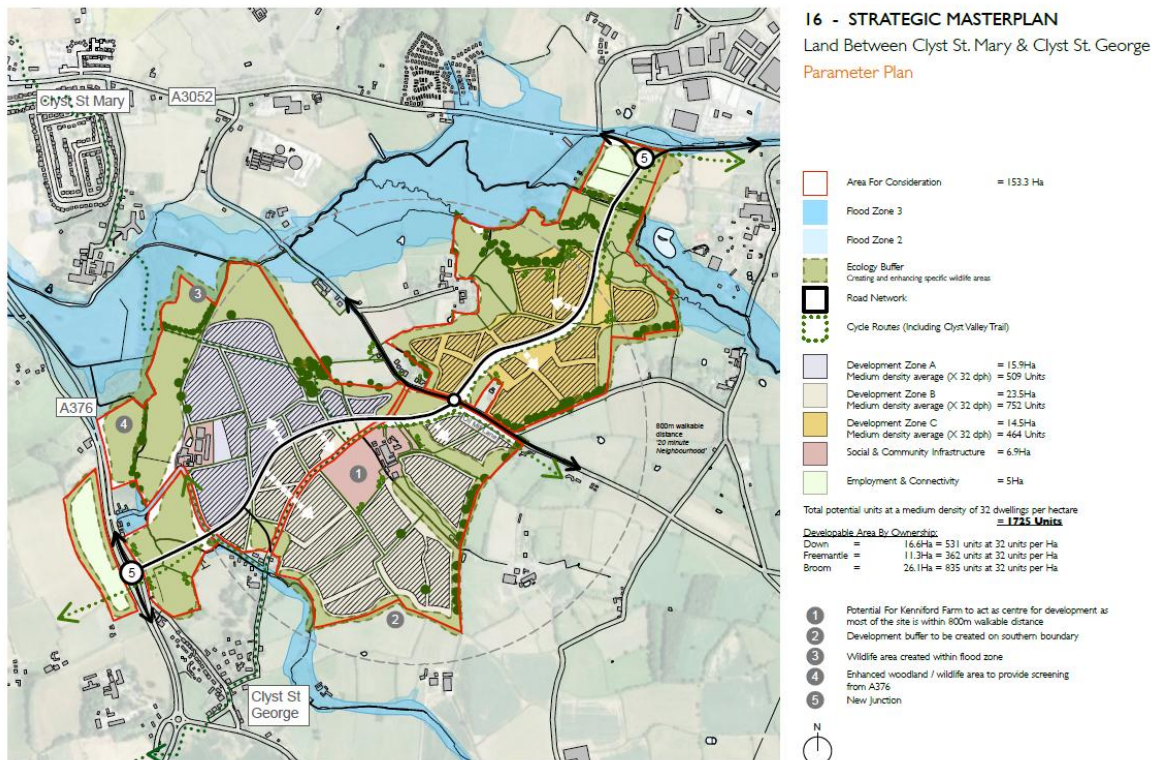
t 01392 422297

m 07738 447001

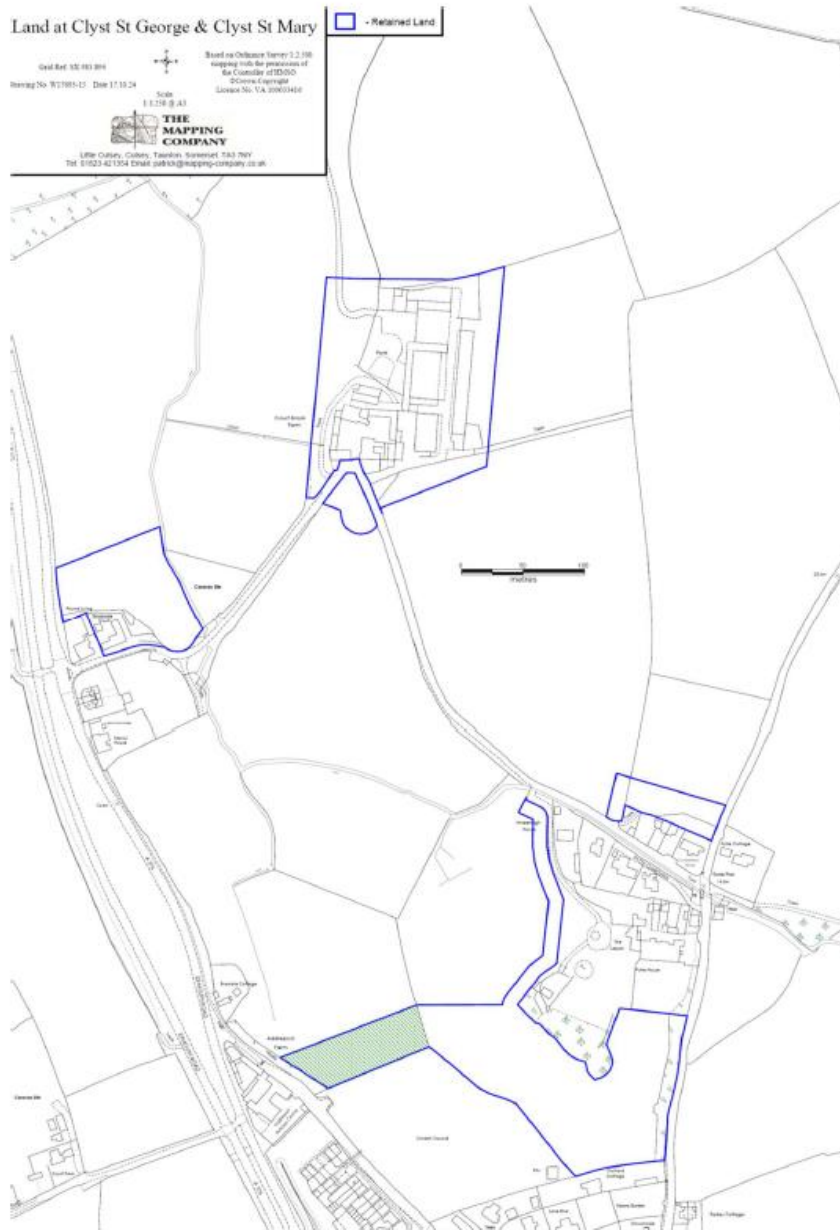
James McMurdo MRTPI MRICS
Director
Land Planning & Development
Exeter

Appendix 1 Land Between Clyst St George and Clyst St Mary

Please also see representations made by Carney Sweeney on behalf of our client and Down, on land making up a significant part of a proposed village between Clyst St George and Clyst St Mary to supplement the new community for up to 2,000 houses



Appendix 2 Land at Clyst St George Including Courtbrook Farm



Appendix 3 Land at Clyst St Mary

