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Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

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Richard Abbott

Full name: Richard Abbott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: This weekend, we had constant, rotating visits from up to 17 sewage trucks dumping human waste into the sea at Budleigh Salterton. We have heard that the same is happening at Exmouth. I propose that all development of new homes be immediately suspended until such a time that the water treatment infrastructure is improved to a point where the dumping of raw human waste into the sea is no longer necessary for the current population and for the estimated population increase.

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.: See comment above

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.: The development of new homes will be immediately suspended until such time as the water treatment infrastructure is improved to a point where the dumping of raw human waste into the sea is no longer necessary for the current population and for the estimated population increase.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Everyone I know and have spoken to has strenuously objected to Exmo_20. Cooperation has been replaced with 'bulldozing through'. It is neither correct nor moral to allow you to sustain the claim that this is a cooperative process. It is one-sided coercive performative nonsense.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Loulou Albert

Full name: Loulou Albert

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: We robustly reject the Exmo20 plan for the following reasons:-

1. Damage caused to the Special Site of Scientific Interest (heathland) & the destruction of the National Landscape
2. Increased risk of FLOODING. (Concrete replacing grass)
3. Loss of good agricultural land leading to increased FOOD MILES as food would need to be imported
4. Insufficient INFRASTRUCTURE ie insufficient sewerage systems (overload of faecal matter etc)

Furthermore, heavy traffic numbers jamming up the narrow roads already coping with an increase in traffic pollution.

Iain Allars

Full name: Iain Allars

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I am a Budleigh Salterton resident and I would like to voice my objection to this application.

To summarise my objections:

1. The local infrastructure would struggle. Budleigh Salterton only really has two roads in and out and this will choke one of those access roads.
2. The effect on the SSSI of the pebblebed heaths
3. The effect on local services to cater for this amount of residents i.e. Doctors, Dentists, strain on Police and Fire Service.

I would ask for confirmation that this has been received.

Leah Allen

Full name: Leah Allen

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

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.:

Dear sir/ madam

I write in opposition of the above planning request.

The area in question backs on to my own field where I keep my horses so I know the land well.

I have a number of concerns with this proposal but will limit to 3 main areas:

Access Drainage Wildlife

Firstly, access to and from the site is to be via higher marley road. For planners unfamiliar with the area, the current access to the land is between oak trees (all with TPO's) so should not be able to be widened. All the oak trees along the hedge line (including my own) have TPO's and as such, will dictate the size of the access to the site. Access and egress is onto a bend in higher Marley road. The road is narrow and

there are regularly small accidents on this corner as oncoming traffic meet traffic heading towards the common. It is further hampered by large trees overhead which cause a great deal of shadow and so motorists can be driving in bright conditions to sudden shade and be faced with a car in the middle of the road.

I have permission (from the landowners of the land in question) to ride my horses in their field when conditions are suitable. Exiting from the gateway on to higher Marley Road is not a pleasant experience. Visibility between the bordering oak trees is extremely limited and cars travel far too fast. Despite copious amounts of high viz clothing on myself and my horse, it is difficult to see us at the gateway. My riding position means I am quite high up and have better visibility of oncoming traffic than car drivers would so have always been able to safely judge my exit. With the volume of traffic using a small lane, significant traffic from a new build site and coupled with numerous, almost daily small accidents at the bend it is difficult to understand why this proposal would even be considered. I strongly suggest planners take some time to visit the site, particularly in morning and evening 'rush hour' when higher Marley road is used as a cut through.

Drainage. Anyone who already lives on higher Marley road will attest the run off from Woodbury common is significant. Building on the site will only increase the problems of drainage. Planners are welcome to visit my own field and witness first hand the impact of water run off from the pebble bed heaths. The land in question, which I know well, is very wet and boggy as it takes run off from the common and surrounding areas. Building on this land would only worsen this.

Wildlife and conservation. This land is WOODPASTURE PRIORITY HABITAT. It is home to many endangered species, as detailed in the ecological report. Many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley House and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet EDDC have put this forward for building. As well a parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. I am already seeing far more deer in my small field than ever before. Presumably displaced from 'Goodmores' . Further destruction of their habitat will drive them out, into gardens and surrounding areas. I have personally seen two killed this last year on higher Marley road as they were trying to cross to get into Bystock Woods.

I oppose this planning proposal in the strongest possible terms. This area of Exmouth is not built for the volumes of traffic is it already dealing with. Further development, without significant infrastructure improvements is, frankly, insanity.

I would be very happy to meet planners at my field and discuss all of these concerns.

Yours faithfully

James Alpe

Full name: James Alpe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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?: 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.: The proposed large-scale development of circa 700 dwellings would have an huge impact on the surrounding area - particularly on traffic flows onto and along the B3179 and onwards. The plan makes reference to mitigation measures, and also to provision of pedestrian / cycle / public transport links, but given the site location it seems unlikely that these would have much use, most access would inevitably be by car, along roads that are ill suited to higher car volumes - including potential short-cuts such as Dalditch Lane.

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.: The development should be rejected , or significantly reduced in scale with primary access from the south (route tbc).

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)?: No, I do not wish to participate in hearing session(s)

Richard P S Andrews

Full name: Richard P S Andrews

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Paul Angell

Full name: Paul Angell

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Reduce size of Exmouth 20. How can the town infrastructure cope with more people. Do not access via Southern Wood. Suggest you see how restricted this access road is with current parking. Move away from Pebblebed Heath which is such an important open space for wildlife.

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)?: No, I do not wish to participate in hearing session(s)

Phil Ashworth

Full name: Phil Ashworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20, Exmo_17

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.: I am emailing because I have given up in despair trying to use the Commonplace portal to comment on Exmo20 primarily but also Exmo17.

All my comments apply to both schemes but especially Exmo20.

It is a misnomer to call this Exmouth. It is in fact far nearer to Budleigh where the already stretched services especially medical and sewerage are already unable to cope.

The Exmo 20 site will maroon residents away from existing public transport and lead to extra traffic on already inadequate roads. It is no better than a B road.

The intention to build 22,000 new dwellings in East Devon by 2042 is an increase of 33%

The Infrastructure is unable to meet the needs of the current population which increased by nearly 14% between 2011 and 2021. This is greater than any other part of Devon and Cornwall.

This has lead to increased road congestion, more sewage in the sea, rivers and estuaries. There has been pressure on health, social care and education services. I can find no reference in the plan to the provision of these much needed improved services.

I am appalled by the impact both these schemes will cause to the unique environment and species in the acclaimed Pebblebed area.

Susannah Ashworth

Full name: Susannah Ashworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am emailing my response to Exmo20 primarily, but also Exmo17, as I have found the commonplace portal is far from being user friendly.

All my comments apply to both schemes, but especially to Exmo20.

It is a misnomer to call this a proposal for Exmouth. The site is far nearer to Budleigh Salterton and accessed by a narrow B road running away from Exmouth.

Services and facilities in the small town of Budleigh are already stretched to breaking point. Sewerage and the constant threat of water and sea pollution are a particular issue in a town which has had no significant investment in infrastructure in years.

I can see no reference to the necessary infrastructure developments to mitigate any issues from day one of any building. The Exmo 20 site will maroon residents beyond walking distance to either Exmouth(4 miles to the centre) or Budleigh (2 miles) and lead to extra traffic on already inadequate roads. There will be a significant effect on air quality.

The intention to build 22,000 new dwellings in East Devon by 2042 is an increase of 33%. It is not clear which data/ figures ie local or national, have been consistently used in proposals , but it is an excessive number of houses for Exmouth and Budleigh.

The impact both these schemes will cause to the unique Pebblebed environment and species has not been fully addressed in the proposals. There will be significant damage to the unique area and considerable light pollution in an area that is currently dark. The development is on land rising upwards which means the lights will be seen far and wide and from the other side of the Exe estuary.

The proposal appears to be in conflict or at variance either many of the stated aims of the NPPF of December 23 and should be rejected and further reviewed.

A smaller development, with less damaging impact should be considered which ties the proposed housing to Exmouth.

John Bailey

Full name: John Bailey

Other party name (if relevant): NA

Proposal:

2. The Vision

1. To which part of the Vision chapter does your representation relate?: Paragraph

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

2.1 - 2.9

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Vision chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Vision chapter, please use this box to set out your comments.: It has to be yes as Starters government has made it so. It by no means is in anyway sensible and practical

2(c). Please set out the modification(s) you consider necessary to make this part of the Vision chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Vision chapter legally compliant. 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.: The whole thing needs to be considered by practically logical people, not by the inept individuals who wish this to happen

3. Do you consider that this part of the Vision chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Vision chapter is not sound. Please be as precise as possible.: As with the above, the whole vision is ridiculously misguided and will bring social discomfort to the people of East Devon and beyond. The total lack of services and inadequate road network will simply become far worse than it is now. Wake up before it's too late and stand up to Starmar and his useless colleagues if any of you have the guts.

3(c). Please set out the modification(s) you consider necessary to make this part of the Vision 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 Vision 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.:
Scrap the whole scheme and and get your services and road network etc in order first.

Many won't have the foresight and brains to do this. We can only hope that there are a few who have the necessary abilities

4. Do you consider that this part of the Vision chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Vision chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Read above as no more needs to be said

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 try knock some sense and realism into this whole concept. Are you brave enough to let me take part. Probably not!

Richard John Baker

Full name: Richard John Baker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Richard John Baker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Richard John Baker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32. OBJECTION 2. Allocation of Exmo_20 is in conflict

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)?: No, I do not wish to participate in hearing session(s)

Full name: Richard John Baker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. OBJECTION 4. Allocation of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Teresa Baldwin

Full name: Teresa Baldwin

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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.: > My comments here refer to land in Sidford ie. land 6A which is included in the second regulation 19 for house > allocation and I include my concerns for the possibility of future allocation of 6B. This site is unsound and not legally compliant with national protection for National Landscapes.

I outline my reasons below and formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

> East Devon deem this land to be a 'green wedge' so building here would not adhere to the council's own policy or the National Landscape policy.

> You state in your site selection report that the 'overall landscape susceptibility is high', that 'landscape harm is likely', 'that ecologically significant moderate adverse effect is predicted' and 'steep slopes are likely to require significant earthworks'. These are very negative reviews and illustrate that any development on this land is going to impact biodiversity, wildlife corridors, hedgerows, the 'dark sky' (observatory close by) and increase the risk of flooding. > The local infrastructure is not suitable to support such a proposal; services would be compromised, the increase in traffic will create congestion

and reduce safety. > There is already a large area of land north/east of this site across Two Bridges road, only a road width separates them; that land is also proposed for housing. Sidford and Sidbury are two small villages which should retain the 'green wedge' between them. > The historic environment site assessment concludes that 'significant effect is predicted; the cultural heritage would be compromised and unable to be resolved through mitigation'.

I understand that the Council have not yet exhausted all urban regeneration opportunities or lower quality 'grey belt' sites. Development on the site proposed would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. I ask that you adhere to your own policies. I strongly object to these sites going into the 2020-2042 Local Plan.

I have been assured by staff in the planning dept. at Blackdown House that my comments within this email, if sent prior to the closing deadline at 12midday on 26.1.26, will be included in the final draft of the Local Plan and duly submitted to the Planning Inspector for independent examination.

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.: I formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

Ray Balkwill

Full name: Ray Balkwill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: In my opinion this development should be considerably reduced as the impact on the historical setting of the church, natural environment as well as the town itself will be immense. The infrastructure is already stretched to the limit. I presume the developer has drawn up a Sewage Management Scheme to ensure the network as a whole is not further overloaded as a result of the development? Also as far as I can see there is no visible access to the site. I suggest if this vast development goes ahead then the current 'Welcome to East Devon Area of Outstanding Natural Beauty' sign on the Exmouth to Budleigh Salterton be taken down, as it will be totally inappropriate.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

David Barnett

Full name: David Barnett

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: ***
Personal details have been removed ***

I object to the proposed planning of buildings on Exmo-17 in the local plan for the following reasons.

1. Large housing should not be built on National Landscape.
2. It would be cheaper to build more affordable houses on non National Landscape land.
3. exit from this site will cause traffic chaos.
4. Sewage system is not fit for purpose.

Regards *** Personal details have been removed ***

Caroline Barnett

Full name: Caroline Barnett

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I object to the proposed planning of buildings on Exmo-17 in the local plan for the following reasons.

1. Large scale housing should not be built on National Landscape. Our beautiful countryside ruined and the impact on Devon's wildlife.

2. It would be cheaper to build more affordable houses on non National Landscape land.

3. exit from this site will cause traffic chaos. With potentially 2 cars per household.

4. Sewage system is not fit for purpose.

5. The quality of the roads are very poor. It must be tempting to wave this through as the council benefits from more council tax payments but the infrastructure just isn't in place. Please re-think your decision?

Sent from my iPhone

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Howard Barrow

Full name: Howard Barrow

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Howard Barrow

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Howard Barrow

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan,

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)?: No, I do not wish to participate in hearing session(s)

Community Campaigner David Barton

Full name: Community Campaigner David Barton

Organisation (where relevant): Community Campaigner David Barton

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.1, 1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Introduction chapter is legally compliant?:

Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.: Authentic Traditional Architecture Design Codes should be a forefront priority for new construction

3. Do you consider that this part of the Introduction chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Introduction chapter, please use this box to set out your comments.: TA and a ban on demolition of all buildings constructed prior to 1950 to truly combat the Climate Crisis.

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: Full protection and support for Listed buildings, Non-Designated Heritage Assets and non- classified buildings especially at risk of avoidable decline by housebuilders and property owners

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Community Campaigner David Barton

Organisation (where relevant): Community Campaigner David Barton

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS01

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: This consultation feedback submission has been produced by , also known as Community *** Personal details have been removed *** Campaigner *** Personal details have been removed *** who is promoting both the existing Built Historic Environment and Traditional Vernacular Architecture (TVA)/ Traditional Architecture (TA) as a key feature across UK and Ireland-wide Local Authorities and associated Planning Departments at all tiers of Local, Regional and Central Government.

This universal consultation therefore acts as an official Representation at all and any stage of official area UK Planning Consultations- Preliminary Scoping Documents, Named Stages of the Local Plan, Conservation Area Appraisals and Supplementary Planning Documents (SPDs), primarily regarding Design Codes.

Representations are being made by *** Personal details have been removed *** as part of his ongoing work to champion the key stakeholders at various key areas old and new with a view to supporting their economic growth through the merits of High-Quality style Conservation with the hope of encouraging wider constructive and restorative support through positive and constructive working.

It is submitted that TVA should play a key part in any and all policy moving forwards on the grounds of conferring practical benefits be these periodic maintenance, their perceived support from the public, their invaluable contribution to achieving Climate Crisis Targets set local, nationally and internationally alongside their overall cost-effectiveness to key stakeholders alike in terms of Planning and sourcing of raw materials.

*One primary document that should be considered with significance especially alongside my own representation is a written academic account of the actual practicalities associated with Traditional Architecture from a leading expert in their field.i.) Not only does this in-depth analysis provide an in-depth take on the widely assorted merits of this type of Architecture but it fully corroborates my case made across all sections typically found in one of the consultations highlighted above.

Furthermore, my representations to date and contained herein this document are duly supported by the Founder and Director of The Institute for Traditional Architectureii.) who has identified and recognised my own contribution(s) to communities up and down the Sefton Borough. This is an internationally acclaimed organisation which periodically works with other leading agencies and organisations to bring about effective positive change.

Outlined throughout Submission are responses to existing Consultations which set out why I consider amendments to existing Planning Policy documents are necessary to ensure the best possible outcomes.

References to supporting documents are contained in the indented blue numbering.

This Submission has been prepared for UK and Ireland-wide Local Authorities in the hope that it may serve as an umbrella representation by Mr. Barton. This does not prejudice his ability to also comment on live stages of any one Consultation, merely providing the ability to be put in touch directly with any one Local Authority in receipt of this Representation with the prospect of also taking part in any version(s) of Consultations begin ran by said Local Authorities. If there are future consultations, especially regarding Design Codes and SPDs relating to this across both designated and non-designated heritage assets then it is hoped that these are duly provided to Community Campaigner David Barton.

Mr. Barton has cited material references and sources from his previous Representation to the Boodle Area Action Plan Consultation (2021-2026) that align with his existing and ongoing points which he would like to raise in parallel with other Local Authorities. Where a more detailed discussion with leading sources, such as Architects and Academics may prove conducive with these Councils then Mr. Barton would be delighted to discuss this further.

Community Campaigner David Barton:

Community Campaigner David Barton is a Heritage Campaigner of over 11 years' experience who has championed and led a number of successful campaigns to promote TVA in modern-day life. His dual mandate is to provide effective (alternative) use of historical buildings encompassing a full restoration alongside achieving the mainstream construction of new classical architecture on numerous economic, environmental and ecological grounds that align with existing policy set out by Central Government covering the UK and increasingly elsewhere across the world.

Having worked with a wide array of residents, businesses and organisations in that time, which has included the full restoration of the Victorian Verandahs on Lord Street, Southport in tandem with the respective key stakeholders and other property owners to

prevent demolition of Old Builds across Sefton, Mr. Barton is now hoping to make the process of utilising the built environment to its fullest potential a far simpler one that will enable Bootle to fully reach its maximum potential as a historic town.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.:

1. Design Codes based on TVA should be utilised in preference to Design Guides
2. LAs should establish recurring partnerships with key Consultation Bodies, such as

Create Streets and The King's Foundation, etc who specialise in getting through to a huge swathe of grassroots members of the public with tried and tested previous experience in Local Plans, such as Lichfield, etc.

3. Non-demolition of historic buildings prior to the 1950s must be made policy or adhered to as part of LCC's commitment to combatting the Climate Crisis through sequestering carbon in its Old Builds.

4. LAs should adopt a Local List of Valued Buildings (Non-designated Heritage Assets), which have been a Government requirement since the policy introduction through the NPPF in 2012. Historic England produced a guide to help Councils in May 2012. Bristol produced an exemplar list in 2015, which is well worth reviewing.

5. Existing Action Plan if present for Designated and Non-designated Heritage Assets needs identifying and/ or establishing (I may support this if invited).

6. Option for people to provide feedback even if out of time for additional documents, such as SPDs or at the discretion of Councils where feedback may be particularly assistive or lead to additional academic and architect guidance. Option for public publishing of feedback should be encouraged with the consultee's consent to encourage wider consultation uptake moving forwards.

7. Era-style Buildings, especially rows of Georgian, Victorian and Edwardian architecture must be faithfully restored, retained and recreated to complement surrounding historic streets that may or may not be classed in official Conservation Areas preventing harsh contrast with newer built housing estates from the 1950s onwards.

8. Where demolition is proposed for 1950s style housing onwards- any new construction must be in the historic building style and local materials to ensure high carbon capacity, quality aesthetic and true blending of the interconnected conurbations of any one area, place or location.

9. Concerted efforts to identify and locate core suppliers for raw materials and specific heritage skills should encourage new uptake of these limited artisan craft skills by new contractors locally based to support the local economy, provide employment, and reduce the cost of product and service in the long-term.

10. Volunteer labouring assemblies should be fully encouraged and supported identifying key individual and group skillsets that can be utilised to protect historic buildings or areas at risk with a view to supporting the construction of new authentic style housing (as and where appropriate) and the reconstruction of demolished prized old buildings beloved by the community, such as community pubs, libraries and community centres.

11. Simplified streamlined Planning Process for key stakeholders either working to authentically restore buildings and/ or build new ones, such as observed with many civic buildings in Budapest Hungary and the Federal University Buildings in the US.

12. Where there have been evolving building styles over years, eg. Combination of one or more: Georgian, Edwardian and Victorian, the style that best promotes the area, ie. One that has the majority era structures left or capacity size requirements as examples should be utilised by house builders, especially where a streetscape may have been annihilated during the World Wars.

Full name: Community Campaigner David Barton

Organisation (where relevant): Community Campaigner David Barton

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 15.1

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.:

Historic Buildings

1. Create a Designated AND a Non-Designated Heritage Asset List, such as AHV whereby existing buildings and those that may yet return can be logged and recorded to combat the Climate Crisis whilst making heritage work for LAs in modern day with attractive locations timeless for everyone to appreciate enhancing the investor appeal, all-round interest and acknowledging the industrial pioneering legacy of the City.

2. Clearance of vegetation along the Railway Lines alongside other equivalent parts of the Line to eradicate the perceived neglected aesthetic.

3. Exception Areas, such as those at risk or recently restored have the real potential for wider grant funding for ambitious projects out of the realm necessarily of undisclosed third party investors supporting Property Owners, therefore all and any support in reaching these person(s) will greatly contribute to all possible tangible success in the interim period.

4. Providing key guidance, such as agreed in-keeping historic street furniture, such as Cast Iron Lamp Posts, Bins, Planters approved upon inspection of historic photographs, agreed installation and where appropriate maintenance by the LA will ensure the iterative success of this transferring to other Conservation Areas, etc.

5. Scheme to rebuild and reconstruct long-lost buildings, prioritising vacant sites that could adapt some mixed use with residential accommodation and commercial application thereby supporting Climate Action, creating employment and recordable success through placing of necessary economic drivers, such as offices for Technology Sector if original use cannot be sourced in sufficient time simultaneously meeting housing targets.

6. Archive Blueprints for historic conurbations that have suffered architecturally over time through building conversions, demolitions, etc should be provided to key stakeholders, if necessary with a printing charge available for official spiral hard copy version to view detailed historic plans covering layouts, etc.

7. Those people and organisations that have either/ both maintained their properties well over the years or may wish to provide additional support to others, such as restorative support, archive blueprint guidance, etc should be eligible for discretionary reductions by the Council across various property taxes where they may be suffering hardship or through personal circumstances.

8. “Newer” style housing with true authentic rhythm, such as Suburban style faux

Tudor fascia frontages with red clay tile pitched roofs and terracotta design windows (tile hung walls) are a good compromise whereupon finance and scheduling may otherwise adversely impact on housing settlements.

9. Fascia Frontage details should be reinstated whether in a Conservation Area or not, especially where approval has been granted to rebuild an entire house using breeze block to produce a stereotypical black, white and grey dwelling out of place. 10. LAs

should work closely with Foundries to procure raw materials and building services in the event of harnessing their own Contractor Firm(s) in-house that could work cross-authority to make net savings whilst ensuring particular new housing neighbourhoods conform to an appropriate style.

11. Modern “Carbuncle” extensions should not be permitted at any one area- instead an authentic style addition may be used to retain blending.

12. Discretionary financial support packages to assist House Builders choosing the traditional vernacular route should be considered and utilised where it can be proven that this third party will restore the historic streetscape yet making it applicable or modern day requirements- residential or commercial. This may be especially so where they are able to help others prevent the demolition of a prized Old Build built before the 1950s. Traditional Vernacular Architecture

1. Provide a directory of approved and trusted Conservation Specialist Contractors- this will be key for repairs and maintenance reducing costs for all parties, expediting the physical process of regeneration and smoothen planning work schedules so that finer detail may be considered on priority cases or those that may be at risk of consequential repair, such as Places of Worship and detached Buildings with flat roofs, etc at higher risk of damage than customary dwellings.

2. These same people should be readily contactable for new construction

3. Encourage smart building methods and use of TVA as meticulously explained in this

SPD outlining “Breathing” Solid Wall Construction using older style materials thereby reducing maintenance cost which combined with the approved contractor directory will further drive down costs, time and effort for everyone.

4. Alterations- must introduce a simplified listed building consent form and application process that is streamlined encouraging better maintenance of Old Builds and reducing the rising propensity of builders to allow buildings to deteriorate, such as the Historic Pub that had to be rebuilt in Kilburn, London post 2015.
5. Provide specialist Heritage Arts & Craft Skills Programmes that anyone can learn and use so that these high cost tasks can eventually stabilise in price making them more affordable and available to those that don't have the time to do this themselves or may be risk averse even.
6. Extensions- there must be a proactive emphasis on in-keeping structural fabric to prevent future errors, such as the Municipal Building depicted in the SPD being replicated again thereby harming the Conservation value.
7. New Housing Estates should adopt historical archival blueprints, ie. A Georgian, Victorian or Edwardian layout with the likeliest period architecture utilised where this area remained greenbelt until the 1950s.
8. Area Expansion of housing must revert to traditional timeless designs that confer many practical advantages over modern styles that are harder to maintain are timeless with regard to dating and ensure a more evenly distributed community atmosphere in the long-term future.
9. Infrastructure should be appropriately considered for existing and new areas so that no one area is at risk of becoming congested through traffic for a particular commodity, such as Schools, Doctor Practice, Dental Practice, etc.

10. Site Layouts should complement the historic layout with a view to Post 1950s contemporary Architecture out of place being one day demolished to reinstate Long-lost beloved buildings from before the World Wars that could blossom economically today.

11. Building Form shouldn't permit for dated modern structures that delineate and essentially divide communities between the old and new parts of any one location.

12. Façade Design mustn't be compromised for contemporary architecture, especially in view of coveted Heritage Status for any one area being at risk of being lost if said contemporary architecture is pursued. Making an application

1. Identify recurring applicants that are harming civic heritage, be this across Conservation Areas, Non-designated heritage assets or elsewhere with experience of demolition to date- this should be considered before granting permission to apply or acquire planning approval.

2. Enforcement Penalties for key stakeholders that purposely allow their properties to fall into decline and hoped eventual demolition through this tactic, which is more prevalent since 2020.

3. Create an Action Plan to deter persons or organisations from pursuing demolition, such as financial incentives, sincere investor network directory set by Central Government to offload for profit and enforced Design Codes that cannot be manipulated through semantics like Design Guides in isolation as has happened elsewhere. This must be kept for emergency instances where there is an expected threat of decline or demolition.

4. Agreed that temporary alteration of heritage sites, such as stairs or ramps for wheelchairs should be utilised to prevent deleterious loss of historic surroundings and features alike.

5. Full Pre-Consultation publicised and utilised to ensure appropriate Design Codes for new housing alongside positioning and layout in case volunteer assemblies may assist property owners with restoration of historic buildings.

6. Brick by brick Analysis undertaken of projects set for Traditional reconstruction so that these statistics may provide both the Council with evidence for green grant funding support for other key infrastructure projects, such as Transportation and Drainage Defences and property owners may incur a discretionary reduction in associated reconstruction costs of heritage buildings and vistas.

7. Ability to lock feedback in for Consultation automatically unless the council can alert interested consultees in taking part again whether they are locally, regionally or nationally based.

8. Special partnerships with Property Owners of historic buildings at risk of decline/ demolition to discreetly support them with the option to publicise this accordingly to reach out to others in the same position to secure alternative use for these structures as opposed to demolition.

9. Proactive effort to stop Breaking and Entering style of “Urban Explorers” who are coincidentally apparent whenever demolition is scheduled for buildings especially since 2020.

10. LAs to proactively work closely alongside Community Champions and other leading Heritage Groups, such as English Heritage giving these organisations a voice on the frontlines, especially where so many buildings are presently being overlooked for additional guidance and/ or support due to cost and time restraints facing these same groups and organisations (including the LA). MISCELLANEOUS

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

1. Provide all possible support for the reconstruction of Old Builds as is happening elsewhere across Europe, especially Budapest, Hungary, North America, etc to significantly increase Embodied Energy/ Carbon storage.
2. Establish a Plan to adopt Unadopted Roads or supply key services, such as carriageway resurfacing as disabled access and entry/ exit of Emergency Vehicles is presently a cause for concern.
3. Provide Pre-Approval and agreement of specialist Conservation Area style Historic Street Furniture, such as Cast Iron Lamp Posts, Bins and Planters for this prime Conservation Area including installation, maintenance costs (where appropriate).
4. Provide full access to the Archive Resources (at no/minimal cost) as an invaluable incentive for existing and parallel undisclosed third Party Investors. Discretionary waivers may be appropriate for those third parties proactively working to prevent decline and demolition of historic buildings.
5. Car Parking on and off street should be supported to ensure freedom of choice for everyone, accessibility and connectedness.
6. Car Parking abodes should be tastefully designed like modern-day stables for vehicles that are in-keeping with the built historic environment.
7. Provide publicly published names of consultees willing to work alongside the Local authority and other key stakeholders, such as property owners and undisclosed third party investors, etc.

8. Provide select tours for prospective investors and housebuilders of existing traditional architecture where Design Codes of this identical style would complement both old and new architecture bending the area better more cohesively, eg. the form and layout of Oxford City Centre which has changed minimally structurally since the 1800s.

9. Provide a focused effort on utilising people's skillsets on a meritocratic basis, ie.

Procure specialists and volunteers that could work together on key emergency projects, such as Historic buildings at risk without layered bureaucracy on achieving positive outcomes, such as Community Assets where deadlines can be thwarted by separate third parties.

10. Create a Top Ten Historic Buildings at Risk Register where appropriate conditions, such as security against Urban Exploration, etc can be utilised safeguarding these structures, providing the respective property owners peace of mind whilst actual scope for revitalising these for solid economic gain.

11. Infrastructure assessments should be fully outlined, such as Air Quality risk from new construction at presently congested areas, hence the case for Traditional Architecture that will confer longevity benefits in the long-term with as much free car parking as possible.

12. Free Car Parking may be monitored through expected proof of purchase when visiting, eg. minimal £1.00 at a shop encouraging partnerships between private businesses and LAs.

Full name: Community Campaigner David Barton

Organisation (where relevant): Community Campaigner David Barton

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE01

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.:

1. Enhancement of Historic Areas to remove modern street furniture with the integration of classical style timepieces should be encouraged and pursued wherever possible with clear preferred guides set out for each part of the City.
2. Enhancement of Setting with funding grants and financial incentives from all tiers of Government for Private Investors especially those contributing actively towards achieving Net Zero through Embodied Energy/ Carbon Capacity rich measures, i.e. Retention of Old Builds.
3. Archive Pooling of invaluable source material, such as Historic Photographs, Oil Paintings, such as “Memory Lane” featured on InYourArea Magazine to enrich existing material archives.
4. New officialising of Non-Designated Heritage Assets must be actively supported even if informed by the (wider) community thereby providing some possibility of removing these from risk of demolition.

5. Incentives must be provided to those dependable sincere third party investors that take on, maintain and protect said sites against their annihilation from the streetscape with rescue-packages actively promoted and supported once again with a trusted Directory creating goodwill amongst the local community.

6. Opportunity to meet or correspond on Zoom Conference Call regarding key areas, buildings and places at risk where key stakeholders, such as property owners may be better placed to engage in positive and constructive discussion through third parties, such as myself and a trusted panel of experts in their fields and sectors who could enable these people and organisations to maximise their civic heritage, whilst proactively striving to protect more historic buildings from decline and/ or demolition where a strategy package for raising the revenue to do this could be arranged and facilitated.

7. Defining Character Areas- zoning symmetrical parallel construction recommended where distinctive individualised properties remain as checked against authentic archive blueprints. This will ensure high-quality housing for everyone reducing the societal divides between misperceived “good areas” where affluent people reside in historical style properties and less advantaged reside in contemporary ones.

8. Industry should be conserved at former industrial complexes, such as Economic Docks with equivalent sites offering modern-day uses, alongside traditional uses such as export and import of raw materials at places such as Docks and Port encompassing: ICT sector, Green Research & Development, etc.

9. Every effort must be made to reach out to Property Owners, especially Housebuilders that are pursuing demolition of long-beloved buildings, especially those with demonstrable evidence of Holy Worship.

10. Every effort must be made to reach out to Property Owners, especially Housebuilders that are pursuing demolition of landmark buildings, especially those with key links to an area's founding or history locally.

11. All Powers to monitor, collaborate with existing and/ or new property owners to conserve these buildings should become mandatory with appointed Community Champions for Civic Heritage that area direct link between Local Authorities and said wider key stakeholders to prevent demolition of structures that may be at risk of destruction from vandalism, urban exploration and demolition.

12. Reconstruction Programme harnessing existing limited crafts people's skillsets to be used as a fundraising vehicle to bring back buildings that may have been demolished to dissuade future demolition as a choice by property owners and by means of expanding these otherwise lost skillsets that are at live risk of becoming extinct from the UK.

13. Checklist of buildings at high risk must be expanded beyond the existing groups and organisations that are saturated with high caseloads, such as SAVE Britain's Heritage, etc so that dialogue channels can be created and fostered between Community Champions for Civic Heritage.

14. Bespoke-tailored funding packages for Properties at Risk of decline or demolition should be integrated with Local, Regional and Central Government-funding as a means of regional economic output through the return on investment that may support other key grant funding capital infrastructure projects, such as transportation and drainage improvements.

Full name: Community Campaigner David Barton

Organisation (where relevant): Community Campaigner David Barton

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE03

1(b). Does your comment relate to one of the changes listed above?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.:

1. Alterations for Listed Building Consent must be simplified with additional streamlined testing methodologies, such as proof of legitimate third party support, such as correspondence chains between applicant and Groups, such as The Victorian Society that can assist LAs complete workload much sooner allowing more attention for challenging cases, such as Non-Designated Heritage Assets at live or upcoming risk of demolition by Housebuilders, etc.

2. Highways & Street Furniture should be duly supported across the whole of an area to enhance its historic appeal to the commercial community as much to its indigenous community; as this is supported greatly in equivalent Public Realm Strategy SPDs-where any and all guidance and support must and should be provided, with key at risk projects being an exceptional anecdote that may be cited in future documents or versions of this and other consultations to stimulate economic construction and restoration across other designated Conservation Areas, etc or otherwise.

3. Provide incentives for the return of lost adornments and decorative features, such as roof fixtures like Chimney Stacks once again with an approved contractor directory to make Old Builds practical to own, live and work in the 2020s onwards. If a Directory cannot be provided then specific wording and guides on esoteric restoration and new traditional building styles that would see modern-day use of decorative features must be provided by the Local Council.

4. Permissions for authentic replica and more durable materials, such as reproduction sash windows must be supported to prevent exorbitant high costs through procuring these, limited longevity and economic climates being unstable. This must be assessed on a case by case basis.

5. No more deliberate manipulation and selective misinterpretation of using contemporary modern designs using old-style fabric raw materials, such as stone cladding for new housing where the design and shape clearly undermine the concept of blending within or around a Conservation Area.

6. Compendium of approved and recognised TVA Architects based across the UK with a view to supporting the training in time of more Northern counterparts to reduce cost associated with travel expenses, etc. This will actively reduce the level of demolition applications countering the purpose of this SPD and other live Policy. If a Directory cannot be provided then specific wording and guides on esoteric restoration and new traditional building styles that would see modern-day use of decorative features must be provided by the Local Council.

7. New Conservation Areas should be established covering areas of surviving built historic environment to positively reverse fascia changes to more modern ones.

8. Blue Plaques should be fully supported across as many different Conurbations, especially if Applicants reach out for endorsements.

9. Discretionary Rate Relief should be provided to those proactively support LAs with conserving their respective Conservation Areas through their own resources, skillsets and time as an incentive to others to work alongside the Council positively and constructively.

10. Where long-lost prized buildings are reconstructed whether based in a Conservation Area or not this should confer discretionary financial support, e.g. Rate Relief for the length of time taken to produce this outcome acknowledging the embodied carbon now contributing positively towards the LA's Climate Change Action Plan Targets.

11. Retention of historic street furniture, such as Lamp Posts adorning high streets or Promenade style streetscapes with collaborate fundraising models utilised from key stakeholders, such as property owners, undisclosed third party investors, Residents'

Groups, etc.

12. Retention of historic street furniture, such as Lamp Posts adorning high streets or Promenade style streetscapes with authentic identical reproductions permitted where all options to secure finance have been fully exhausted and/or the existing streetscape is at imminent risk of receiving contemporary replacement street furniture on health and safety grounds, eg. Lap Posts.

Ross Barton

Full name: Ross Barton

Proposal:

4. Development at the West End

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.: WS10

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: Land North of Topsham

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.: I am writing to formally object to Policy WS10 – Development next to the M5 and North of Topsham within the East Devon Emerging Local Plan 2020–2042 (Submission Draft, Second Regulation 19 Consultation, 28 November 2025 – 26 January 2026). This objection is submitted in response to the Second Regulation 19 Local Plan Consultation. The consultation documents confirm that Policy WS10 – North of Topsham remains part of the draft plan. The concerns raised in this objection regarding environmental, transport, flood risk, cumulative, and cross-boundary impacts remain relevant and unaddressed in the latest consultation documents. Reference: East Devon District Council – Second Regulation 19 Local Plan Consultation

1. Nature Recovery, Climate and Biodiversity Crisis East Devon District Council has declared both a Climate Emergency and a Biodiversity Emergency, and has endorsed the Nature Recovery Declaration for East Devon. The NPPF (paragraphs 174–180) requires planning policies to: Conserve and enhance biodiversity, including avoiding harm to sites of ecological importance; Protect valued landscapes and habitats; Recognise wider benefits of natural capital in climate resilience and public wellbeing. Development in ecologically sensitive locations such as North of Topsham fundamentally undermines these objectives. Local Plan Policies: EN1 (Landscape and Seascape Protection) – protects landscape character. EN4 (Green Infrastructure) – safeguards green corridors and open spaces. EN5 (Wildlife and Geology) – protects County Wildlife Sites, including the Clyst Marshes County Wildlife Site.

2. Impact on the Clyst Valley Regional Park The proposed site lies adjacent to the Clyst Valley Regional Park (Policy WS09), a strategic green infrastructure corridor providing ecological, recreational, and health benefits. Development would fragment habitats, disturb wildlife, increase recreational pressure, and reduce landscape and amenity value. Plan references: Strategic Policy WS09 – Clyst Valley Regional Park recognises the park's value and the need to protect it. NPPF paragraph 175 supports the protection of valued ecological networks.

3. Impact on the Clyst Marshes County Wildlife Site The site lies close to the Clyst Marshes County Wildlife Site, which supports priority habitats and species. Development near this site would increase risks from pollution, hydrological changes, and surface water runoff, threatening sensitive wetlands. Plan references: Local Plan Policy EN5 – protects County Wildlife Sites. NPPF paragraph 175 – development should avoid loss or deterioration of important habitats.

4. Surface Water Flood Risk – Clyst Road Area The Clyst Road area already experiences surface water flooding. Development would increase impermeable surfaces and exacerbate flood risk downstream, including impacts on the Clyst Marshes wetlands. Plan references: NPPF paragraphs 159–169 – plans should steer development away from flood risk and avoid worsening it elsewhere. Local Plan Policy EN22 (Flooding) – requires management of flood risk in development proposals.

Flooding and Access: Recent flooding events demonstrate the vulnerability of the local transport network: Bridge Hill Road in the Clyst Valley has been flooded and rendered impassable, Historic flooding has occurred along Exeter Road, Clyst Road is projected to experience increased future flood risk (2070–2125). Taken together, all primary access routes to the proposed development could be impacted or rendered impassable during flood events. This raises serious concerns regarding safe access, emergency response, and overall network resilience, in conflict with NPPF paragraphs 108, 109, 159–161, and 174–175. Development in this location would therefore be unsustainable, placing excessive pressure on a transport network already compromised by existing flooding and climate change projections.

5. Future Fluvial Flood Risk and Climate Change (2070– 2125) The Environment Agency's Flood Map for Planning – Flood Zones plus Climate Change (2070–2125) demonstrates that Flood Zones 2 and 3 are projected to expand under climate change scenarios, reflecting increases in river flood flows and tidal risk. These projections indicate that Clyst Road and parts of the proposed development area are likely to be at

materially increased flood risk over the lifetime of the plan. The combination of recent, historic, and projected flood events demonstrates that the transport network serving Topsham and the proposed eastern parcel is highly vulnerable, reinforcing the need to apply the sequential and exception tests rigorously under the NPPF (paragraphs 159–161).

6. Environmental Incidents at Newcourt Barton Industrial Estate Environmental incidents have been reported at Newcourt Barton Industrial Estate, indicating existing pressures. Additional development risks compounding pollution and ecological harm. Plan references: NPPF paragraph 174 – cumulative impacts on the natural environment must be considered. Local Plan EN5 – precautionary protection of wildlife and geodiversity.

7. Road Network Capacity and Physical Constraints of Clyst Road Clyst Road is a narrow rural road, with sections too narrow for two vehicles to pass safely, relying on informal passing places. The road is already operating at or beyond capacity, with significant queues at the Clyst Road / Sidmouth Road junction. Development under Policy WS10 would direct additional traffic onto this constrained route, worsening congestion, increasing vehicle conflicts, and raising safety concerns, and combined with flood vulnerability, all access routes may be blocked in extreme weather. Plan references: NPPF paragraphs 108–111 – planning should prevent or refuse development where cumulative highway impacts would be severe. Local Plan Policy TA1 (Sustainable Transport) – development must be safe, accessible, and supported by transport infrastructure. Infrastructure Delivery Plan (IDP, 2023) acknowledges the need for improvements to walking, cycling, bus routes, and highway junctions, but provides no assurance that existing constraints can be fully mitigated.

8. Existing Development Pressure on Topsham Topsham has already experienced significant recent development, placing pressure on transport, healthcare, schools, utilities, and community services. Additional development under WS10 risks exacerbating these pressures without clear evidence of deliverable mitigation. Plan references: NPPF paragraphs 8 and 20 – development must be supported by adequate infrastructure and be deliverable.

9. Cumulative Impacts The NPPF requires cumulative impacts on biodiversity, flood risk, and transport networks to be considered (paragraphs 174, 108, 159). Development under WS10, combined with existing residential and industrial activity, constrained roads, flood risk, and proximity to sensitive environmental assets, would result in cumulative impacts that have not been adequately assessed in the Emerging Local Plan.

When considered cumulatively, flooding impacts across the Clyst Valley significantly undermine the resilience of the transport network. Bridge Hill Road, Exeter Road, and Clyst Road are each vulnerable to flooding, meaning development under Policy WS10 would rely on a network with no robust, flood-resilient access route. This represents an unsustainable pattern of development, contrary to NPPF requirements for climate change adaptation and safe, accessible development.

10. Cross-Boundary Policy Alignment Issue East Devon District Council's emerging local plan includes consultation on a proposed expansion of the Clyst Valley Regional Park boundary to encompass additional land, reflecting its ecological, landscape, and recreational value. (democracy.eastdevon.gov.uk) The neighbouring Exeter Plan 2021–2041 Publication Draft recognises the importance of protecting and enhancing Valley Parks and strategic green infrastructure around Exeter, including areas near Topsham and the River Clyst, to maintain ecological connectivity and the city's landscape setting. (Exeter Plan 2021–2041 Publication Draft) Recent proposed boundary changes indicate that land east of Clyst Road will come under Exeter City Council jurisdiction, where it is regarded as protected landscape in planning terms. These strategic objectives for protecting and connecting green infrastructure are in direct conflict with the Emerging Local Plan's proposal to allocate land east of Clyst Road for development.

11. Specific Objection to Development East of Clyst Road Should Policy WS10 proceed, I specifically object to any development east of Clyst Road. This land: Lies closest to both the Clyst Valley Regional Park and Clyst Marshes County Wildlife Site Is directly hydrologically connected to wetlands Would place additional traffic on the narrowest and most constrained sections of Clyst Road All access routes to this land are at risk of being impacted or impassable due to flooding, both historically, recently, and under future climate projections Falls within an area that will come under Exeter City Council jurisdiction, where it is designated as protected landscape NPPF justification: Paragraphs 108–111: unsafe and unsuitable access Paragraphs 159–161: sequential and exception tests for flood risk Paragraphs 174–175: protection of valued landscapes and ecological networks Summary: The eastern parcel is unsustainable, unsafe, and unsuitable for development, and therefore should be deleted from Policy WS10.

12. Conclusion Policy WS10 – North of Topsham is unsound because it is not: Justified – less environmentally sensitive alternatives exist Effective – infrastructure, flood risk, and environmental constraints are unresolved Consistent with national policy – conflicts with NPPF protections for biodiversity, flood risk, and transport Consistent with cross-boundary planning objectives – East Devon proposals east of Clyst Road conflict with Exeter City Council's direction for green infrastructure protection Sustainable or climate-resilient – flooding has already affected Bridge Hill Road and Exeter Road, future flood modelling shows increasing risk on Clyst Road, and all routes serving the eastern parcel may be impacted or impassable during flood events

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.: I therefore request that Policy WS10 be removed or substantially revised, and that, at a minimum, land east of Clyst Road be excluded from development.

Full name: Ross Barton

Proposal:

4. Development at the West End

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.: WS10

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: Land North of Topsham

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Policy WS10 is not legally compliant as it fails to demonstrate compliance with statutory requirements under section 19(1A) of the Planning and Compulsory Purchase Act 2004 and relevant provisions of the National Planning Policy Framework (NPPF). In particular, the policy fails to adequately address: • The climate change mitigation and adaptation duty, including the implications of projected future flood risk over the lifetime of the plan. • The protection and enhancement of biodiversity and ecological networks, given the site's proximity and hydrological connectivity to the Clyst Valley Regional Park and the Clyst Marshes County Wildlife Site. • The assessment of cumulative impacts on flood risk, biodiversity and transport infrastructure. • Strategic cross-boundary matters, including alignment with neighbouring authority planning policies and future governance arrangements. The plan does not demonstrate that the sequential and exception tests have been robustly applied in light of Environment Agency climate change flood modelling (2070–2125), nor that development can avoid worsening flood risk elsewhere.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: To be legally compliant, Policy WS10 should be modified to: • Remove land east of Clyst Road from the allocation, due to ecological sensitivity, hydrological connectivity to protected wetlands, constrained highway access, and increasing future flood risk under

climate change scenarios. • Explicitly require avoidance of development in areas projected to fall within Flood Zones 2 and 3 over the plan period. • Include clear safeguards to ensure no adverse effects on the Clyst Valley Regional Park, the Clyst Marshes County Wildlife Site, or associated ecological networks. • Demonstrate effective alignment with neighbouring authority strategic planning policies and long-term governance considerations. These modifications are necessary to ensure compliance with statutory environmental duties and national planning policy.

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.:

Policy WS10 is unsound for the following reasons: Not justified The allocation is not based on proportionate or robust evidence, given the site's environmental sensitivity, flood risk (including future climate projections), highway constraints, and proximity to protected ecological assets. Less constrained and less sensitive alternatives have not been adequately demonstrated. Not effective The policy relies on infrastructure improvements to Clyst Road and surrounding junctions that are not demonstrated to be deliverable. The Infrastructure Delivery Plan acknowledges constraints but provides no certainty that mitigation can be secured or delivered within the plan period. The policy is also not future-proofed in the context of potential governance changes affecting the area. Not consistent with national policy The policy conflicts with the NPPF by allocating development in an area subject to increasing flood risk, constrained access, and ecological sensitivity without adequate avoidance or mitigation, and without properly addressing cumulative impacts

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.: To make Policy WS10 sound, the plan should: • Delete or substantially reduce the allocation, excluding land east of Clyst Road. • Require full and explicit assessment of cumulative impacts on biodiversity, flood risk (including climate change allowances), and transport. • Align the allocation with the strategic role and protection of the Clyst Valley Regional Park and wider green infrastructure network. Suggested modification wording: "Land east of Clyst Road shall be excluded from development due to its ecological sensitivity, hydrological connectivity to the Clyst Valley and Clyst Marshes, constrained highway access, and projected future flood risk."

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

Policy WS10 fails to demonstrate effective cross-boundary cooperation on strategic matters, contrary to section 33A of the Planning and Compulsory Purchase Act 2004. The Exeter Plan 2021–2041 Publication Draft includes Strategic Policy NE1 (Landscape Setting Areas), which identifies river valley corridors, including the River Clyst, as part of Exeter’s strategic landscape setting and explicitly requires neighbouring authorities to recognise and protect this setting. Land east of Clyst Road forms part of this wider river valley and green infrastructure network. Allocation of this land for development conflicts with Exeter City Council’s emerging strategic approach to landscape and green infrastructure protection. In addition, there is a credible prospect of local government boundary change during the plan period, with proposals submitted for local government reorganisation in Devon that would expand Exeter City Council’s administrative boundary to include surrounding parishes currently within East Devon. Allocating sensitive land adjacent to Exeter without demonstrable agreement or alignment risks undermining long-term strategic planning and future plan-making. The absence of clear evidence of constructive, active and ongoing cooperation on these matters indicates a failure to comply with the duty to cooperate. (Non-compliance with the duty to cooperate cannot be remedied through modification.)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Community Campaigner David Barton

Organisation (where relevant): Community Campaigner David Barton

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Paragraph

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

6.1

1(b). Does your comment relate to one of the changes listed above?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.:

1. Pleased to note that LAs broadly acknowledge and grasp this concept therefore the aim should be to increase the net number of carbon-rich Old Builds long-term through support packages that will combat the Climate Crisis, provide economic benefit and improve Conservation in a pioneering fashion that may draw wider funding opportunities for the area.

2. Retrofit Ventilation is a key point that should warrant future new construction utilising higher ceilings through the reconstruction of Old Builds outfitted for the modern day with retrofitted energy supplies, etc that will also serve to break down societal divides regarding perceived good and bad areas where streetscapes are harmonious yet distinctly unique in beauty like any one Conservation Area.

3. Embodied energy and embodied carbon- must remain a central priority and so influence new construction to readopt TVA principles as this will be pivotal towards the area's future green credentials as outlined in many existing auxiliary planning documents approved presently with Carbon Studies taken of existing architecture, notably buildings saved from demolition.

4. A brick by brick case study of as many buildings as possible may warrant invitation of national and international academic institutions to undertake a regional or national Carbon Study further justifying the retention of prized Old Builds elsewhere across the area, region and the UK.

5. Sustainable Materials- an approved contractor directory that could readily advise and source the necessary raw materials with realistically reduced costs substantially again deterring potential demolition-driven applicants from consuming workload time of the Planning Department. If a Directory cannot be provided then specific wording and guides on esoteric restoration and new traditional building styles that would see modern-day use of sustainable materials must be provided by the Local Council.

6. Biodiversity- maximise greenery along all arterial roads and commuter routes with dense tree planting and the introduction of hedgerows and wherever possible financial incentives to get more private property owners on side.

7. Flooding Defences- existing and prospective hotspot areas should be clearly identified for emergency grant funding whereby Local Authorities, especially across a region may agree with the respective Government Department to distribute emergency flooding to prevent costly consequential recurrent repairs.

8. Transportation using arterial roads and commuter routes (Motorways and Railways) should prioritise linking each end of a Local Government sphere with the surrounding Local Government spheres, such as Southport at the very northern tip of Merseyside where transportation links are much weaker with Lancashire in the north and east than with the rest of Merseyside to the south.

9. Coastlines should be reclassified as SSSIs, especially where the economic potential is not being fully realised, such as Coastal Towns with underused Beaches, such as Southport in Sefton as one example for other LAs.

10. Financial Incentives for the demolition of Carbon-poor Glass Towers and contemporary construction should be utilised to restore the skylines across any one area whilst providing better mathematical application of the space for residential and commercial use, such as larger tenement buildings or the original streetscape reinstated yet designated specifically for housing where there may be a deficit.

Susie Bates

Full name: Susie Bates

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.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I would like to lodge a complaint regarding the outrageous plan to build so many many homes on what is considered a beautiful area with all the RSPB and other conservation orders on this land.

It is under National and International ecological protection. It's a special area of conservation. I can't understand for the life of me why anybody would choose Such a habitat filled, and environmentally beautiful piece of Land to demolish and fill with concrete.

I understand that the small pockets of Land which were available in Woodbury and Lympstone were probably uneconomical compared to a larger piece of Land, which would be more cost-effective. Unfortunately, this piece of Land is really really not suitable for building any home on.

Dinan way is becoming more of a Cranbrook, eyesore. There are houses they still unsold as there are in many other housing estates.

There are enough vacant premises i.e. shops flats and many more Brownfield sites which could be converted into living accommodation for those that need it. Obviously,

this is not economical for most building companies so let's carry on and demolish whatever piece of Green land we have left.

Ollie Batson

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: It breaks planning rules: Exmo_20 goes against national planning policy, so the plan is unsound and not legally compliant. It makes protecting nature harder: With too many houses planned, the strategies needed to protect the Pebblebed Heaths SPA/SAC/SSSI don't make sense. Exmo_20 should be removed. There are errors in the evidence: Mistakes in the council's housing reports (HOU-002 and HOU-001) make the plan's housing policies unreliable. These errors need fixing, and the plan should go back out for consultation.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: It breaks planning rules: Exmo_20 goes against national planning policy and the Local Plan, so the allocation is unsound. Getting there relies on cars: The main road access is 2.3 miles from Budleigh Salterton and 4 miles from Exmouth. That means almost everyone would need to drive, increasing traffic and emissions. It doesn't fit the settlement hierarchy: Building here would put too much pressure on Budleigh Salterton and goes against the Local Plan's rules about how towns should grow. The council didn't fully check impacts: The Local Planning Authority didn't properly assess whether Budleigh Salterton could handle this extra housing or its effects on the town. Walking and cycling aren't realistic: The hills and the site's location make cycling or walking to shops, schools, or services impractical, which goes against sustainable transport policies.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: It breaks planning rules: The Exmo_20 site goes against national planning policy and the Local Plan's transport policies. Because of this, the allocation is unsound. It would lock people into car use: The site is in a remote location, with the main access coming off the B3179. This means most residents would have no real choice but to drive everywhere, leading to more traffic and emissions. Walking and cycling aren't realistic: There's no clear evidence that people living here could easily walk or cycle to shops, schools, jobs, or services. Recent changes to transport policy say walking and cycling must be the first choice, which this site clearly doesn't support. The layout makes travel even worse: People living in the southern part of the site would have to drive over 1km just to get out of the development and onto the main road. That's a daily car trip before even reaching a destination, which shows how poorly designed and unsustainable the site is. Nearby towns would feel the strain: Extra car journeys would add pressure to

roads in Budleigh Salterton and Exmouth, going against the Local Plan's strategy for managing growth and transport.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: It breaks planning rules: The Exmo_20 allocation goes against national planning policy and the Local Plan. Because of this, the site allocation is unsound. Flood risk has been downplayed: The council's flood assessment barely mentions Withycombe Brook, even though Exmouth has a long history of flooding, with major events in 1960, 1983, and 2012. The site could make flooding worse: Exmo_20 is undeveloped land above the town. Rainwater from this site would run straight into nearby streams and into Withycombe Brook, which flows through heavily populated parts of Exmouth. Building here increases the risk of flooding for people living downstream. Proper flood-risk checks weren't done: Planning rules require councils to choose sites that avoid flood risk wherever possible. That step wasn't properly followed for Exmo_20, meaning the site was selected without fully considering safer alternatives. Climate change hasn't been factored in: The flood risk assessment doesn't properly account for heavier rainfall

and more extreme weather caused by climate change, which increases the danger for future residents and existing communities.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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REMOVE EXMO_20 FROM LOCAL PLAN

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.: It breaks planning rules: The Exmo_20 site goes against national planning policy and the Local Plan. Because it doesn't follow these rules, the allocation is unsound and shouldn't be included. It sits in a key nature buffer: Exmo_20 is inside a Strategic Nature Area that acts as a buffer between Exmouth and the Pebblebed Heaths, which are highly protected. The land supports Nightjars (a protected bird species) and forms part of a wildlife corridor linking habitats to the coast. Building here would damage nature protection goals: Development would weaken the purpose of the protected Heaths, break up important habitats, and harm features like veteran trees, ancient woodland, and hedgerows. It also conflicts with Devon County Council's planned Local Nature Recovery Area, due to be designated under the Environment Act. Wildlife experts strongly object: Devon Wildlife Trust says this site contains nationally important habitats and species, and that building here would cause serious harm to the integrity of the protected Heaths. Strategic Nature Areas are meant to be improved for wildlife,

not built on. It creates serious legal and planning problems: Exmo_20 cannot be developed without damaging internationally protected habitats. Because of this, its allocation directly conflicts with planning law and Local Plan policies and should be removed from the plan.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: It goes against planning rules: The Exmo_20 site conflicts with national planning policy and Local Plan heritage policies. Because of this, the allocation is not sound. It would seriously damage an important historic site: Building a development of this size around St John in the Wilderness Church (a highly protected historic building) would harm its setting, the churchyard, and the remains of the surrounding Medieval Saxon settlement. The landscape would lose what makes it special: This area is valued for its remoteness, dark skies, and “wilderness” feel. Even with a buffer zone, that character would be permanently damaged. Historic England has raised concerns: Much of Exmo_20 sits within the church’s setting. A new access road from the B3179 on the northern side would make the harm worse and could open the door to more development pressure in the future. Better options haven’t been properly explored: Historic England recommends looking at other access options from the south, shrinking or reshaping the

site, or limiting the size and type of development to areas that are less sensitive and easier to justify.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS COMMENTS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: It breaks planning rules: The Exmo_20 site goes against national planning policy and the Local Plan. Because it conflicts with these rules, the allocation is unsound and not legally compliant. There's no realistic way in or out: The main access would be from the B3179, but this would need major road changes that haven't been properly designed, costed, or approved by Devon County Council. Right now, there's no confirmed, workable access to the site. Traffic problems would get worse: Building here would push more traffic onto the B3179, increasing congestion and air pollution. That pollution would also affect the nearby Pebblebed Heaths, which are protected for wildlife. The council's own habitat assessment raises red flags: The Habitats Regulations Assessment says there isn't enough certainty to rule out harm to the Pebblebed Heaths

from air quality impacts. In simple terms, they can't prove this development wouldn't damage the site. The precautionary approach hasn't been followed: Planning and environmental law say harm should be avoided first, not dealt with later. Exmo_20 was allocated anyway, even though the risks aren't fully understood or avoided. High legal risk: The council's own mitigation strategy admits that mitigation can't be assumed without solid evidence. Because there's no scientific certainty that impacts can be properly mitigated, including Exmo_20 is legally unsafe.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: NOT COMFORMED TO REGS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMOU_20 FROM LOCAL PLAN

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.: he

Exmo_20 allocation conflicts with key national planning policies and the Local Plan.

Because it goes against these rules, the site is considered unsound and not legally

compliant. The wildlife buffer is too small: A 400-metre buffer from the Pebblebed

Heaths has been suggested, but science shows this isn't enough. Cats can roam more

than 2km, and even one attack can wipe out a Nightjar nest. This means the current

buffer doesn't properly protect wildlife and doesn't follow the precautionary approach.

It relies on plans that don't exist yet: Exmo_20 depends on a mitigation strategy and a

habitat assessment that haven't been completed. When impacts aren't fully

understood, planning rules say development should be pulled back. At the very least,

the land closest to the Heaths (including the 400m zone) should be removed from the

site. The land is important for protected species: The site provides feeding habitat for Nightjars, a protected bird species. Extra pressure from dogs, walking, and cycling hasn't been properly assessed at the site level, even though this is a known risk. Ecology experts are raising red flags: Groups like Devon Wildlife Trust, the RSPB, and the East Devon National Landscape Partnership all say a 400m buffer isn't enough. They've called for a major rethink of the site size, housing numbers, and boundaries, with development kept closer to existing settlements instead. Better options were available: There are other sites that could deliver housing with fewer environmental impacts, especially since the plan already includes more homes than needed due to outdated population data. This makes choosing Exmo_20 hard to justify. Natural England isn't satisfied: The policy is unclear about employment land and how buffers will work. Natural England recommends a stronger natural buffer along the B3179, moving development boundaries away from protected land, and securing green space through legal agreements to meet basic planning standards.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: HAS NOT FOLLOWED CORRECT LEGAL PROCESS - EG HELAA REGS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: It breaks national and local planning rules: Allocating Exmo_20 goes against multiple national planning policies and the Local Plan. Because it conflicts with these rules, the site allocation is not sound and does not meet legal requirements. Nature protection hasn't been properly dealt with: The site sits right next to the Pebblebed Heaths, which are heavily protected for wildlife. There's no clear or proven plan showing how damage to habitats and species could be avoided or fixed. The council's own habitat assessment says there is an "inherent conflict," and there's still no solution. The law was applied in the wrong order ("People over Wind" breach): Exmo_20 was approved before the legally required Appropriate Assessment was completed. This goes against the precautionary approach set out in the "People over Wind" court ruling (and is also

relevant to the “Dutch N” case), which says impacts on protected sites must be fully assessed before a site is chosen. Better sites were ignored: Planning rules say that if a site needs major mitigation, the council must show it has considered better options first. That didn’t happen here. Other sites that caused fewer environmental problems were available, but they weren’t properly assessed. Too many houses are already planned: The housing numbers are based on outdated population data, meaning the plan includes more homes than are actually needed. This removes any argument that Exmo_20 is required to meet housing demand. Real damage to local wildlife is likely: Devon Wildlife Trust has said the site acts as a buffer for nearby protected land. Building here would shrink and damage important habitats, even though they sit just outside the official protected boundary. The council failed in its legal role: As the “Competent Authority,” the council has not properly carried out its legal duties to protect wildlife under habitat and species regulations.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Ollie Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: NOT COMPLIANT AT HELAA STAGE

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REVISIT THE SITE ALLOCATIONS WITH THE ACTUAL FACTS

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.: Why Exmo_20 shouldn't be in the plan It failed from the start: Exmo_20 failed the 2022 HELAA assessment, which means it should have been rejected straight away. Because of that failure, it should never have been considered for development at all. The site was recreated after it failed: After Exmo_20 failed, two new sites (Exmo_20a and Exmo_20b) were created in November 2022 to get around that failure. ***** approved Exmo_20a even though officers advised against it, then later merged both sites back together and called it Exmo_20 again. ***** were shown misleading maps: The maps used to support the decision included land that isn't available, homes that already exist, and even a church with a graveyard. This made the site look much bigger and more suitable than it really is. Important environmental protections were left out: The site's protected

environmental designations (SAC/SPA) weren't shown, and its closeness to Budleigh Salterton was ignored, even though both are highly relevant. Rules to protect nature were broken: The site was chosen before the legally required Appropriate Assessment was completed in January 2025. The Habitat Regulations Assessment even says there is an "inherent conflict" with protected habitats, and that conflict still hasn't been resolved. This goes against the "People over Wind" legal ruling. False claims were made in official documents: The Regulation 19 Sustainability Appraisal wrongly said Exmo_20 passed the HELAA, which isn't true. The rules were changed after the fact: A May 2022 Site Selection Methodology clearly ruled out sites like Exmo_20 that failed HELAA. That document was later removed and replaced in December 2024 with a new version that suddenly allowed failed sites to be allocated. Evidence was changed during consultation: Key evidence documents were altered while the public consultation was still ongoing. On top of that, the plan already includes more housing than the district actually needs, which weakens any argument that this site is "necessary." High legal and planning risk: Because of all these procedural mistakes, misleading information, and legal problems, allocating Exmo_20 is unsafe, unsound, and not compliant with planning law. (I think I may have submitted this under the wrong email address - didnt realise an email address was already logged in thanks

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.: remove exam_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: No cooperation so far with residents / relevant groups such as RSPB, Natural England, parish councils etc

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Robin Batson

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: HELAA STAGE NOT COMPLIANT

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REVISIT ALL SITES AND CORRECTLY ASSESS THE EXMOUTH SITES WITH ALL THE KNOWLEDGE

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.: Why Exmo_20 shouldn't be in the plan It failed from the start: Exmo_20 failed the 2022 HELAA assessment, which means it should have been rejected straight away. Because of that failure, it should never have been considered for development at all. The site was recreated after it failed: After Exmo_20 failed, two new sites (Exmo_20a and Exmo_20b) were created in November 2022 to get around that failure. ***** approved Exmo_20a even though officers advised against it, then later merged both sites back together and called it Exmo_20 again. ***** were shown misleading maps: The maps used to support

the decision included land that isn't available, homes that already exist, and even a church with a graveyard. This made the site look much bigger and more suitable than it really is. Important environmental protections were left out: The site's protected environmental designations (SAC/SPA) weren't shown, and its closeness to Budleigh Salterton was ignored, even though both are highly relevant. Rules to protect nature were broken: The site was chosen before the legally required Appropriate Assessment was completed in January 2025. The Habitat Regulations Assessment even says there is an "inherent conflict" with protected habitats, and that conflict still hasn't been resolved. This goes against the "People over Wind" legal ruling. False claims were made in official documents: The Regulation 19 Sustainability Appraisal wrongly said Exmo_20 passed the HELAA, which isn't true. The rules were changed after the fact: A May 2022 Site Selection Methodology clearly ruled out sites like Exmo_20 that failed HELAA. That document was later removed and replaced in December 2024 with a new version that suddenly allowed failed sites to be allocated. Evidence was changed during consultation: Key evidence documents were altered while the public consultation was still ongoing. On top of that, the plan already includes more housing than the district actually needs, which weakens any argument that this site is "necessary." High legal and planning risk: Because of all these procedural mistakes, misleading information, and legal problems, allocating Exmo_20 is unsafe, unsound, and not compliant with planning law.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO COOPERATION WITH RESIDENTS OR BODIES SUCH AS NATURAL ENGLAND / PARISH COUNCILS ETC

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: GIVEN IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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.:

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 16(d); the Plan is therefore unsound and not legally compliant. Housing over-supply: The Plan uses outdated ONS data (Feb 2025) rather than the latest 2024 ONS figures, resulting in an inflated housing figure (1,188 vs 1,156; 22-year requirement 20,342). Over-allocation undermines any overriding need justification for development, including Exmo_20. Mitigation hierarchy implications: Incorrect housing figures remove justification for multiple mitigation strategies required to protect Pebblebed Heath SPA/SAC/SSSI; Exmo_20 should be removed. Evidence errors: Numerical and mathematical errors in HOU-002 (Oct 2025) and HOU-001 (Nov 2025) compromise the Plan's housing policy foundation and require correction and reconsultation. Clarity and unambiguity: NPPF

16(d) requires plans to be clear so decision-makers understand how to respond to development proposals; current errors and inconsistencies violate this principle.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORRECT LEGAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMMENTS IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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.:
Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 109, Local Plan policy TR01, and paragraph 11.6; allocation is therefore unsound. Access and distance: Primary vehicular access is 2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth, highlighting reliance on private vehicles. Settlement hierarchy: Allocation would overwhelm Budleigh Salterton and conflicts with the Local Plan settlement hierarchy. Local planning oversight: Budleigh Salterton's capacity and impacts were not adequately considered by the LPA in assessing the site. Sustainable transport limitations: Local topography and site location make cycling and walking impractical, contrary to sustainable transport policies, not evident on policy maps.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORRECT LEGAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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.:

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 32 and is therefore unsound. Retrospective SSM changes: The Local Planning Authority altered the Site Selection Methodology (SSM) after 11 Dec 2024, presenting a December 2024 version in the Regulation 19 evidence library that was not used for site selection, falsely claiming it was, with no record of the original May 2022 version. Nolan Principles risk: Retrospective alteration and misrepresentation of evidence may breach the Nolan Principles of public life. HELAA failure: The original May 2022 SSM disqualified Exmo_20, as it failed the HELAA stage for suitability and achievability, including sites within 400m of Pebblebed Heaths SAC. Procedural unsoundness: Exmo_20 was

included despite clearly failing Stage 2 site sifting criteria, undermining transparency and proper plan-making.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORRECT LEGAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PAST SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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.:

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 170b and Local Plan paragraph 3.6 and policy AR01(b); allocation is therefore unsound. Flood risk: Strategic Flood Risk Assessment (Level 1) only mentions Withycombe Brook in a footnote; Exmouth has multiple historic flood pathways (1960, 1983, 2012). Site vulnerability: Exmo_20 is greenfield land above the town, with tributaries and surface water runoff flowing directly into Withycombe Brook, which passes through densely populated wards. Procedural failure: The Local Planning Authority has not applied the required sequential, risk-based approach to site selection to avoid flood risk to people and property, contrary to national policy. Climate change impact: Flood risk assessment

does not account for current or future climate change effects, increasing the potential hazard to residents.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORERCT LEGAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMMENT IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE / REVISIT EXMO_20

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.:

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191; also conflicts with Local Plan policies PB01–PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24. Allocation is therefore unsound.

Strategic Nature Area: Exmo_20 lies within SNA 368, an important buffer between Exmouth and the internationally and nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting Nightjar foraging (SPA qualifying species and Section 41 priority species) and a wildlife corridor to the coast. Conservation risk: Development would undermine conservation objectives of the SPA, fragment habitats including veteran trees, ancient woodlands, and hedgerows, and conflict with Devon County Council's upcoming Local Nature Recovery Area designation (March 2026) under the

Environment Act 2021. Expert ecological advice: Devon Wildlife Trust states the site contains nationally important habitats and species, and development would cause significant adverse effects on SAC integrity. SNAs should be enhanced, not allocated for housing. Legal and planning implication: Exmo_20 cannot be developed without harming internationally designated habitats; its allocation is therefore incompatible with NPPF and Local Plan policies and should be removed.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORRECT LEGAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMMENT IN PREVIOUS SUBMISSIONS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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.:
Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraph 206 and Local Plan policies HE02 and OL01(D); allocation is therefore unsound. Heritage impact: Development of this scale surrounding St John in the Wilderness Church (Grade II* listed) would cause significant harm to the church's setting, its churchyard, and the surrounding Medieval Saxon settlement. Landscape and character: The area is defined by remoteness, dark skies, and a 'wilderness' character, which would be irreversibly harmed even with a buffer zone. Historic England concerns: Exmo_20 covers land within the church's setting. A northern access road from the B3179 would further harm the setting and increase future development pressure. Mitigation / alternatives: Historic England recommends exploring alternative access from the south, adjusting the site

boundary, or restricting the scale and type of development to what can be justified in less sensitive areas.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORRECT LEGAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSIONS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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.:

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 92, 114b, 114d, 180e & 181, and Local Plan paragraph 3.6, policies TR01, OL09, PB04, and paragraph 11.2; it is therefore unsound and not legally compliant. No viable access: Primary access proposed via the B3179 would require major, uncertain, and uncosted highway works, not confirmed by Devon County Council. Cumulative impacts: Traffic along the B3179 would increase congestion and air pollution, affecting the Pebblebed Heaths SAC/SPA. HRA concerns: The Habitats Regulations Assessment (18.11.25) confirms “currently not sufficient certainty to rule out adverse effects in integrity...air quality” for the Pebblebed Heaths. Precautionary approach & mitigation hierarchy: Allocation contradicts the required precautionary approach and the Environment Act

2021's mitigation hierarchy (avoidance over mitigation). Legal risk: The Mitigation Strategy confirms "mitigation cannot be assumed without evidence" (People over Wind; Sweetman). Inclusion of Exmo_20 is therefore unlawful, as no reasonable scientific certainty exists to support mitigation.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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.: CORRECT PROCEDURE

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: IN PREVIOUS SUBMISSIONS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20

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

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 181, 185, 186b & 188; also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04, OL02. The allocation is therefore unsound and not legally compliant. Habitat and species risk: The site borders Pebblebed Heaths SAC/SPA/SSSI. Providing SANGS of sufficient quality and convenient location is unlikely to prevent residents from using the Heaths for dog walking, cycling, and other recreation, causing harm to protected habitats and species. Nightjar predation risk: Research shows “just one event leading to predation is enough to end a nesting attempt” (Langston et al., 2007). Without evidence mitigating this risk, the LPA must apply the precautionary principle. RSPB concerns: Mitigation for sites near the Heaths,

especially Exmo_20, is unlikely to be effective. Risks include: Loss of foraging habitat
Land-use change from farmland to public open space Increased cat predation on
ground-nesting birds Increased recreational pressures (dogs off leads, cycling, walking)
Insufficient SANG provision: RSPB note a high risk that proposed SANGs and public
open space will not prevent damaging levels of recreation from new residents. Proximity
to Heaths: Policy SD01 prevents development within 400m of the Pebblebed Heaths,
but there is no way to prevent human or cat access. Risk increases the closer dwellings
are built to the Heaths.

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 ENSURE CORRECT LEGAL PROCEDURE FOLLOWED

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: COMENTED IN PREVIOUS SUBMISSION

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM PLAN

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.:
policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 73b (footnotes 7 & 38), 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c; also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04, OL02. It is therefore unsound and not legally compliant. Insufficient buffer: A minimum 400m buffer from Pebblebed Heaths SAC/SPA/SSSI is proposed, but scientific evidence shows cats can roam over 2km and even a single predation event can destroy a Nightjar nesting attempt. Current mitigation is therefore inadequate and inconsistent with precautionary principles. Reliance on untested mitigation: Exmo_20's inclusion depends on a mitigation strategy and HRA that do not yet exist. Without these, a precautionary approach requires removing at least the 400m of land adjacent to the Heaths. Significance of the site:

Exmo_20 contains functionally linked foraging habitat for Nightjar (SPA qualifying species and Section 41 priority species). Recreational pressures (dogs off-leads, cycling, walking) are not assessed at site level. Professional ecological concern: Multiple bodies (DWT, RSPB, East Devon National Landscape Partnership) state a 400m buffer is insufficient, recommending significant reassessment of scale, housing numbers, and boundaries, with development concentrated closer to existing settlements. Mitigation hierarchy and alternative sites: Allocation is hard to justify given multiple viable, less mitigation-reliant sites exist and housing numbers are over-allocated due to use of outdated ONS data. Natural England recommendation: Policy is unclear on employment uses and buffer provision. NE recommends a natural buffer along the B3179, pulling settlement boundaries away from the SAC/SPA, and securing green space via S106 agreements to meet sound planning requirements.

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.: REMOVE EXMO_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE CORRECT LEGAL & PROCEDURAL PROCESS

Full name: Robin Batson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Failed HELAA assessment: Exmo_20 did not pass the initial 2022 HELAA, automatically failing site sifting; it should never have been considered for allocation. Post hoc site creation: Exmo_20a and Exmo_20b were created in November 2022 to circumvent the HELAA result; councillors allocated Exmo_20a against officer advice and merged it with Exmo_20b to form Exmo_20. Misleading information: Site maps presented to councillors included unavailable land, existing houses, and a church with graveyard, exaggerating site size and availability. Omission of environmental designations: SAC/SPA designations were not shown; site's proximity to Budleigh Salterton ignored. Breaches "People over Wind" ruling: Site was selected before the Appropriate Assessment (Jan 2025), despite HRA noting an "inherent conflict" with protected habitats, which remains unresolved. False statements in evidence: Regulation 19 Sustainability Appraisal incorrectly claimed Exmo_20 passed HELAA. Post hoc methodology: May 2022 Site Selection Methodology (disqualifying Exmo_20) removed; replaced with December 2024 version allowing failed sites to be allocated. Mid-consultation evidence changes & housing over-allocation: Evidence documents were altered during consultation; total housing exceeds district requirement, undermining any "overriding need" justification. Legal and soundness risk: Procedural, factual, and legal irregularities render Exmo_20's allocation unsound and non-compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally

compliant. 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.:

remove exmo_20 from local plan

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.:

Policy conflict: Exmo_20 allocation conflicts with NPPF (Dec 2023) paragraphs 16c, 32, 73b (footnotes 7 & 38), 180d, 180e, 181, 185a, 186b, 188 & 191c, and Local Plan paragraph 3.6, policies PB01–PB04 and OL02; therefore it is unsound and not legally compliant. Habitat mitigation uncertainty: The site is adjacent to Pebblebed Heaths SAC/SPA/SSSI, and mitigation for habitats and species has not been shown as achievable or viable. Plan HRA states “there is inherent conflict” and no means yet exist to mitigate the risks. Procedural breach – “People over Wind”: Exmo_20 was allocated on 3 Sept 2024, approved in the Regulation 19 draft on 11 Dec 2024, before the Appropriate Assessment in the 30 Jan 2025 HRA, contrary to the CJEU “People over Wind” and precautionary approach requirements, also relevant to the “Dutch N” ruling. Failure to apply Mitigation Hierarchy: NPPF paragraph 32 requires allocations with known mitigation needs to be justified against the hierarchy. LPA has not undertaken this assessment; other viable, less mitigation-reliant sites existed. Housing over-supply: The plan uses outdated ONS data, leading to over-allocation and undermining any “overriding need” justification for Exmo_20. Ecological impacts: Devon Wildlife Trust notes the site acts as an ecological buffer; development would degrade and reduce supportive habitats outside designated boundaries. Competent Authority failings: The LPA has shown widespread failures in its duties under the Conservation of Habitats and Species Regulations.

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.: remove exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Dr P. Bayer

Full name: Dr P. Bayer

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I wish to object to policy Exmo_20, housing allocation on Woodbury Common near the archery club.

I live in Topsham and regularly visit neighbouring areas to the proposed allocation such as Bystock Nature Reserve and adjacent areas which have exceptional quality for wildlife, peace and quiet and the feeling that one is far away from urban life and able to commune with nature. This is magical, rare and should be protected. Even with a buffer zone on to the proposed new housing, the large number of new car journeys will be heard, the smell will be different. The countryside will be urbanised.

As there will be no jobs with the housing, this proposal will drive a large number of new car journeys daily through Woodbury Common and probably into Exeter, adding to the already overloaded roads. If each house has 2 cars (some may have more) that will be 1,400 x 2 journeys per day = 2,800 new car journeys.

I imagine there will be negative impacts on access to services such as GPs and dentists in Budleigh, Exmouth, Woodbury and Topsham. It is already very very difficult to see a doctor at the GPs in Topsham as a result of new housing.

Is it not possible to build flats - rather than houses - at high densities on another site to increase the housing figures to meet your targets? There are too many detached executive style houses being built around Exeter as it is.

There is little benefit to communities left in planning if it cannot protect exceptional landscapes such as this. It has become simply a regulator for the private sector to do what it wants. *** Personal details have been removed ***, where are you when we need you?

Keith Bell

Full name: Keith Bell

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?: Paragraph

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

5.6

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:

Otry_21

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Ottery St. Mary (OSM) is well known for its narrow streets and regular traffic congestion. A plethora of photographs and other evidence is available to support residents' existing frustration with access to facilities within the town as well as the ability to transit through particularly when residing in, or approaching from, the southern side of the town (i.e. site of Otry_21). I therefore believe it is NOT appropriate to add further houses on the southern side since: a. Prospective new residents will require places of employment and it is the duty of government and local authority to provide access to such. The vast majority of employment potential in the region resides in Exeter, at the airport, and in Honiton, ALL of which will require prospective residents of Otry_21 to travel through the centre of OSM in order to access them. b. Similarly, in order to access health facilities, schools and shopping, all prospective Otry_21 residents will have to transit Tip Hill and OSM centre. The limitations imposed on such journeys by the geography and road size make it totally inappropriate to locate further housing development at Otry_21. Housing to the north / north-west would not, however, suffer these issues. c. The present pedestrian and cyclist routes from Otry_21 into OSM are already unsafe, and the geography makes improvement largely impossible. There are typically multiple incidents along the route daily. It is therefore unsafe for prospective residents attempting to travel to doctors, places of work, schools and shops if sited at Otry_21. d. Sidmouth road is simply capacity-congested by geographic restrictions at Tip Hill (and single-lane in several locations), with many large farm and industrial vehicles also using the road. There is multiple evidence of lost wing-mirrors and even side-swipes on pedestrians on the route, thereby making Otry_21 unsuitable

for the addition of yet a further traffic source. The Otry_21 site is also recognised as being within the "zone of influence" of the East Devon Pebblebed Heaths Special Area of Conservation and Exe Estuary and East Devon Heaths Special Protection Areas. As a resident, I have seen badgers, bats, and dormice in the area. It is totally inconceivable that addition of 70 houses in the proposed site will not have a massively negative effect on these animals, and accordingly have a negative influence on the special protected areas.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: If further housing is indeed mandated, it is clear that such should be sited on the northern / north-western side of OSM in order that reasonable access to the facilities described above (places of employment, doctors, schools and highways) can be provided. Accordingly, my suggested wording for paragraph 5.6 is as follows: "The Local Plan strategy establishes Ottery St Mary as a Tier 2 settlement, and as such as an appropriate location for future growth and development. It is, however, recognised that geographic and historic restrictions apply to the road and pedestrian routes within the town, and accordingly preference for future growth and development should be focused on arease to the north and north-west of the town where access to major roads and facilities would not require transit through the town centre. Plan policy sets out land allocations for development and these are shown on the policies map along with other policy boundaries that are at the town." Additionally, in section 5.6, the paragraph "Gerway Farm (Otry_21)" should state: "This land at Gerway Farm, off Sidmouth Road, is deemed unsuitable for further housing as a result of the restrictions on the safe movement of traffic and pedestrians into and through Ottery St. Mary. Additionally, the site would be subject to Archaeological assessment and further flood risk assessment."

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.: Ottery St. Mary (OSM) is well known for its narrow streets and regular traffic congestion. A plethora of photographs and other evidence is available to support residents' existing frustration with access to facilities within the town as well as the ability to transit through particularly when residing in, or approaching from, the southern side of the town (i.e. site ot Otry_21). I therefore believe it is NOT appropriate to add further houses on the southern side since: a. Prospective new residents will require places of

employment and it is the duty of government and local authority to provide access to such. The vast majority of employment potential in the region resides in Exeter, at the airport, and in Honiton, ALL of which will require prospective residents of Otry_21 to travel through the centre of OSM in order to access them. b. Similarly, in order to access health facilities, schools and shopping, all prospective Otry_21 residents will have to transit Tip Hill and OSM centre. The limitations imposed on such journeys by the geography and road size make it totally inappropriate to locate further housing development at Otry_21. Housing to the north / north-west would not, however, suffer these issues. c. The present pedestrian and cyclist routes from Otry_21 into OSM are already unsafe, and the geography makes improvement largely impossible. There are typically multiple incidents along the route daily. It is therefore unsafe for prospective residents attempting to travel to doctors, places of work, schools and shops if sited at Otry_21. d. Sidmouth road is simply capacity-congested by geographic restrictions at Tip Hill (and single-lane in several locations), with many large farm and industrial vehicles also using the road. There is multiple evidence of lost wing-mirrors and even side-swipes on pedestrians on the route, thereby making Otry_21 unsuitable for the addition of yet a further traffic source. The Otry_21 site is also recognised as being within the "zone of influence" of the East Devon Pebblebed Heaths Special Area of Conservation and Exe Estuary and East Devon Heaths Special Protection Areas. As a resident, I have seen badgers, bats, and dormice in the area. It is totally inconceivable that addition of 70 houses in the proposed site will not have a massively negative effect on these animals, and accordingly have a negative influence on the special protected areas.

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.: If further housing is indeed mandated, it is clear that such should be sited on the northern / north-western side of OSM in order that reasonable access to the facilities described above (places of employment, doctors, schools and highways) can be provided. Accordingly, my suggested wording for paragraph 5.6 is as follows: "The Local Plan strategy establishes Ottery St Mary as a Tier 2 settlement, and as such as an appropriate location for future growth and development. It is, however, recognised that geographic and historic restrictions apply to the road and pedestrian routes within the town, and accordingly preference for future growth and development should be focused on arease to the north and north-west of the town where access to major roads and facilities would not require transit through the town centre. Plan policy sets out land allocations for development and these are shown on the policies map along with other policy boundaries that are at

the town." Additionally, in section 5.6, the paragraph "Gerway Farm (Otry_21)" should state: "This land at Gerway Farm, off Sidmouth Road, is deemed unsuitable for further housing as a result of the restrictions on the safe movement of traffic and pedestrians into and through Ottery St. Mary. Additionally, the site would be subject to Archaeological assessment and further flood risk assessment."

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The suggestion that Otry_21 should be considered suitable for large development causes a conflict across the requirements of housing, transport, and environment. Cooperation across these boundaries creates an impossible scenario and therefore including Otry_21 will not facilitate an effective Local Plan. The residents of Ottery St. Mary would not support the increased congestion, reduced safety, and damage to wildlife that development at Otry_21 would provide.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Keith Bell

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

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.: I have just moved into the East Devon area and accordingly have just become aware of the content of the local plan with regard to development in the Ottery St. Mary region. I would like to indicate that the site identified by 'Otry_21' is unsuitable for the proposed housing development. I have made comment on the 'Commonplace' site under Section 5 of the Second Regulation 19 Consultation, but I found it difficult due to the specific questions posed by the site. Accordingly, I am sending this email as a formal request. Due to its length, I am additionally including its content in the attached document.

I formally request the removal of Otry_21 From EDDC Emerging Local Plan 2020–2042

Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre b) High car dependency due to necessity c) Narrow approach roads, and d) Limited junction capacity Any expansion to the east, north, or south of the town is expected to

substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging (due to all traffic from this region destined for places of employment, medical facilities, and highways having to travel through the town). Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Local Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary since available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is therefore neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Accordingly, its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

Elise Belsher

Full name: Elise Belsher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: I am writing to object to the proposed development at Exmo-17 for the following reasons:

1. Large housing estates should not be built on National Landscape - this is an area of outstanding natural beauty and as such everything possible should be done to protect it

2. Building on land outside the national landscape would be cheaper therefore making it possible to build more affordable homes which is what the area needs.

3. The exit from this proposed site will cause chaos being so close to the Liverton park junction and Capel Lane which are both already busy

4. The access road for the site cuts across the very busy and much used cycle path therefore endangering its many users - children, elderly, cyclists, families etc The road / development would also necessitate the felling of a number of mature trees

5. The National Planning Policy Framework is clear that planning decisions should contribute to and enhance the natural and local environment, including by protecting and enhancing valued landscapes. National Landscapes are afforded the highest status of protection in relation to landscape and scenic beauty, reflecting their importance under long established legislation. In practice, permission for development in or affecting these areas can only be granted by the local planning authority, a national park authority where relevant, or the Planning Inspectorate acting on behalf of the Secretary of State, and only in exceptional circumstances. I do not believe the need to develop this area is an exceptional circumstance when other sites in East Devon are available.

6. The local sewage system is already unable to cope with the needs of current houses. Additional houses built on this site will cause further pollution issues.

7. There is no reason to build the proposed industrial buildings on this land. Logically they should be built on the trading estate opposite or Exmo-18, both of which have the same landowner

Guy Bennett

Full name: Guy Bennett

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_06a

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.:

Dear sirs,

Please find my objection below in relation to the consultation meeting Monday 26th January.

Please can this be added to commonplace in readiness.

I object to the proposed development at Site 6a, Sidford, on the grounds that the site lies within a sensitive Green Belt area and is wholly unsuitable for further development. The location is already at risk of flooding, and the road between Sidford and Sidbury regularly floods and becomes impassable. The introduction of additional hard surfacing would significantly increase surface water run-off, thereby exacerbating flood risk to neighbouring properties, local infrastructure, and the surrounding highway network. The proposal would also result in increased traffic movements along local roads that are narrow, heavily used, and poorly suited to accommodate additional vehicular access. In particular, the traffic lights at Sidford Cross are already heavily congested, with regular queuing at peak times, and additional traffic generated by the development would worsen congestion, increase delays, and heighten risks to highway safety and

pedestrians. Furthermore, the application site is adjacent to Sidbury Castle, an ancient and historically significant landmark. The site lies within a protected view of Sidbury Castle, and the proposed development would harm this important view, as well as the setting, character, and heritage value of the monument. The cumulative impacts of increased flood risk, additional traffic generation, loss of Green Belt land, harm to a protected landscape view, and damage to the historic environment are contrary to both local and national planning policies. The application should therefore be refused.

Kind regards

*** Personal details have been removed ***

Lynda A Benson

Full name: Lynda A Benson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will

also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Natalie Bentall

Full name: Natalie Bentall

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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.:

Dear *** Personal details have been removed ***, I am a resident of Lower Brook Meadow and am writing to express my strong objection to the allocation of Sidmouth site 6a for allocation of the development of 15 houses in the local plan, for the following reasons: 1: Ignoring the green wedge policy. This site is protected as a green wedge site to prevent the coalescence of Sidbury and Sidford and to protect the individual identity of both villages. The fact that this site is being considered, despite its green wedge protection, will set a precedent. Once development is allowed on this green wedge site, it will be impossible to prevent other green wedge sites such as site 6b from being developed. The physical gap between Sidford and Sidbury would be eroded.

2: The destruction of the National Landscape (AONB). Again, the precedent of allocating this site leading to future site developments, would negatively impact the National Landscape and would cause irreversible harm.

3: Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. 4: Previous ruling that the site was unsuitable The

fact that site 6 was considered previously unsuitable and has now been divided into 2 separate sites in order to allow for some development is very concerning. Will this site be sold as two separate sites? If it is sold as one site, it would not be in the interest of any developer to build only 15 houses. I therefore feel that this is simply a back door entry to the development of site 6b of 238 further houses, again violating green wedge policy and causing significant irreversible harm.

5: Local heritage impact. This site lies within close proximity to Sidbury Castle which is a scheduled monument protected by Heritage England and would impact the views from the castle.

Thank you very much for agreeing to put forward my objection to the commonplace platform by close of consultation Monday 26th January, as per your email to ***
Personal details have been removed ***, Sid Vale Association.

Kind regards,

Malcolm Bentic

Full name: Malcolm Bentic

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I feel I must write to you concerning the ridiculous proposal for Exmo_20. I know the Government keep telling us we need more housing and they have to be built somewhere but surely not on an Area of Outstanding Natural Beauty; we already have Cranbrook and lots more huge building sites around Exeter, when the sea is full of sewerage, the roads are full of potholes and congested, the hospitals can't cope, the police can't cope. Do we need more concrete? - so more flooding not to mention the wildlife and precious open space. I hate to think what this area is going to be like in a couple of years and once it's done there is no going back!

Paul Bergin

Full name: Paul Bergin

Proposal:

4. Development at the West End

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.: WS01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Marlcombe

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Several points need clarification

1. What remains of Farringdon, to the right (on the plan map) of the Marlcombe border is "shaded". What does this mean?

2. Will what is outside the new Marlcombe border remain as an independent Farringdon Parish? Or is the intention to combine it with Marlcombe into a "town council", with Farringdon and its long history effectively ceasing to exist?

3. Will a physical border between the open space at the east side of Marlcombe and its border with properties (and private land), outside Marlcombe, be erected? If not how will Marlcombe residents know when they leave the open space and walk onto private land. Our current privacy and security should not be compromised?

4. A large private property and buildings, currently located in what would be the north east of Marcombe, does not appear on the map. What does this mean, is it to be demolished?

5. Apparently there may be post WW2 ammunition / bombs (??) buried within the new town, I think this has been communicated previously. has it been followed up on?

6. Since Cranbrook was started regular flooding has occurred, most notably around Clyst Saint Mary - when concrete is laid down the water has to go somewhere! My guess is this will be even worse once construction of Marcombe has commenced. How will this be addressed / has it even been looked into?

7. If / when this new town is built some traffic will inevitably use Farringdon as a rat run. Even a small percentage would be highly undesirable for those of us living in Farringdon. Could a "gate" be put across the road near where Parsonage Lane turns into Upham Lane, preventing cars passing (but allowing cyclists and walkers). farringdon residents wanting to get onto the A3052 could exit the other way.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Clarify what the shading outside Marcombe means, confirm the status of the remainder of Farringdon parish, confirm how new public open space will be distinct from existing private land, confirm whether the large house in north east Marcombe is to be demolished, will WW2 munitions be removed/investigated? How will flooding be dealt with? How will Farringdon be restricted as a through route?

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

1. What remains of Farringdon, to the right (on the plan map) of the Marlcombe border is "shaded". What does this mean?
2. Will what is outside the new Marlcombe border remain as an independent Farringdon Parish? Or is the intention to combine it with Marlcombe into a "town council", with Farringdon and its long history effectively ceasing to exist?
3. Will a physical border between the open space at the east side of Marlcombe and its border with properties (and private land), outside Marlcombe, be erected? If not how will Marlcombe residents know when they leave the open space and walk onto private land. Our current privacy and security should not be compromised?
4. A large private property and buildings, currently located in what would be the north east of Marlcombe, does not appear on the map. What does this mean, is it to be demolished?
5. Apparently there may be post WW2 ammunition / bombs (??) buried within the new town, I think this has been communicated previously. has it been followed up on?
6. Since Cranbrook was started regular flooding has occurred, most notably around Clyst Saint Mary - when concrete is laid down the water has to go somewhere! My guess is this will be even worse once construction of Marlcombe has commenced. How will this be addressed / has it even been looked into?
7. If / when this new town is built some traffic will inevitably use Farringdon as a rat run. Even a small percentage would be highly undesirable for those of us living in

Farringdon. Could a "gate" be put across the road near where Parsonage Lane turns into Upham Lane, preventing cars passing (but allowing cyclists and walkers). farringdon residents wanting to get onto the A3052 could exit the other way.

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.:

Clarify what the shading outside Marlcombe means, confirm the status of the remainder of Farringdon parish, confirm how new public open space will be distinct from existing private land, confirm whether the large house in north east Marlcombe is to be demolished, will WW2 munitions be removed/investigated? How will flooding be dealt with? How will Farringdon be restricted as a through route?

Kate Bergin

Full name: Kate Bergin

Proposal:

4. Development at the West End

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.: WS01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Marlcombe

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Given that our property is literally on the boundary of this humungous new town, I wish to raise some serious concerns :

BOUNDARY :

Will there be a proper and substantial green wedge between where the new town ends and Farringdon begins?? Farringdon boasts a long history (it is even mentioned in the Domesday Book). We are an “active” community with a strong identity which we wish to preserve at all costs. In spite of residents spending a lot of time and money on a Neighbourhood Plan (encouraged at the time by EDDC) this has been totally rejected and (instead of 200 houses which we agreed to) we now find ourselves with a whole town (the size of Tiverton once completed) on our doorstep!! To add insult to injury it would be an absolute travesty to see it merged with Marlcome to form one big suburban sprawl.

SECURITY :

Given the proximity of our property to the new development what guarantees do we have that we will not face serious security issues, such as people/dog walkers gaining access to our land? We live in a Grade 2 listed property (the former Rectory for Farringdon church). The property is part of Englands heritage and should not be 'swallowed up' by any new development devoid of any history. Whoever is in charge of this project has a duty of care to protect all listed buildings and their surroundings at all costs.

LIGHT POLLUTION :

We moved to the country for peace and quiet and enjoy the dark evenings surrounded by nature and star filled skies. Street lights for the town are a huge concern for us. They need to be as far away as possible from our village. We already suffer light and noise pollution from the Hill Barton Business Park - ENOUGH IS ENOUGH.

ANCIENT TREES, HEDGEROWS & WILDLIFE :

It is a tragedy beyond comprehension that such a vast swathe of British countryside containing arable farm land, ancient trees and hedgerows, providing a thriving habitat for local wildlife (wild deer, bats, owls, foxes, rabbits etc...) is going to be destroyed FOREVER. Will those in charge of this new development preserve Farringdon's charming natural habitat keeping intact all ancient trees and hedgerows near the border?? It has been proven that nature is absolutely VITAL for our well being. Please do not destroy it!!

ACCESS ROAD :

What can be done to avoid cars using Farringdon's lanes as a rat run to avoid passing through the new town or as a quick access route to the airport? Can we close access to the village from Parsonage Lane?

Finally, we are very keen to work with whoever is managing this project to ensure the best possible outcome from this tragic situation that all residents of Farringdon find ourselves in. It is the least any one can do under the circumstances. I sincerely hope that my plea will not fall upon deaf ears.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Various points to be clarified- will there be a green wedge between Farringdon and Marlcombe? how will existing properties and their privacy be safeguarded? Need to minimise light pollution from streetlights. Will all ancient trees/hedgerows be retained? How will Farringdon village be protected from through traffic? The respondent would like to work with project managers.

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.:

Given that our property is literally on the boundary of this humungous new town, I wish to raise some serious concerns :

BOUNDARY :

Will there be a proper and substantial green wedge between where the new town ends and Farringdon begins?? Farringdon boasts a long history (it is even mentioned in the Domesday Book). We are an “active” community with a strong identity which we wish to preserve at all costs. In spite of residents spending a lot of time and money on a Neighbourhood Plan (encouraged at the time by EDDC) this has been totally rejected and (instead of 200 houses which we agreed to) we now find ourselves with a whole town (the size of Tiverton once completed) on our doorstep!! To add insult to injury it would be an absolute travesty to see it merged with Marlcome to form one big suburban sprawl.

SECURITY :

Given the proximity of our property to the new development what guarantees do we have that we will not face serious security issues, such as people/dog walkers gaining access to our land? We live in a Grade 2 listed property (the former Rectory for Farringdon church). The property is part of Englands heritage and should not be 'swallowed up' by any new development devoid of any history. Whoever is in charge of this project has a duty of care to protect all listed buildings and their surroundings at all costs.

LIGHT POLLUTION :

We moved to the country for peace and quiet and enjoy the dark evenings surrounded by nature and star filled skies. Street lights for the town are a huge concern for us. They need to be as far away as possible from our village. We already suffer light and noise pollution from the Hill Barton Business Park - ENOUGH IS ENOUGH.

ANCIENT TREES, HEDGEROWS & WILDLIFE :

It is a tragedy beyond comprehension that such a vast swathe of British countryside containing arable farm land, ancient trees and hedgerows, providing a thriving habitat for local wildlife (wild deer, bats, owls, foxes, rabbits etc...) is going to be destroyed FOREVER. Will those in charge of this new development preserve Farringdon's charming natural habitat keeping intact all ancient trees and hedgerows near the border?? It has been proven that nature is absolutely VITAL for our well being. Please do not destroy it!!

ACCESS ROAD :

What can be done to avoid cars using Farringdon's lanes as a rat run to avoid passing through the new town or as a quick access route to the airport? Can we close access to the village from Parsonage Lane?

Finally, we are very keen to work with whoever is managing this project to ensure the best possible outcome from this tragic situation that all residents of Farringdon find ourselves in. It is the least any one can do under the circumstances. I sincerely hope that my plea will not fall upon deaf ears.

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.: Various points to be clarified- will there be a green wedge between Farringdon and Marcombe? how will existing properties and their privacy be safeguarded? Need to minimise light pollution from streetlights. Will all ancient trees/hedgerows be retained? How will Farringdon village be protected from through traffic? The respondent would like to work with project managers.

Jan Billington

Full name: Jan Billington

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between

the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple

other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.

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.: Reduce the size of EXMO-20 by 50% and have entrance/exit at the bottom of the site where it doesn't affect the Pebble Heath nor the already dangerous B3179.

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)?: No, I do not wish to participate in hearing session(s)

Stuart Billington

Full name: Stuart Billington

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Exmo_20’s allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site’s and the local area’s topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Remove Exmo-20 from the local plan. made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that.

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)?: No, I do not wish to participate in hearing session(s)

Melanie Bishop

Full name: Melanie Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Dear Sir/Madam,

Please find below my objections related to the EXMO_20 plan. Please ensure that my objections are included as part of the regulation 19 local plan consultation.

Kind regards,

*** Personal details have been removed ***

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and

species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which

would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and

species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.”

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20

being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of

becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20’s B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9 Exmo_20’s allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the

settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Blain Bishop

Full name: Blain Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I would like to express my objection to the EXMO_20 plan for the following reasons.

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken

this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further

fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA."

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and

species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.”

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”.

The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: I would like to express my objection to the EXMO_20 plan for the following reasons.

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict

in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

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designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

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Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

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Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar

foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development.

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20’s B3179 access arrangements would provide unsustainable

development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Objection 9 Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

I object to this development for environmental, heritage & due to the poor infrastructure it provides.

Kind regards

*** Personal details have been removed ***

Gary Ronald Bishop

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: 11.

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Judith Anne Bishop

Full name: Judith Anne Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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Full name: Judith Anne Bishop

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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Full name: Judith Anne Bishop

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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

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8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

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Full name: Judith Anne Bishop

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

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Proposal:

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Exmo_20

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.:

6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Judith Anne Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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Full name: Judith Anne Bishop

Proposal:

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Exmo_20

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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.:

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

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Full name: Judith Anne Bishop

Proposal:

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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.:

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Judith Anne Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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

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Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

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3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

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Proposal:

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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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

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Proposal:

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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.:

9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

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8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.:

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

Proposal:

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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.:

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed -For Q4 select YES Skip Q4a and 4b

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

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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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement

hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that

Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective

with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Ronald Bishop

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

SUGGESTED OBJECTIONS TO EXMO_20 (V.7) 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development

within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced

housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed

development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its

churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses

in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site

allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to

accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Paul Blackmore

Full name: Paul Blackmore

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: I would like my strong objection to the above, proposed development to be noted; for the following reasons;

(1) Large housing estates should not be built on National Landscape. (2) that building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. (3) that the exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs).

I would also like to add a further reason for my objection;

Clinton Devon ended the lease to Woodlands farm, of fields around Quentance farm, some 84 acres. There's a rumour that Clinton Devon is selling this land to Bloor Homes. If this is true, it indicates that Clinton and Bloor are confident that EDDC will allow them to build on another large tranche of protected National Landscape. This is the domino-effect that could happen if Bloor Homes are allowed to build a big estate on Exmo_17. This land is too precious to present and future generations for it to be destroyed.

Lesley Blackmore

Full name: Lesley Blackmore

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: I would like my strong objection to the above, proposed development to be noted; for the following reasons;

(1) Large housing estates should not be built on National Landscape. (2) that building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. (3) that the exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs).

I would also like to add a further reason for my objection;

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Kate Boakye

Full name: Kate Boakye

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitat and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocation against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land

to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would see precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed, as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significant greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape. As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduce

housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPP December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6 policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. Clarke, R.T. (2007) 'What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*?' Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed

development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its

churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 20).... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development an associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified. 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 and 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It als conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses

in East Devon District. Exmouth is noted as having numerous and significant flood risk pathway with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk are without yet considering current and future impacts from climate change. The greenfield Exmo_2 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking and cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, use for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below: criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Pla The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton

and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant

development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife- rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, in which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on....intrinsically dark landscape and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective

with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impact. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017. Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choice. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has

diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Chris Boorman

Full name: Chris Boorman

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I believe that this plan is wrong and should be stopped for the following reasons: 1. The infrastructure to support such a development simply does not exist in this part of Devon - our roads are too small for the 1,400 additional cars (estimated as two cars per household); We do not have enough Doctors and schools for the 2,800 additional humans (estimated at 2 adults and 2 children average per house); South West Water have no capability to support the existing community - let alone the additional 700 homes being built. 2. It is in conflict with many parts of NPPF and the local plan. Specifically, the allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. 3. It will negatively impact the Pebblebed Heaths - being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach,

particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Please REMOVE Exmo_20 entirely from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Lisa Boorman

Full name: Lisa Boorman

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I wish to object to this part of the new local plan. I believe it should be stopped for the following reasons: 1. We do not have sufficient infrastructure to support the creation of 700 new homes at this location - our roads are small and will not support the additional 1,400 cars (averaging two per home); We do not have enough doctors and schools to support the additional 2,800+ people (averaging 2 adults and 2 children per home); South West Water do not have the capability to support the additional 700 homes (they are failing to support the existing housing stock here already). NO-ONE IS GUARANTEEING THESE CAPABILITIES AHEAD OF THE PROPOSED DEVELOPMENT. 2. These plans will negatively impact the Pebbled Heaths. A minimum of 400m adjacent to the Pebbled Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. Rare birds / bats and other animals will be impacted by this - with no agreed mitigation plan. 3. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and un-costed highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. 4. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing

development encircling it. 5. I also understand that Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Boorman

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR02

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: My name is *** Personal details have been removed ***, and I am the vice-chairman of the Otter Valley Association, a civic society with over 2,100 members and supporters. I would like to register my objection to policy AR02 based upon the published “water cycle report”, and also analysis that our “Otter River Catchment Action” (or ORCA) group have performed on the river Otter and near the Honiton to Budleigh Salterton catchment areas.

As you know, the objective of the Water Cycle Study is to inform the East Devon Local Plan, ensuring it supports sustainable growth and identifying constraints that may limit planned housing growth.

We believe that, having commissioned this independent report, the policy AR02 does not currently take into full account the findings of the Water Cycle Study.

In particular, we feel that AR02 should include the specific findings that no additional housing load should be applied to the key Honiton, Feniton, and Fluxton catchments, without first addressing the clear deficits in treatment capacity.

Background:

- In 2024, Honiton sewage works discharged untreated sewage directly into the River Otter for nearly 5,000 hours.

- In this Study, we find that Honiton has the second highest number of wastewater vulnerability indicators and is already exceeding its treatment capacity by 40% - and that's just in dry-weather.
- The Otter also has the biggest phosphate problem in the region, with 70% coming from sewage works. Honiton is the source of half of that phosphate, and has been in breach of its permit condition on phosphate for three of the last six months.
- The Otter is officially designated a 'Sensitive Area' for Phosphate, and the visible environmental impacts of high phosphate levels include dense blanket weed and algae growth, smothering the riverbed.
- It's worth noting that three of the study's four RED-status sewage works discharge directly into the River Otter.
- Honiton is projected to see the largest proportional increase in housing in the region, with 838 new homes, with significant growth also planned for Fluxton and Feniton.
- To accommodate the planned development, Honiton will require a 73% increase in treatment capacity (the greatest deficit in the region); and Fluxton and Feniton will require 25% and 20% respectively.
- The study therefore concludes: No additional housing load should be applied to the key Honiton, Feniton, and Fluxton catchments, without first addressing the clear deficits in treatment capacity and phosphate removal.

We therefore ask the council to require SWW to bring forward these plans before considering any further development in the Otter catchment.

Richard Boud

Full name: Richard Boud

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Dr Jo Bowen

Full name: Dr Jo Bowen

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: There are a number of points I want to make about this scheme which will be hugely detrimental and contravenes a swathe of policies set up to protect existent transport, well being of those in the locale and the environment of the commons. I cannot think of a worse place to develop into housing. 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since

there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site

vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI, it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on the B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a

‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the 1st Regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to 1st Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if

not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN THE SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures

should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so

they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 EDDC Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: The only modification is a complete removal of Exm - 20 from the plan and quota system . It is highly detrimental and non compliant in toto.

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.: I have outlined this above.

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.: Remove thr scheme in toto . No modification is sufficient. As above .

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: As above

Full name: Dr Jo Bowen

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

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.: I grew up in Exmouth and have watched my home town grow into an unrecognisable sprawl . There are very few green and historic areas left now, and Exmo_04 is a prime example of such a space, existing against the odds. it is a highly precious ecological space to sustain the local wildlife and habitation growing there and tended for more than 200 years. Please respect them as last vestiges of eco diversity, a home for rare species, and an important part of Exmouth's character and history. I implore you to take this unique area out of the plan , which will save it from being unjustly wrecked for ever. It is completely irreplaceable.

Full name: Dr Jo Bowen

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Dear planning officer and EDD councillors,

I wish to object in the strongest possible terms to your current plan for Exmo_20 . I have lived in this area since 1966 , worked here, and seen housing exponentially encroach on our precious green fields, with key access roads becoming almost impossible to use at peak times due to increased urbanisation. We are now at a critical time to either preserve the health of our countryside and seaside way of life , it's iconic beauty and health , and our tourist industry, or see it sunk under a vast housing estate , which will kill off so very much. In particular , the Exmo _20 plan is patently disastrous. It must be halted and I implore you to lead on this , contrary to any quota imposed by central government. No justification on a projected balance of cost / benefit is logical. If you have nowhere else to put houses then it is even more important you do not spoil what we do have -where is there any net gain in that? You give houses to some and take away a living from others.

Here are my further in depth comments for which I have evidence and experience.

1. The site is almost adjacent to Pebblebed Heaths (aka our much beloved Woodbury common) and 2.3 miles from my town, Budleigh Salterton. Huge impact is inevitable on

us, and our traditional green farm scape. Pebblebed Heathland is deservedly an internationally double protected environment , much pressurised by urban life especially now, as Exeter is much expanded and yet another close-by town is on its way, namely Marcombe . A proposed 400 m buffer (the main mitigation suggested by the proposers) is way too small to mitigate any wildlife harm . Now and for the future . The urban, air and human pollution damage will be irrevocable .

It would be a devastating loss hereabouts and nationally since it is a gem of our county and region and no heathland area in the world is any more protected environmentally than this.

2. My second biggest cause for objection is the likelihood of actually cutting off the town of Budleigh S and its river Otter area , which the tax payer has recently helped to develop via LORP. I suspect ambulances will often struggle to get in and out at peak times as the roads have v limited capacity . Roads will therefore be at standstill . One exit road goes through a vulnerable historic conservation area of the town . It is regularly at a stand still even now. I say this as a medical doctor with experience of such ambulance / fire service threat and trauma.

Thank you for listening to the concerns of myself, and the whole town and indeed , the wider Pebblebed concerned charities . Please don't forget our responsibility to those who deserve a place to enjoy visiting away from urban stress feeding our tourist economy and lives already embedded here - the unspoilt town and its remarkable green setting .

We need you to act with courage and evidence- based conviction on this. Heavy hearts of councillors (as spoken of at the last meeting when, to my great horror, so many voted in favour) must be turned into resolve to draw lines away from community disaster.

Yours faithfully , *** Personal details have been removed ***

Full name: Dr Jo Bowen

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: There are raft of policies that this plan transgresses on. please refer to the charities comments which include the RSPB the Devon wildlife trust and the CPRE. i am completely aghast that you could possibly consider any justification sufficinet for destroying much of our town, our livelihood and the Heaths. they are internationall protected . Visitors to the town will be ectremely compromised also. we are likely to face grid lock and roads are already a highly sensitive matter . They pass through conservation area and historic areas germain to our economy and town's livelihood and living spaces. no joined up thinking seems to have occured as regards the likely pressure on roads at standstill by the river (the only other exit from the town to Exeter) , the associated tax payers interest in the health and accessibility of LORP, the new eco tourism pressures and Marlcombe knock on effect we and the Pebblebed Heath face , as well as the other infrastructure issues this plan will grossly excacerbate.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: as above, nil. no mitigation is relevant . all should be axed.

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.: no as above

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.: nil possible, axe the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: it is extremely un user friendly for any without time, cognitive bandwidth or rigorous mental health to use.

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.: i want to check ***** and process are held to account , as an observer

Stephen Bowersmith

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant

detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off

leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Stephen Bowersmith

Other party name (if relevant): N/A

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.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Dr Robert Bowker and Mrs Dee Bowker

Full name: Dr Robert Bowker and Mrs Dee Bowker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.:
Objection to Exmouth-17

We both wish to object strongly as we believe the following:-

1 Large housing estates should not be built on National Landscapes.

2 If housing was built outside the area of N Landscapes it would be cheaper and the result is that a higher percentage of suitable houses could be provided.

3 I believe the exit from the proposed Exmouth 17 site would cause chaos and endanger life, plus create chaos due to crossing the busy and well used cycle path etc. Dog walkers, elderly people and children in particular.

4 The current infrastructure does not cope at all with what it has to deal with, in particular the SWW sewerage system which currently fails too regularly in Exmouth and Budleigh Salterton, dumping sewerage regularly into our seas plus leaching into our

brooks and rivers. How can you possibly allow any more building in this area until SWW put this right.

Full name: Dr Robert Bowker and Mrs Dee Bowker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: Our objections to Exmo_20 are as follows:

To build these proposed 13000 new homes you will be destroying beautiful and peaceful heritage countryside within the National Landscape, with exquisite nearby common land to include the pebble bed area.

The proposed site is going to cause danger and chaos on the unsuitable road where entry and exit will be sited. Already it's a dangerous road to commute or drive on and cannot cope with further traffic on the road to get to Exeter, Exmouth or Budleigh Salterton. There are already frequent accidents and near misses on this road due to congestion, the fact it is a rural road and people getting impatient and overtaking dangerously, plus the frequent use of the road by heavy commercial vehicles etc.

In addition to the road congestion problems where grid lock is currently frequent NOW when trying to commute, even more serious in our estimation is the lack of a capable and sufficiently fit for purpose sewerage system. This system as I'm sure planners already are aware of is already SERIOUSLY failing, with sewerage regularly being discharged by SWW into our sea around Exmouth, Sandy Bay and Budleigh Salterton, with additional breaches into local rivers and brooks due to leaks and pumping station failures. The plans SWW have to remedy these serious problems will be years away from

preventing the disgraceful and unsafe seas we often cannot swim in due to high levels of E. coli etc. Putting further pressure on this weak and failing system by building housing here, with an already unfit sewerage infrastructure would be appalling, when the problem is already known and proven.

Finally, the proposed housing will only provide 4000 homes for social housing rather than what is actually needed for the 6000 people East Devon on the list currently.

This is not the correct place to be building for many reasons, the main ones we have listed above and we wish to object strongly against this proposed development.

George Boyd

Full name: George Boyd

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

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1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I am writing to protest at the proposals put forward in EXMO-20 which will not only prevent access to our home but will spoil the environment for all the wildlife that our area is blessed with and if this is lost we will never be able to recover it.

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.: PLEASE DON'T LET IT HAPPEN.

Claire Branfield

Full name: Claire Branfield

Other party name (if relevant): John Branfield

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: 1)

The infrastructure of Budleigh Salterton is not able to cope with such an increase in population, and would lead to Budleigh & Exmouth losing their separate identities 2) an alternative site should be selected, which would be more suitable, and not overwhelm Budleigh Salterton 3) the site is too close to the Pebblebed Heaths, a site of scientific importance 4) the Grade II listed St John's Church and burial ground would be significantly impacted by such a large housing development. 5) this plan would have a detrimental effect on the surrounding designated wildlife sites, and have a very bad effect on all the native species, isolate habitats, trees and hedgerows; an irreplaceable habitat which, once lost, is gone forever? 6) the ability of the water drainage system in this area is cope is very dubious, and can only lead to more flooding in the area 7) more traffic in a location already unable to cope! Exmouth, and soon Budleigh, are almost "no go" areas already; traffic queues, lack of parking and ghastly amounts of traffic are unacceptable.

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.: Remove this plan

from the Local Plan, or reduce very significantly, with different access, , not B 3179 or Southern Wood

Jonathan Breeds

Full name: Jonathan Breeds

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

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1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here:
Exmo_17

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.:
Objections to building on Exmo_17 (National Landscape):

Chapter 8: Housing Needs: The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted? The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area. Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport: The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit. A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.

Chapter 12: Landscape: Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments. EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it. There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner. The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape. The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Chapter 15: Historic Environment: The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also an old farmhouse on the perimeter (age?). These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

Ann Briggs

Full name: Ann Briggs

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The impact of 700 houses has not been considered sufficiently; there seems to be little thought regarding the infrastructure requirements to support this development.

The main issue is access using the existing B3179 which has dangerous hidden intersections (Western Ting Tong, Dalditch Lane, St John's Road). The B3179 is the main route from Budleigh Salterton through Woodbury to Exeter and the M5. The road is lined with mature trees on both sides and cannot be widened without destroying the associated wildlife. The plan states that there will be little use of cars because of the footpaths and cycle paths to be built, but this is ridiculous because the entrance opposite the Exmouth Archery Club is around 400 feet above sea level and only a few people may walk or cycle to the centre of Exmouth or Budleigh Salterton.

The integration of the traffic requirements including Budleigh Salterton, Woodbury and Clyst St George should be studied or is not evident in the planning documents. The connection with the A376 at Clyst St George in particular, is a frequent bottleneck.

Apart from access to the site the other impacts are: Rare wildlife on the adjacent and protected pebble heath, the destruction of woodland and hedgerows, the loss of

valuable farmland, the need to consider the capacity of schools and doctors' surgeries and the already overloaded sewage treatment plants.

Full name: Ann Briggs

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

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Exmo_20

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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.:

access to the site via the B3179 is not safe. an integrated traffic plan accounting for other developments (Budleigh Salterton, Woodbury, Exmouth) needs to be done. The connections of Western Ting Tong, Dalditch Lane and St Johns are hidden and dangerous increasing the traffic will result in serious accidents. The B3179 is lined with mature trees which will restrict any works to improve traffic flow. The development will have a large impact both on wildlife and the environment with removal of woodland and hedgerows on the Exmo_20 site as well as the protected pebble heath Dakditch Common to the north side of the B3179. See enclosed image

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.: Do not make the exit onto the B3179

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)?: No, I do not wish to participate in hearing session(s)

Carol Brooks

Full name: Carol Brooks

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: Big objection to the building of 410 houses on fields opposite McDonald's on Salterton Road Exmouth.

I did attend an open meeting at Bidmead a few months ago and asked a representative as to what he called affordable -£250,000 ??and he just walked away! Also, because it will go over the cycle path a lady representative said a bridge would most likely be built similar to one on their site in Exeter.

Bloor homes have a very poor reputation of just throwing up houses and do we need more houses as the ones being built on Dinan Way are still empty!

I will be really upset if it is given the go ahead - all those lovely fields, wildlife and views Gone!!! And still no affordable houses for local people.

Let's hope common sense will kick in.

Alison Brown

Full name: Alison Brown

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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Exmo_20

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.:

Dear Sir, I am writing to ask that you reconsider the plans to build on this beautiful site. I don't really have to point out that it is an area of beauty and our wildlife in the area needs all the protection it needs. Regards, *** Personal details have been removed ***

Stephen Brown

Full name: Stephen Brown

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I am writing with respect to the proposed development of 410 homes and associated areas at the Littleham, Exmouth site and wish to record my objection to the plans.

1. The proposed development is within an existing area of the National Landscape and protected countryside (formerly an area of outstanding natural beauty).

2. The creation of these proposed homes will lead to a loss of the national landscape and greatly affect the enjoyment of existing residents and visitors to the area.

3. The water run off from the housing will inevitably cause flooding of the Littleham village area during heavy rain (as has occurred during 2025)

4. Sewage infrastructure is already struggling to cope with present demands leading to sewage pollution into the sea at Exmouth. This was significantly worse during 2025 and confidence in South West Water in improving the situation is very low.

5. Existing infrastructure in the Exmouth area is presently stretched and the addition of further homes in an already high populated area will only exacerbate the situation.

6. The provision of over 400 homes will negatively affect the landscape, biodiversity and tranquility of the existing National Landscape.

7. The national cycling network / footpath which is heavily used by residents will be severely impacted by an access road built to access the new development. This will inevitably lead to accidents and near misses when pedestrians and cyclists are in close proximity with vehicles.

I do hope that the planners, developers and land owners are able to take these valid points into consideration during the consultation process.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

David Brunwin

Full name: David Brunwin

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: David Brunwin

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Hello, I am sending you a email Direct as I have struggled to register my objections to the above development using your website. Probably the main objection is the overall lack of infrastructure in the area to support such a large number of houses In particular sewage disposal and road capacity. *** Personal details have been removed ***

Jonathan Bubb

Full name: Jonathan Bubb

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.: SD01

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Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jonathan Bubb

Proposal:

5. Development in the Towns and Villages

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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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the local plan

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

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the local plan for reasons stated in 3(b)

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km of on-site driving every time residents went anywhere and returned home.

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.: Exmo_20 should be removed from the local plan

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Exmo_20

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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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Exmo_20 should be removed from the local plan for reasons outlined in 3(b)

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

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling and walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

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Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the local plan for the reasons given in 3(b)

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

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Exmo_20 should be removed from the local plan for the reason stated in 3(b)

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

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo-20 from the local plan for the reason stated in 3(b)

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

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnotes 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02, of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling and walking, which is also yet to be assessed at a site level and therefore

a precautionary approach must be applied at a strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnotes 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02, of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a careless attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Exmo_20 should be removed from the local plan

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)?: No, I do not wish to participate in hearing session(s)

C G Bundy

Full name: C G Bundy

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.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: SAVE EXMOUTH'S FORGOTTEN PARKLAND. 04 on Local Plan. Exmouth has, as usual, been designated for majority of housing, 700 at St John's, 450 at Littleham and more being added to DinanWay!!! Exmouth 04 is small parcel of land off Higher Marley Road, EDDC know this land is sensitive and allowed for 50 houses (developer wants 130). This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet you, EDDC have put this forward. As well as parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. Myself partner and her family object about planning second ref 19 consultation. Exmouth 04.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally

compliant. 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.:

Delete Exmo_04

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.:

SAVE EXMOUTH'S FORGOTTEN PARKLAND. 04 on Local Plan. Exmouth has, as usual, been designated for majority of housing, 700 at St John's, 450 at Littleham and more being added to DinanWay!!! Exmouth 04 is small parcel of land off Higher Marley Road, EDDC know this land is sensitive and allowed for 50 houses)developer wants 130). This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet you, EDDC have put this forward. As well as parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. Myself partner and her family object about planning second ref 19 consultation. Exmouth 04.

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.: Delete Exmo_04

Sally Burnell

Full name: Sally Burnell

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
reasons why this absolute monstrosity should not go ahead:

The extra pressure this is going to place on Budleigh and Exmouth in terms of: Schools GPs The roads Sewerage and drainage? The system can't cope now - as you well know!! 700 houses which will then no doubt become 1000+++ 700 houses = the likelihood of another AT LEAST 1000 extra cars coming and going on a daily basis! (I pity the cars that have to go in the Sidmouth direction because the road surface is simply appalling and extremely narrow. In the other direction, no doubt Woodbury will bear the brunt!! Employment? Who is going to live there?? The devastation of wildlife and natural environment. I believe it encroaches on pebblebed heath land! Flooding further into Exmouth, due to land above it being concreted over!! This is NOT the place for such a huge development!!

Full name: Sally Burnell

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Apart from the obvious objections such as lack of infrastructure - sewers, schools, doctors, pharmacies, employment etc., this development is going to have a huge impact on Budleigh Salterton because it would be so close to it! Already in the summer months the access roads to Budleigh or Sidmouth due to the sheer volume of the traffic and huge numbers of people could spoil the unspoilt charm and attraction of Budleigh. We all know what happens when roads or developments take place - not longer afterwards, more will follow! I'm just wondering how long it will be before development will begin around the new link road off Dina's I believe the proposed site is close to pebblebed heaths, which are of special scientific value. What about the wildlife? And who is going to live there? I was told that the new town proposed near Exeter airport is accepting a large percentage of occupants from large cities. Will this have an impact on the demographic of Devon should a similar percentage in this development to satisfy this and the last government's loss of control on immigration. Also, we all know what happens once development begins - it leads to further development!! Take the development outside Budleigh on the E. Budleigh Road, which is being gradually extending! I'm sure once the link Road off Dinan Way is completed, development will follow shortly after!! We need to be protecting our farmland and green spaces.

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.: Put Exmo_20 somewhere else

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)?: No, I do not wish to participate in hearing session(s)

Miles Butler

Full name: Miles Butler

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.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_05, Feni_08

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Site Feni 11 (Land East of Colestocks Road) is not referred to in the Local Plan site allocations for Feniton. Consent for housing has been granted at appeal following the District Council's failure to determine the original application and logically it should be included in the local plan. It has no different status to Feni 05, Burlands Mead which also has planning consent and which contributes to the local plan housing figures. The inclusion of Feni 11 would significantly increase the stated level of housing provision being made in Feniton in the plan period. There is no legal case for treating Feni 11 any differently to Feni 05.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Identify Feni 11 as a housing allocation in the Local Plan.

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.: The draft local plan allocated only sites Feni 05 Burlands Mead (42 dwellings) and Feni 08

Beechwood (60 dwellings). This reflected the plan's strategy to provide for limited development in the Tier 4 Service Villages sufficient to meet local need. Given that Feni 11 Colestocks Rd has now been granted consent for 85 dwellings, which will be delivered in the plan period, there is no justification for also including Feni 08 Beechwood. The total allocation in Feniton is now out of line with the plan's spatial strategy of only limited development in tier 4 settlements to meet local need.

Mathew Cairns

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Mathew Cairns

Other party name (if relevant): N/A

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally compliant. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

-Remove Exmo_20 from the Local Plan,

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant

detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

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

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off

leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Mathew Cairns

Other party name (if relevant): N/A

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

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

Edmund Cairns

Full name: Edmund Cairns

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I believe that Exmo_20's allocation would overwhelm Budleigh Salterton's services and facilities in particular, and generate an unacceptable increase in traffic to/from both Budleigh Salterton and Exmouth to the significant detriment of both communities. As I understand it, the proposed access onto the B3179 would need major work which has not been properly costed and planned. But even with that work, the allocation would lead to unacceptable congestion on already busy roads and to air pollution. As I also understand, a host of expert organisations - the Devon Wildlife Trust, RSPB, Natural England and Historic England - have warned of unacceptable environmental and other impacts, and some have raised the possibility of reducing the scale and changing the boundary of the site to reduce some of them. But the key point is that the whole allocation is unsound because of its PROXIMITY to vital habitats, and at least as importantly its ISOLATION from existing communities and existing roads (and rail) that could cope with increased traffic.

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.: Basically, remove Exmo_20 from the Local Plan. Substantially reducing its size, and avoiding access from the B3179 might mitigate the damaging impacts. But that doesn't get away from the key

point that this allocation is too isolated from existing services and transport infrastructure that could cope.

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)?: No, I do not wish to participate in hearing session(s)

Christine Jennifer Calvert

Full name: Christine Jennifer Calvert

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Patrick Camp

Full name: Patrick Camp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The transport infrastructure is inadequate to handle the extra demand. The additional time and congestion will deter tourists and shoppers from visiting Budleigh Salterton, leading to a negative impact on commercial enterprises in Budleigh Salterton. The town is already struggling commercially, and this Development will make things worse, particularly during the construction phase when access to Budleigh Salterton by residents and visitors alike will be construction traffic.

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.: Avoid using the B3179 to access the Development, including during construction.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The negative impact to Budleigh Salterton has not been addressed simply because of the pattern of the town boundaries.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Patrick Camp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The road system from Clyst St George through to Budleigh Salterton is far too restrictive to handle further traffic. It already has queueing at the dangerous junction of the B3179 and B3180 and delays and accidents will increase exponentially with additional traffic. The proposed development will lead to accidents with consequent injury to people and financial impact.

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.: The roads and junctions on the B3179 and B3180 must be improved to handle traffic flows safely and smoothly, or... Have no access to the site from the B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan fails to address the impact to travelling to and from Budleigh Salterton and the M5. This includes additional congestion, travel time, pollution and, especially, road traffic incidents and accidents.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Harriet Cann

Full name: Harriet Cann

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I write to object to the proposal of development Exmo_20. Firstly I would like to say how objecting is not an easy process -trying to find the relevant information on EDDC planning website is a nightmare & it is only through internet searches that I have found this email to send my objection to. The grounds I object on are; Sewerage issues - currently not adequately investigated or resolved for the existing local houses served. Environmental impact, negative irreversible damage to wildlife & their habitat, destruction of mature trees, loss of fields, which act as natural drainage & habitat for wildlife. Infrastructure is already overloaded. Roads are dangerous & congested, Dr's dentists, schools are already at maximum capacity. The area is AONB & should be protected as such! There are alternatives - redevelop old buildings that are not utilised, reduce second home ownership, look for sites not destroying natural green spaces - none of these have been explored.

Alison Cann

Full name: Alison Cann

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I object to the proposed 700 house development on the grounds of ; Sewage issues Wildlife habitat destruction Dangerous roads already congested It's an AONB Schools, shops doctors dentists already struggling to provide All this proposed development is a disgrace, local people do not wish natural environment to be destroyed because higher government set ridiculous targets.

Joanna Cant

Full name: Joanna Cant

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: We volunteer with CDE on the Pebblebed heaths and we feel it is bvery important to maintain these precious facilities. Building so many houses in such close proximity seems really shortsighted. Not only formthe point of view of the construction vehicles but also once finished the amount of increased traffic will be enormous.

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.: We do need more housing in the area but it needs to be affordable and it needs to have to required infrastructure including schools , shops and adequate sewage systems to cope with so many more houses.

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

Elizabeth Capel

Full name: Elizabeth Capel

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I would like to object to the building of 700 homes nr St John in the Wilderness Exmouth..... between Budleigh Salterton and Exmouth. my objections are as follows;

- Damage to the heathland (SSSI) and close to the Pebblebed heaths. This would result in loss of wildlife habitat and be detrimental to animal wellbeing. Surely we should be protecting our open spaces and their animals and plants. This area is protected heathland. We will loose wildlife and plant species. The Pebblebed Heaths are a very highly regarded conservation site. It contains thousands of rare species and rare habitats.
- Loss of good agricultural land resulting in increased foodmiles which is detrimental to the environment and higher prices
- Increase in flooding caused by water run off from large concreted areas...already issues with drainage in heavy rain
- Insufficient old sewage system that already struggles to cope in both Exmouth and Budleigh. More housing waste would cause more issues which will effect both Budleigh and Exmouth. We have already seen a dip in tourists and it makes the sea unswimmable in again directly affecting locals and tourists. The beautiful sandy beach at Exmouth and pebble beach at Budleigh will become no go areas again for swimming and pleasure for both tourists and locals. System cant cope at present so what hope in the future with this amount of housing.

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- Narrow roads around B3179 will result in traffic congestion with increased number of large vehicles especially whilst building takes place. Rds not designed for so many large vehicles and HGV lorries. This will have an impact on local people, tourists and the general ambiance of the area. Increased car numbers means increased accidents and journey times on rds not suited to this. A376 Exeter to Exmouth will become busier slowing journey times.
- The junction of B3179 and A376 will become a horrendous bottleneck of a junction....dangerous with increased vehicle numbers.
- There is insufficient infrastructure to support a development of this size. Poor roads ..poor road conditions ..poor access to main rd..lack of facilities eg. shop school etc
- Residents of new development would have to use Budleighs facilities or Exmouths. This would put a huge strain on Budleigh in particular...longer waits at Drs, dentists, more traffic in Budleighs narrow streets, less parking for Budleigh residents and tourists, r the Budleigh primary school i believe is already fairly full and again tlarge numbers of extra pupils could cause more traffic chaos in morning and pm pickup running the risk of car and pedestrian accidents. Budleigh does not have the facilities to cater for so many extra potential users from another 700 homes nearby.. Will ruin the town for existing residents and tourists
- Services will be further overstretched and traffic increased. This is unacceptable in the narrow streets of Budleigh where a lot of residents are retired and come to live in their retirement.
- I am concerned also of the effect it will have on the tranquil beautiful church of St John and the area of the medieval settlement. The tranquility will be shattered, the sense of remoteness lost, These reasons above are why the Exmo-20 should not go ahead.

Carol Carless

Full name: Carol Carless

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.: SD06

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06A

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: included in the second regulation 19 for house allocation and I include my concerns for the possibility of future allocation of 6B. This site is unsound and not legally compliant with national protection for National Landscapes.

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.: I outline my reasons below and formally request that the Planning Inspectorate remove sites 6A (allocated) and 6B (not currently allocated) from the final Local Plan.

> East Devon deem this land to be a 'green wedge' so building here would not adhere to the council's own policy or the National Landscape policy.

> You state in your site selection report that the 'overall landscape susceptibility is high', that 'landscape harm is likely', 'that ecologically significant moderate adverse effect is predicted' and 'steep slopes are likely to require significant earthworks'. These are very negative reviews and illustrate that any development on this land is going to impact biodiversity, wildlife corridors, hedgerows, the 'dark sky' (observatory close by) and increase the risk of flooding.

> The local infrastructure is not suitable to support such a proposal; services would be compromised, the increase in traffic will create congestion and reduce safety.

> There is already a large area of land north/east of this site across Two Bridges road, only a road width separates them; that land is also proposed for housing. Sidford and Sidbury are two small villages which should retain the 'green wedge' between them.

> The historic environment site assessment concludes that 'significant effect is predicted; the cultural heritage would be compromised and unable to be resolved through mitigation'.

I understand that the Council have not yet exhausted all urban regeneration opportunities or lower quality 'grey belt' sites. Development on the site proposed would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. I ask that you adhere to your own policies.

I strongly object to these sites going into the 2020-2042 Local Plan.

Kate Carne

Full name: Kate Carne

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am writing to object to the proposed 700 house development at the edge of Exmouth. Although there are many reasons why such a huge project is contra-indicated, I will, for your benefit, concentrate on one aspect: sewage.

For the first three months of 2025, South West Water had 100 spills of sewage directly into the sea, amounting to 1115 hours. Multiply that by 4, and it provides an estimate for the whole of 2025, which would be 4460 hours of sewage pouring into the sea. This amounts to 185 days of overflow, or more than half of the year.

By a rough estimate, 700 houses will mean about 800 kilos of human feces, together with 365,000 litres of water flushed down the toilet to dispose of this feces.

Given that Southwest water cannot manage the current level of waste water safely, it is ludicrous to imagine that they would somehow be able to dispose safely of discharge from a further 700 houses.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

For this reason alone, the development poses a risk to public health and should not be allowed to proceed.

Lewis Carr

Full name: Lewis Carr

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.3

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Introduction chapter is legally compliant?:

No

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.: NO

2(b). If no, please give details of why you consider this part of the Introduction chapter is not legally compliant. Please be as precise as possible.: Is there legal precedent to re-do a Local Plan just halfway through it's run, after it was voted in to power? The democratically approved plan is due to run until 2031. It is only being torn up and replaced by this poorly thought out option is because planning has already used up all the agreed capacity. What's to stop this all happening again in 5 years when this allowance of building has been all used up?

2(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction.: Plan this to run from 2031, when the current plan expires.

3. Do you consider that this part of the Introduction chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Introduction chapter, please use this box to set out your comments.: NO.

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: For all the same reasons listed under the legal challenges. Whether this is a legal thing to do or not, ethically it is not the right thing to do. Do the right thing because it's the right thing to do.

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction 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 Introduction 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.: Plan this to run from 2031, when the current plan expires.

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: NO

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: How is this co-operating the constituents who voted for a plan that was known with respect to all the impacts up to 2031?

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.: I don't trust the council or planning authority to act in the best interests of the constituents or me.

Full name: Lewis Carr

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: NO

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Why are figures updated for calculations from 2025, but are for requirements from 2020 to 2042? Also, with this information, it should also include details how many have been built since 2020 as well. This is disingenuous and misleading. Intentionally so.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Clarify the calculations. Include total homes already added since 2020.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.: NO

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Are these numbers agreed by any of the other stakeholders who will be affected by these decisions. Ottery has around 3,400 households based on the 2021 census. Adding 493 to that is an increase of almost 15%. There doesn't seem to be any justification for this number, or any assessment that the town can accommodate a 15% increase in demand on all services.

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.: I don't trust the council / planning dept to act in by best interests.

Full name: Lewis Carr

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?: Paragraph

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

5.6

1(b). Does your comment relate to one of the changes listed above?: No

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: NO

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: "The Local Plan strategy establishes Ottery St Mary as a Tier 2 settlement, and as such as an appropriate location for future growth and development." There is no definition of a Tier 2 Settlement in the document. This is required and the full assessment as to how this has been ascertained must be included.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: Full description of the definition used for tier decisions, and the exact measurements used to determine this must be included.

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

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.:
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.:

Other Tier 2 Settlements mentioned include Sidmouth and Honiton. From the 2021 Census, the populations are: Ottery - 7,700 Honiton - 12,200 Sidmouth - 13,300 These are not comparable by size now, Honiton is 58% bigger than Ottery, with Sidmouth 73% bigger. A quick search suggests that: "In planning, a Tier 2 Settlement is a significant town or larger village with a good range of local services, employment, and public transport, making it more sustainable for development than smaller villages but less central than major towns (Tier 1)." Ottery Local Services are currently over stretched, be it schools, healthcare or library services. There are very few opportunities for new employment in the local area, and taking further farmland away for housing further reducing that employment option. Ottery public transport is really not of sufficient quality, frequency or reliability to make it a better option for commuting that private transport. Traffic around town because of the above is already difficult and in some places very dangerous. A lorry "falls off" the main Daisymount to Ottery road most years.

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.: Ottery is not a Tier 2 Settlement by any relevant measurement that can see. Classify Ottert correctly, and document exactly what measurements and justifications were used.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Planning and considerations to significantly increase the number of residents needs to be in cooperation of all impacted parties. There doesn't seem to have been full interaction and cooperation with all parties. Travel, traffic, power, clean and waste water, healthcare, education, police and fire services. It all needs co-operation, and it hasn't been given due consideration.

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.: I don't trust the council to act in the best interests of me or the other constituents and affected parties. I need to be there to make sure they are held accountable.

Full name: Lewis Carr

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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

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.:
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.:

Request removal of Otry_21 from Local Plan entirely: - This site doesn't meet National Policy requirements sustainable transport or environmental protections. - This site conflicts with the rest of the Local Plan policies, including SP06, AR02, OL01, OL04, OL09 and OL10. - This site conflicts the the existing Ottery Neighbourhood Plan. - There are severe transport and highway constraints. - Wastewater from further development would have nowhere to be processed with the Fluxton treatment works already at or over capacity. - There is no properly demonstrated housing need, particularly with the Marlecombe development being much closer to the jobs in Exeter. - How has this development gone from 40 to 70 dwellings on the same piece of very sloping agricultural land with terrible access? -

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.: Remove Site Otry_21 from the Local Plan entirely.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: NO

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: It certainly hasn't co-operated with the Ottery Neighbourhood Plan.

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.: I don't trust the council and planning staff to act in the best interests of the constituents.

Kerry Carr

Full name: Kerry Carr

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Otry_21

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

- a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane
- b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.
- c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the

emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7 Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions

about the soundness of the assessment process. 8 Archeological sensitivity of the proposed site According to the Devon County Council Archeologist: "The proposed development lies in a landscape where prehistoric settlement and funerary activity is documented in the Historic Environment Record and there is the potential that the proposed development site contains archaeological and artefactual deposits associated with this activity." There is possibly a Romano-British farmstead within a ditched enclosure as well as remains of associated contemporary field boundaries. Also possible prehistoric settlement or funerary activity. Conclusion For the reasons outlined above, the allocation of Otry_21 is: ? Unsustainable ? In conflict with national, local, and neighbourhood policies ? Environmentally harmful ? Infrastructure-constrained ? Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Remove Ottry_21 from the emerging Local Plan

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.:

Remove Ottry_21 from emerging local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

Elene Carroll

Full name: Elene Carroll

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The sheer mass of proposed houses on this site is unrealistic and shows no regard for the environment or thoughtful planning from the council and is just pure greed from Clinton Devon estates. It implies an area has been plucked from a map with no thought of the consequences it will have to the Pebblebed heaths, farmland, forests or green areas and not 'carefully considered' as they would have us believe. The recent protest shows this development is neither wanted nor welcome. not to mention the unsuitable roads around the Exmo_20 site which are not equipped to deal with the extra traffic and are completely dangerous as they currently stand. I object wholeheartedly.

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.: Remove Exmo_20 from the Local plan.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Elene Carroll

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I believe that these plan's are not sound and they will not have a positive effect on the people of Exmouth or Budleigh. The natural habitats that will be destroyed to accommodate these plan's will be lost for ever. This will be very sad for future generations as the common will be irreversibly changed.

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.: Remove Exmo_20 from the local plan.

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Full name: Elene Carroll

Proposal:

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Exmo_20

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.: It is not possible to screen out a likely significant effect for it's units within the EDPH SAC and SPA and the plan HRA states there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is yet no and to mitigate or address the risks. This site was selected on 03.09/24 without option to reconsider with the draft local plan approved on 11.12.24 on the assumption that a mitigation strategy would be forthcoming prior to under taking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "people over wind". Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against mitigation hierarchy as set out in NPPF paragraph 32.

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.: Remove Exmo_20 from the local plan.

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Full name: elene carroll

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:
Exmouth will become merged with Budleigh and then where will it stop. The beauty of Exmouth is already becoming compromised with the proposed site opposite Mcdonalds and the planned expansion of Liverton business park. The identity and character of Exmouth is being destroyed and being replaced with a vast expanse of housing estates. Losing so much green space will be an absolute travesty for generations to come.

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.: Remove Exmo_20 from the Local Plan.

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Full name: elene carroll

Proposal:

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Exmo_20

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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.:

There is no infrastructure within Exmouth to cope with the extra sewage. No additional secondary schools, police stations, hospitals or dentists to cope with the added housing. The damage to wildlife and the disruption to St Johns residents will be immeasurable.

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.: Remove Exmo_20 from the local plan.

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Full name: Elene Carroll

Proposal:

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Exmo_20

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.:

Completely detrimental and destructive to the natural and beautiful landscape and productive farmland. The houses in neighbouring estates have not even all been sold so the need for more housing is ludicrous and complete greed on the developers part. No regard for nature in this appalling development.

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.: Remove Exmo_20 from Local Plan.

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Nina Kathryn Cartwright

Full name: Nina Kathryn Cartwright

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

Proposal:

5. Development in the Towns and Villages

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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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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

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Full name: Nina Kathryn Cartwright

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

Proposal:

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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

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Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

Proposal:

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Ralph Graham Cartwright

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: reduce the size of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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.: Do not access the site via Southern wood

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East

Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ralph Graham Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nina Kathryn Cartwright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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)?: No, I do not wish to participate in hearing session(s)

Tricia Cassel-Gerard

Full name: Tricia Cassel-Gerard

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04

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.: > Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. > This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

Full name: Tricia Cassel-Gerard

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04

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.:

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

Thank you for your consideration.

Ian Michael Caston

Full name: Ian Michael Caston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Totally out of proportion to the surroundings with serious impact on the environment

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.: Do not access the site via Southern Wood

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Development not proportional to general area

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.: Do not access the site via B3179

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: Not in sympathy with natural habitat adjoining

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.: Reduce size of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Totally out of proportion to surrounding area and too much impact on AOB

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.: Remove Exmo_20 from Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Development totally out of proportion to the area

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.: Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Ian Michael Caston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Development totally out of proportion to the rural area/urban area balance of the immediate vicinity

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.: move the settlement boundary away from Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

William Cathery

Full name: William Cathery

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Paragraph

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

3.44, 3.45

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The statements about infrastructure planning are vague. For example, for Exmouth_20, this is a huge 700 home site which is much closer to Budleigh Salterton than Exmouth and therefore will have a profound impact on Budleigh's primary school, GP surgery and sewerage networks, which are already struggling for capacity. This needs to be acknowledged. As above - I do not think sufficient thought has been given to the impact of Exmouth_20 on local infrastructure, particularly as it is designated as an Exmouth site when in reality it is significantly closer to Budleigh Salterton.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: It should be made clear that without commitments to upgrade the existing infrastructure (e.g. schools, GP surgeries, sewerage networks), assuming this is even possible, Exmouth_20 must not be allowed to proceed.

4. Do you consider that this part of the Spatial Strategy 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)?: No, I do not wish to participate in hearing session(s)

Full name: William Cathery

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: A 400 metre buffer zone from the Pebblebed Heaths which is a critical home for nature (including a key ground nesting area for the nationally rare Nightjar and other ecologically significant species) is not sufficient; the light pollution and noise pollution, including from increased traffic, is of real concern, as well as predation from pets (e.g. cats, who can roam up to 2km) and the impact of increased recreational use of the heaths. Merely stating that there will need to be mitigation of adverse highway impacts is not sufficient; the B3179 is a dangerous road, and the impact on commuter traffic and towns like Woodbury has not been adequately considered. Sandygate roundabout and Clyst St George roundabout which are already a problem for commuters at peak times will be even more heavily congested, and this will detrimentally impact commuters from Exmouth, Budleigh, Woodbury and the surrounding areas. The reality is that this is not an Exmouth development site; it is significantly closer to the town of Budleigh Salterton (2.3 miles) and the impact of the development on this small town and its infrastructure has not been adequately considered; it will increase the town's population by approximately 30% overnight, which will have a devastating impact on local schools, and in particular Budleigh's primary school (which is already over PAN), the sewerage network and GP surgery. The designation as an Exmouth site is inaccurate and therefore not legally compliant. Comments to address concerns throughout are vague and non-committal and significantly more detail is required as to the specific measures they will employ to make Exmo_20 viable. For example, how will adverse highway impacts be mitigated against? How will they determine the size of the buffer to Pebblebed Heaths? How will they ensure local infrastructure is updated to accommodate a new development?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Reduce the size of the development significantly, and move the boundary and access away from Pebblebed Heaths. Ensure the impact on Budleigh and its infrastructure is properly considered before any development is approved and include significantly more detail on how the adverse impacts of the development will be mitigated against in the Plan.

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.: For the same reasons as set out above

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.: As above

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)?: No, I do not wish to participate in hearing session(s)

Fanchea Catton

Full name: Fanchea Catton

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Paragraph

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

7.4

1(c). If the comment is related to a site, please state the site reference here.: Water Cycle Study

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: I'm writing to the Council because of concerns that obvious major issues are not being addressed in the Water Cycle report, and if not addressed now will lead to serious consequences in the future.

Flow rates were last reviewed in 2010. By the next census date in 2031, East Devon's population will have increased significantly by around 41,000 and to 60,000 by 2042, with an additional 9 million litres of water required every day. How are the Council ensuring the EA and SWW have plans in place to treat this additional flow? Why has this major issue not been addressed in the report?

This report and previous ones stated new developments should be designed to reduce daily water consumption, yet it continues to rise and is currently around 150 litres per person per day. How are the Council ensuring that plans are being made to reduce water consumption?

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

christian Chalker

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I object to the allocation of Exmo_20, as it conflicts with national planning policy and is therefore unsound and not legally compliant. The Local Plan includes an over-supply of housing because it does not use the most recent ONS data, as required. The figure of 1,188 in the Plan was based on February 2025 data, before the 2024 ONS figures were published, and is therefore invalid. Corrected figures reduce the housing requirement significantly, meaning many policies in the Plan that rely on an overriding need to justify impacts or harm, including mitigation for the Pebblebed Heaths SPA/SAC/SSSI, are no longer justified. Exmo_20 should be removed from the Plan, as it requires multiple mitigation measures for internationally and nationally protected habitats. In addition, evidence documents contain further numerical errors that must be corrected and re-consulted on, as accurate figures are essential for a sound Local Plan. Plans must be clear and unambiguous so decision-makers can understand how to respond to development proposals, which is not the case here.

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan and is therefore unsound. The main access to the site is over 2 miles from Budleigh Salterton and 4 miles from Exmouth by road. Developing Exmo_20 would place significant pressure on Budleigh Salterton, conflicting with the settlement hierarchy and overwhelming local services. The Local Plan does not appear to have properly considered the impact on Budleigh Salterton. In addition, the steep and uneven local topography makes walking and cycling to nearby towns difficult, meaning the site would be highly car-dependent—something not reflected on the policy maps.

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I object to the allocation of Exmo_20, as it conflicts with national planning policy and is therefore unsound. The Local Plan Authority (LPA) has attempted to retrospectively change the Site Selection Methodology (SSM) to justify including Exmo_20. The original SSM from May 2022, used during the Regulation 18 process, would not have allowed Exmo_20 to be selected because it clearly rules out sites within 400m of the Pebblebed Heaths SAC. After the draft Local Plan was approved in December 2024, an amended version of the SSM was presented in the Regulation 19 evidence library, claiming to have been used for site selection, when it was not. This appears misleading and raises concerns about transparency and adherence to proper planning principles. The original methodology confirms that only sites that are suitable, available, and achievable should be considered, and Exmo_20 does not meet these criteria due to its proximity to protected habitats. The CommonPlace platform used for this consultation is difficult and unuser-friendly, making it hard for members of the public to submit their views. The process is clunky and discouraging, effectively limiting meaningful public engagement. Awareness of the proposed Exmo_20 development has been minimal, with very little public promotion, meaning the consultation has largely taken place “under the radar” and lacks transparency. Overall, the consultation process is poor, does not genuinely encourage community input, and prevents residents from fully engaging with decisions that will affect their local area.

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.: Remove Exmo_20 from the plan. The CommonPlace platform used for this consultation is difficult and unuser-friendly, making it hard for members of the public to submit their views. The process is clunky and discouraging, effectively limiting meaningful public engagement. Awareness of the proposed Exmo_20 development has been minimal, with very little public promotion, meaning the consultation has largely taken place “under the radar” and lacks transparency. Overall, the consultation process is poor, does not genuinely encourage community input, and prevents residents from fully engaging with decisions that will affect their local area.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Remove Exmo_20 from the plan

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.: I strongly object to the allocation of Exmo_20, as it conflicts with national planning policy and the Local Plan and is therefore unsound. The site's location would force residents to rely heavily on cars. The main proposed access from the B3179 is indirect and inconvenient, meaning residents would need to drive long distances just to reach everyday services and facilities in Budleigh Salterton or Exmouth. Cycling and walking are unlikely to be practical, particularly given the isolated location and the road layout. Policy changes now make walking and cycling a mandatory priority, which Exmo_20 cannot realistically meet. Development here would therefore be unsustainable, generating a large number of car journeys and adding to traffic congestion, pollution, and safety risks. Housing on the southern part of the site would require residents to drive at least 1 km on-site each time they travel anywhere, further highlighting the unsuitability of this location for new development.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I object to the allocation of Exmo_20 because it conflicts with national planning policy and the Local Plan and is therefore unsound. The site sits above Exmouth and drains into Withycombe Brook, which flows through some of the most populated areas in the town. The brook has a history of flooding, with recorded events in 1960, 1983 and 2012, and current flood risk is already significant. Future climate change will only make flooding worse. The Strategic Flood Risk Assessment barely acknowledges Withycombe Brook, and the Local Plan has not properly applied the sequential, risk-based approach required to avoid putting people and property in flood risk areas. Allocating Exmo_20 would increase flood risk to the town and is therefore inappropriate. The Common has heavy clay soils, which are prone to waterlogging and poor drainage. This makes the land less suitable for development and increases the risk of surface water flooding. Disturbing these soils through construction could also damage the natural habitat and lead to erosion, runoff, and other environmental problems.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan and is therefore unsound. The Exmo_20 site forms part of a Strategic Nature Area that acts as an important buffer between Exmouth and the Pebblebed Heaths, which are internationally and nationally protected for wildlife. The land supports wildlife linked to the Heaths, including foraging habitat for the Nightjar, a protected ground-nesting bird, and provides an important wildlife corridor between the Heaths and the coast. Devon County Council is in the process of designating this area as part of a Local Nature Recovery Area, aimed at protecting and expanding habitats in line with national environmental goals. Developing Exmo_20 would directly undermine these aims. The site contains veteran trees, ancient woodland and hedgerows, which would become fragmented and degraded if development went ahead. Devon Wildlife Trust has strongly objected to the allocation, stating that the entire site lies within a Strategic Nature Area identified for its nationally important habitats and wide range of species. They advise that this land should be enhanced for nature recovery, not allocated for development, and that development would cause significant harm to the Pebblebed Heaths and the wildlife they support. For these reasons, Exmo_20 should not be allocated for development. Bystock Ponds provide an important and sensitive habitat for beavers, a protected species whose presence depends on clean water, quiet surroundings and connected wetland habitats. Development at Exmo_20 would risk disturbing this habitat through increased noise, lighting, human activity and changes to water flow and quality. Additional traffic, drainage and recreational pressure could disrupt the ponds and the surrounding landscape that beavers rely on for shelter and feeding. Any

compromise to this habitat would undermine local nature recovery efforts and the significant ecological value of Bystock Ponds, and should be avoided.

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.: Remove Exmo_20 from the plan.

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan and is therefore unsound. Exmo_20 would surround the Grade II* listed Church of St John in the Wilderness, causing serious harm to its setting. The church and churchyard sit within a historic medieval settlement area that is valued for its quiet, remote character, dark skies and strong sense of isolation. This “wilderness” setting is a key part of the church’s significance and would be permanently damaged by a large housing development encircling it, even if a buffer were left around the building. Historic England has raised strong concerns, stating that much of Exmo_20 lies within the setting of this highly significant heritage asset and that development could cause considerable harm. They also highlight that the proposed access road from the B3179 would itself damage the setting and could lead to further development pressure in the future. Historic England advises that alternative access and development options in less sensitive areas should be explored. For these reasons, Exmo_20 should not be allocated.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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?: 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.: I object to the allocation of Exmo_20 because it does not comply with national planning policy or the Local Plan and is therefore unsound. There is no clear or viable access to the site. The current proposal relies mainly on access from the B3179, but this would require major highway works that are uncertain, uncosted and have not been confirmed as acceptable by Devon County Council. Without this certainty, the site cannot be considered deliverable. The impacts of additional traffic on the B3179 have also not been properly assessed. Increased congestion and vehicle emissions would affect both local residents and the nearby Pebblebed Heaths, which are highly protected for their wildlife. The combined impact of this development with other nearby sites has not been adequately considered. The Habitats Regulations Assessment confirms that there is not enough certainty to rule out harm to the Pebblebed Heaths from air pollution. This is largely because traffic from Exmo_20 would travel along the edge of the Heaths. Allocating this site despite this uncertainty goes against the required precautionary approach and the principle that harm should be avoided in the first place, rather than relying on unproven mitigation. At present, there is no clear evidence that the environmental impacts of Exmo_20 can be safely mitigated. Without this certainty, the site should not be allocated. I reserve the right to comment further if and when a full Habitats Regulations Assessment and a robust mitigation strategy are provided, and I request to be notified if this information becomes available. The B3179 is already heavily congested, particularly during peak commuter times with traffic travelling to and from Exeter. Adding traffic from Exmo_20, which would generate well over 1,400

additional cars, would significantly worsen congestion on an already busy route. The road is narrow in places, has hidden dips and poor visibility, and is regularly used by pedestrians, cyclists and horse riders crossing between the Heaths. There have been a number of accidents along this stretch, and it is widely regarded as a potential accident hotspot. Further development would increase the risk to road users and make existing safety problems worse.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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?: 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.: I object to the allocation of Exmo_20 as it conflicts with national planning policy and the Local Plan, and is therefore unsound. The site is directly adjacent to the Pebblebed Heaths, which are internationally and nationally protected for their wildlife. A buffer of at least 400 metres between new development and the protected sites has been proposed, mainly to reduce impacts such as cat predation and increased recreational pressure. However, this distance is not sufficient. Domestic cats are known to roam well beyond 400 metres, particularly in more rural locations, and ground-nesting birds such as the Nightjar are especially vulnerable to predation. Even a single predation event can cause nesting failure. Given the importance of the Nightjar as a protected species, a significantly larger buffer is required to follow a genuinely precautionary approach. The allocation of Exmo_20 relies on a mitigation strategy and Habitats Regulations Assessment (HRA) that are not yet complete or proven to work. The current evidence does not demonstrate that the impacts on the Pebblebed Heaths can be avoided or adequately reduced. In the absence of robust and deliverable mitigation, the precautionary approach requires at least the removal of the area of the site closest to the protected habitats, and potentially a much greater reduction. The land closest to the Heaths provides important supporting habitat for wildlife and helps reduce disturbance. Increased dog walking, cycling and general recreational use would place additional pressure on the protected sites, and these impacts have not yet been properly assessed at site level. Until this is done, impacts must be addressed at a strategic level through a much larger buffer and a reduced development footprint. This

concern is shared by professional ecological bodies. Devon Wildlife Trust, the RSPB and the East Devon National Landscape Partnership have all raised objections. East Devon National Landscape has stated that a 400-metre buffer is not large enough to prevent damage from increased visitor numbers, traffic and access, and that development would further fragment surrounding habitats. They support either the removal of Exmo_20 from the Plan or a significant reduction in its size, with development pulled closer to the existing town and a much larger green buffer retained next to the Heaths. The allocation is also difficult to justify because there are other sites available that are less sensitive and would require far less mitigation. In addition, the Local Plan includes more housing land than necessary, due to not using the most up-to-date population data. Natural England has also raised concerns, recommending that development be pulled further away from the protected sites and that a clear natural buffer be secured, potentially through planning obligations. This would provide clearer and more effective protection for the Pebblebed Heaths. For these reasons, Exmo_20 should not be allocated in its current form. At the very least, the site boundary and housing numbers should be significantly reduced, with a much larger buffer between development and the Pebblebed Heaths.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: christian Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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?: 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.: The allocation of Exmo_20 is unsound, as it conflicts with national planning policy and the Local Plan. The site lies adjacent to the Pebblebed Heaths SAC/SPA/SSSI and relies on extensive habitat and species mitigation that has not been shown to be achievable or effective. The mitigation strategy confirms that likely significant effects on the designated sites cannot be ruled out, and the Plan HRA acknowledges that proposed growth would exceed acceptable thresholds with no identified means of mitigation. Exmo_20 was selected and the draft Local Plan approved on the assumption that a mitigation strategy would be provided later, with an Appropriate Assessment only undertaken afterwards. This approach fails to apply the required precautionary principle and is inconsistent with established legal requirements for habitat protection. Where sites with known mitigation needs are proposed, clear justification through the mitigation hierarchy is required. This has not been undertaken. The allocation is particularly difficult to justify given the availability of alternative, less mitigation-dependent sites and an overall over-supply of housing caused by the failure to use the most up-to-date population data. Devon Wildlife Trust has stated that the site currently acts as an important buffer between Exmouth and the highly designated land to the north, and that development would result in the degradation and loss of ecologically supportive land outside the designated boundaries. Overall, these issues demonstrate serious failings by the LPA in its duties as the Competent Authority under habitat protection legislation.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Joanna Chalker

Full name: Joanna Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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?: 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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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?: 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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the plan

Full name: Joanna Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

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

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Exmo_20

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

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Full name: Joanna Chalker

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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.: Remove Exmo_20

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Full name: Joanna Chalker

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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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove from the plan.

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Full name: Joanna Chalker

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Exmo_20

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be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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?: 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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joanna Chalker

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Christine Chapman Raymond Chapman

Full name: Christine Chapman Raymond Chapman

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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.: I have just been made aware that a green area 6a (and potentially later 6b) is proposed as part of the East Devon local plan for a housing development under Section 19. I live in Higher Brook Meadow, Sidford and am concerned at how this is being slipped in under the radar. Had neighbours in Lower Brook Meadow not mentioned it, I would have missed it, even if I'd tried to read the local plan. Local neighbours have struggled to use the online platform Commonplace to put forward objections as it is extremely difficult to navigate and identify the areas they wish to discuss. This feels undemocratic and should be addressed properly in future.

My objections to the plan are

1. This area has insufficient infrastructure for a large increase in village population. There is already another housing site (previously approved as an industrial site) on the opposite side of the main road at the edge of the village. Marlcombe was planned to absorb most of the housing need.

2. The impact on our local community would be significant:

-Our local doctors surgery already struggles to provide appointments for the current population.

-We only have one local secondary school.

-Extra traffic will caused considerable increase in danger for pedestrians as well as drivers in the village. This is always worst during tourist season.

3. EDDC would be failing to adhere to obligations towards environment. Their Marcombe strategy is of not bolting on development to smaller communities particularly in sensitive locations. This is not a brownfield site and it should be considered only after all other brown/grey options have been ruled out.

The Green Wedge policy is to prevent the loss of individual community identity, such as between Sidford and Sidbury and avoid urban sprawl.

The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas.

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.: For these reasons we both object to the inclusion of 6a and 6b as part of regulation 19.

Carolyn Charman

Full name: Carolyn Charman

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

MR ANTHONY CHARMAN

Full name: MR ANTHONY CHARMAN

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Mr Neill Chippett

Full name: Mr Neill Chippett

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

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.: With reference to Land Sidm_31 East of Burscombe Lane/West of Windsor Mead Sidmouth. Herewith my objections to the proposed site.

1) Dangerous inappropriate access from Windsor Mead or Burscombe Lane. Burscombe lane too narrow for Highways pavement access. Potential higher risk to predominately elderly residents on foot from higher vehicle volume. Blindspot at junction to main road. Windsor Mead, Steep access junction to main road. Route from junction to Land Sidm_31, Ridiculous ! Where is the access without purchasing a residents garden ?

2)Untold stress and worry for predominately retired elderly residents of Corefields, Windsor Mead and Burscombe Lane.

3) Loss of privacy/ Being overlooked for existing properties in Burscombe Lane and Corefields.

4) Harming tourism in the area. Burscombe Lane is the starting or finishing point for many walks. Potentially putting a proposed development at site 31 is not something that nature enthusiasts, Hikers, Visitors will want to see. The whole point of this lane is to provide access to the Farm etc and to provide a doorway to the unspoilt beautiful peaceful countryside.

Ian Christie

Full name: Ian Christie

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The remote location of the Exmo_20 site from nearby town centres, its steep topography and the proposal that the main access point is on the B3179, all result in a number of concerns: 1. The topography of the site and local area makes potential walking and cycling options less realistic (paragraph 11.6 of the Local Plan), meaning that residents are likely to have to drive to get anywhere, resulting in a significant increase in car travel in the area. This conflicts with paragraph 109 of the National Planning Policy Framework December 2023 (NPPF) and with Policy TR01 and paragraph 11.2 of the Local Plan, and therefore makes Exmo_20 unsound. 2. The main access point on B3179 will necessitate long car journeys due to this location being distant by road from town centres and places of employment – drivers have a long and complex route to any facilities and services. Indeed, some drivers will even have a long drive to exit the site from some locations on the site. All this conflicts with paragraphs 92 and 109 of the NPPF and therefore makes Exmo_20 unsound. 3. Cumulative and in-combination effects on the B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. Traffic along the B3179 has been steadily increasing in recent years as drivers from parts of Exmouth (eg Dinan Way area) use the B3179 as an alternative route to get to Exeter. Congestion near Clyst St George (and Clyst St Mary) has been getting worse and at peak times it can take 30 minutes longer to get to Exeter than it did 10 years ago. There are no meaningful public transport alternatives from the isolated location proposed. Exmo_20 is only going to worsen all of this. This conflicts with paragraph 114(d) of the NPPF and Policy OL09. 4. The proposed access point on

the B3179 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. The site allocation runs the risk of overwhelming Budleigh Salterton's town centre and access. This would conflict with the settlement hierarchy. Overall, the increased car use due to the isolated location, requiring a long drive even to exit the site, never mind to access facilities and services, coupled with limited opportunities for sustainable transport (in part due to the topography), means that Exmo_20 is in conflict with (i) paragraphs 92, 109 and 114(d) of the NPPF, (ii) policies TR01, TR03 and OL09, and (iii) paragraphs 3.6 and 11.2 of the Local Plan. All this makes Exmo_20 fundamentally unsound. I also have concerns about the location of the site, being part of Strategic Area 368, which I understand is identified as an important buffer between Exmouth and the Pebblebed Heaths. I am a member of Devon Wildlife Trust and have seen their submission that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development... We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC." I am also aware that East Devon National Landscape wants the site not to be adopted as development land. I therefore believe that the environmental impact of development of Exmo_20 would contravene paragraphs 16c, 181, 185(a), 186(c), 188, 191 of the NPPF, as well as Policies PB01, PB02 and PB04 and paragraphs 3.6, 13.10 and 13.24 of the Local Plan.

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.:

I strongly urge East Devon District Council not to include the proposed allocation to Exmo_20 within its Local Plan. Failing that, there needs to be: - a VERY significantly reduced housing number, closer to the existing Exmouth town settlement, preserving a greater rural boundary between the site and Pebblebed Heaths and giving more opportunity for sustainable transport; and - no access from the B3179 - the main access should be on the Exmouth town side of the development, thus avoiding traffic pollution along the Pebblebed Heaths and giving more opportunity for sustainable transport. However, only the complete removal of Exmo_20 from the Local Plan will properly address all of the very significant concerns I have with this proposed development site.

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)?: No, I do not wish to participate in hearing session(s)

Ollie and Jo Clark

Full name: Ollie and Jo Clark

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I would like to register my utter dismay at the plans to build 700 new homes in the Ting Tong area. I have been unable to swim in the sea for the past year due to the filth that SWW is pumping into the sea. Their complete failure to manage the existing flow of sewage will only be exacerbated by this development. *** Personal details have been removed *** should be ashamed of themselves. Where is the reassurance that SWW are going to be able to deal with this development. The River Otter is practically dead due to the sewage in it.

We have already had the Goodmore development. Years ago my family owned some of that land and lived in the big house there. Thank the Lord they are dead as they would be horrified.

We need the council's word that SWW will be able to cope with this development. Also how on earth will the top road cope with all the traffic? I often see deer in that field. Where will they go? This is such a beautiful place to live but it is slowly being turned into a concrete jungle. I feel very distressed and sad.

Regards,

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

*** Personal details have been removed ***

Dan Clarke

Full name: Dan Clarke

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Natasha Clarke

Full name: Natasha Clarke

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and
- d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Phil Clayton

Full name: Phil Clayton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
STOP EXMO_20

To who it may concern,

I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle

Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Kind regards, *** Personal details have been removed ***

Susan Close

Full name: Susan Close

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: it will significantly erode the buffer zone between the Pebblebed Heaths and the urban area to the south. Inevitably the increased population with its attendant cars, pets and recreational pursuits will adversely affect this natural habitat. I am also very concerned as to how the existing infrastructure will be able to cope with the increased traffic, water supply, rainwater run off and sewage drainage given the current situation.

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.: Remove Exmo_20 from the Local Plan. Reduce the size of Exmo_20. Do not access the site via B3179. Do not access the site via southern wood. Move the settlement boundary away from the Pebblebed Heaths. Revert to Exmo_20b as previously proposed.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Susan Close

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I am writing to protest against the proposed development of combined housing and industrial units on National Landscape Land, formerly known as an Area of Outstanding Beauty, on the outskirts of Exmouth. It is astounding that this proposal is being considered with regard to land which has a protected status, already a dwindling resource, and cherished by the community.

Bisected by the proposed road network, the well used and much appreciated cycle/foot path between Budleigh Salterton and Exmouth used by cyclists/ families/ dog walkers/ pedestrians/ disabled persons seeking recreation and sanctuary away from traffic would be changed beyond recognition. The suburban spread of Exmouth into this National Landscape Land, outstandingly beautiful because of its green fields and natural open spaces, makes a mockery of these labels. Where will it stop?

The increased traffic on local roads, already in dire need of repair, will only exacerbate the situation and add more traffic hazards. Above all, how can S.W. Water, already failing to treat our sewage properly and supply us with water that doesn't leak away into the ground, cope with any further development? Neighbouring Budleigh Salterton has already suffered a downgrade in its bathing water quality - which poses a serious health risk to residents and holiday makers alike. Surely, the company needs to put its house in order before servicing more properties.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

There is no doubt that the nation needs more housing, but first we need the provision of a strong, future-proof, well planned infrastructure, providing education, healthcare, efficient sewage treatment, community spaces and services, instead of stuffing extra housing willy nilly into any empty space.

Ben Cochrane

Full name: Ben Cochrane

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: This is massive over development of greenbelt land in an area that has been hammered in the last few couple of years. The proposed 'development' is the size of a village and will cause a detrimental impact on the traffic (have you been on our roads recently?) not to mention another massive loss to nature and biodiversity. How this is even being considered when it is right next door to pebble bed heaths with all the nature there is astonishing. The quality of life for us in east Devon is going down massively with the huge influx of houses going up on every field around exmouth. The increase in traffic, pollution, the loss of nature and peace is having a detrimental impact on many people I know that like me are born and bred in Devon. This is Devon not some metropolis with an endless supply of jobs. I ask you consider when does this end? When there are no fields left? A line has to be drawn as we are losing everything dear to us in the rural county of Devon. This is a huge over development and grossly out of proportion to the area and I plead for you to reject it, history will be kind to you if you do.

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.: Please remove Exmo_20 from the plan. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-

supply of housing allocations, due to not using the “most recent data published at the time

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)?: No, I do not wish to participate in hearing session(s)

Esther Cochrane

Full name: Esther Cochrane

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: This proposed development is just far too big and imposing for the local area. In my opinion, it will only negatively impact the local community and environment. Exmouth is plenty big enough, and it can barely manage its current sewage system! Our doctors are at full capacity and the roads are so busy and already in such a bad state of disrepair. This will all only get worse with more housing and more people moving into the area. Please consider the quality of life of the local people and the surrounding nature, this is one of the few beautiful areas left in the country, the reason why people come here for holidays, please don't ruin it! Also see the following reasons: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach,

particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Christine and Bernard Cole

Full name: Christine and Bernard Cole

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I wish to object to the building of a large housing estate on protected National Landscape.

Building on land outside the National Landscape would be cheaper, making it possible to build a bigger percentage of affordable homes which are desperately needed in Exmouth.

Additionally, the exit from the Exmouth-17 site would create traffic chaos and the access road would go straight across the much used Exmouth to Budleigh cycle/footpath, endangering children, elderly, cyclists, families and dogs.

Please care about the people of Exmouth. We have a wonderful community and it would be amazing if you could provide more affordable houses for the youngsters in need (Exmouth's future) and at the same time avoid building on our beautiful protected National Landscape.

Gary Coles

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District.

Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20 from the Local Plan.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage

of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this

building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk

pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the

settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

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.: Remove Exmo_20 from the Local Plan,

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Move the settlement boundary away from the Pebblebed Heaths

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)

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan,

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)

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

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.: Remove access from site on B3179

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gary Coles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”.

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.: Remove exmo_20 from local plan

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)

RF Collins

Full name: RF Collins

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.: SD03

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.: Thank you for setting out our concerns for development in Honiton. Please note, we wish to participate in examination hearing sessions, when they deal with Honiton?

Juniper Connal

Full name: Juniper Connal

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.:
Chapter 8: Housing Needs

The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area.

Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport

The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.

Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it.

There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Chapter 15: Historic Environment

The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also an old farmhouse on the perimeter (age?).

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

John Connolly

Full name: John Connolly

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Figure/Image

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

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Introduction chapter is legally compliant?:

Settlement Boundary Change at Bystock Village, Brixington Ward, Exmouth

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.: No

2(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction.: The settlement boundary change at Bystock Village, Brixington Ward, Exmouth is based on a factually incorrect application of the boundary change criteria, false assertions about links to nearby (non-existent) allocations and material omissions in relation to the made Exmouth Neighbourhood Plan heritage protections that apply to Bystock Village. These errors in fact render the Plan Unsound.

3. Do you consider that this part of the Introduction chapter is sound?: The remedy is simple. Leaving the Bystock Village settlement boundary at the location shown in the current Local Plan (2013 – 2031): - eliminates policy conflict between the made ENP and the emerging Local Plan, - eliminates policy conflict within the made ENP, - preserves the heritage protections for Bystock Village. In terms of the emerging Local Plan, the retention of the existing (2013-2031) settlement boundary at Bystock Village: - there is no reduction in strategic housing delivery targets, - there is no reduction in any emerging Local Plan benefits, - there is no need to change any other element of the emerging Local Plan policies, - there is no negative impact of any kind on the emerging Local Plan.

3(a). If yes, and you wish to support the soundness of this part of the Introduction chapter, please use this box to set out your comments.: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction 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 Introduction 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.:

The LPA have failed to correct material errors in fact contained in the Evidence. I have attached a document with detailed examination of the clause by clause errors in the LPA evidence. This material is additional to submissions made in the previous Regulation 19 consultation. In summary the Plan is Unsound because the LPA Evidence: 1. has mis-applied their own boundary criteria to justify the settlement boundary change. This is a material error in fact. 2. contains false assertions, conflicting and misleading statements. These falsehoods constitute a material error in fact. 3. ignores the material fact of the clear and specific heritage protection policies contained in the made ENP which have been specifically reinforced by previous Planning Inspectorate decisions. This omission is contrary to Government guidance on Plan Making. 4. has failed to address or justify the wholly avoidable policy conflicts between the emerging Local Plan and the made ENP and within the ENP itself. This is contrary to Government guidance on Plan Making. 5. creates no new strategic supply housing opportunities attributable to this boundary change and adds no value to, nor enables, any other strategic goal within the emerging Local Plan. 6. fails to demonstrate how a change that adds no value should take precedence over existing ENP heritage protection policies. These errors in material facts and omissions render the boundary change proposal Unsound.

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: The proposed boundary change is demonstrably Unsound. Resolving the issue is simple; return the settlement boundary to that shown in the current Local Plan 2013-2031 and delete paragraph 13.5 of document KSD-010(rev) in its entirety. This solution causes no diminishment of the delivery of houses within the emerging Local Plan, nor does it require re-writing any policies or other measures within the emerging Local Plan. At the same time, it retains the heritage protections for Bystock Village and removes any policy conflict between the emerging LP and the made ENP.

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: I do not believe that the LPA has made a reasonable attempt to reconcile their proposed boundary change with the damage it will cause to the clear heritage protections in the made Exmouth Neighbourhood Plan. Given the boundary change adds nothing of any kind to the emerging Local Plans objectives, it is hard to understand how the LPA is ignoring the clear desire of Exmouth Town Council to preserve this heritage area from unwanted

development. I can see no evidence of a structured conversation about this topic between the LPA and the Town Council. The LPA presumption appears to be the that Exmouth will simply have to dismiss its heritage protections from the next iteration of the Neighbourhood Plan, regardless of the clear view of the resident of Exmouth.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Yes, I wish to participate in hearing session(s)

1. To which part of the High Quality Design chapter does your representation relate?: Regulation 19 consultation second round objection.pdf:

<https://res.cloudinary.com/commonplace-digital-limited/image/upload/v1767800960/projects/68caca5749c1b0125abb2dae/respondent-upload/wjpur2jihgurzualozoc.pdf>

Full name: John Connolly

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP05

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Objection to change of Settlement Boundary at Bystock Village, Brixington Ward, Exmouth *** Personal details have been removed ***, Coach House, Old Bystock Drive, Exmouth, EX8 5EQ 1.
Introduction

I object to the proposed change of settlement boundary at Bystock Village, Exmouth.

The proposed move of the settlement boundary is a material consideration that is based on factually incorrect and false Evidence presented by the Local Planning Authority (LPA). In addition, the proposed change materially undermines the existing heritage protection policies contained in the made Exmouth Neighbourhood Plan (ENP).

In developing an emerging Local Plan that proposes conflict with a made Neighbourhood Plan, the

LPA must demonstrate:

1. Strong Evidence Base: The LP's emerging policies are backed by robust, up-to-date evidence demonstrating the need for change.

2. Demonstrate Strategic Need: Prove that overriding the specific heritage elements in the ENP is essential to meet wider strategic objectives (e.g., housing,

infrastructure) that the ENP failed to adequately address, ensuring the emerging LP is deliverable.

East Devon District Council (The LPA) has done neither of these things. The LPA Evidence:

1. has mis-applied their own boundary criteria to justify the settlement boundary change. This is a material error in fact.
2. contains factually incorrect assertions, conflicting and misleading statements. These falsehoods constitute a material error in fact.
3. ignores the material fact of the clear and specific heritage protection policies contained in the made ENP which have been specifically reinforced by previous Planning Inspectorate decisions. This omission is contrary to Government guidance on Plan Making.
4. has failed to address or justify the wholly avoidable policy conflicts between the emerging Local Plan and the made ENP and within the ENP itself. This is contrary to Government guidance on Plan Making.
5. creates no new strategic supply housing opportunities attributable to this boundary change and adds no value to, nor enables, any other strategic goal within the emerging Local Plan.

6. fails to demonstrate how a change that adds no value to the emerging LP should take precedence over existing ENP heritage protection policies.

These errors in material facts and omissions render the boundary change proposal Unsound.

The whole issue can be resolved by returning the settlement boundary to the position shown in Local Plan 2013-2031. This restitution requires no changes to any other aspect of the emerging Local Plan nor to the made ENP.

2. LPA Evidence to justify Settlement Boundary Change

A change in settlement boundary is a material change to a Local Plan and must be justified by appropriate, accurate and factually correct Evidence.

The Evidence that the LPA offers to justify the proposed change to the settlement boundary at Bystock Village is in Evidence and Examination Library; Section 3; Key Supporting Document KSD-010(rev) – Settlement Boundaries; paragraph 13.5 pg 39 et seq.

Th text in paragraph 13.5 represents the only Evidence that the LPA presents to justify the settlement boundary change.

For ease of reference, the entirety of paragraph 13.5 is shown below:

13.5 Consultation was undertaken on the proposed settlement boundary as part of the draft local plan in 2022 and a number of representations were received, including site specific comments related to the inclusion of land around Bystock Village. It was felt that this conflicted with criteria KSD-010(rev) Settlement Boundaries 42 B2 and B3 of the methodology because the areas are specifically protected by the Exmouth Neighbourhood Plan and are not well related to the built form of the settlement. Policy EN1 of the Neighbourhood Plan includes a clause that the areas defined in Figure 7 (replicated below) are locally important and distinctive areas outside of the settlement boundary where only minor proposals associated with existing buildings are likely to be acceptable. Although the area is on the periphery of Exmouth, it is considered to be

physically and functionally related to it and therefore comply with criteria B2. This link will be further strengthened by proposed allocations. Criteria B3 relates to ‘allocations’ in a made neighbourhood plan and so is not applicable in this case. However, areas defined on Fig.7 of the neighbourhood plan that lie outside of proposed allocations are largely excluded from the settlement boundary.

The commentary below demonstrates that the LPA Evidence contains factual errors and conflicting assertions, omits material facts, and makes false and misleading statements. These errors render the proposal to move the settlement boundary at Bystock Village Unsound.

2.1 Intentional mis-statement of material facts

The responses from myself and others to the first Regulation 19 consultation identified several factual errors in the LPA Settlement Boundaries document KSD-010 – Settlement Boundaries.

The nature of the errors is very easy to verify, and the LPA is legally required to consider all representations made during a Regulation 19 consultation.

The identified errors have been repeated in the LPA final documents being presented as part of the Evidence file for the Planning Inspectorate (KSD-010(rev)).

It is therefore reasonable to conclude that the LPA is intentionally mis-stating material facts and is basing the change of settlement boundary on false Evidence. This is enough to render this element of the emerging LP Unsound.

3. The factual errors in the Evidence

Paragraph 13.5 of KSD-010(rev), quoted above, contains two material facts that are wholly mis-stated by the LPA:

1. The boundary change is justified by the LPA, on the basis that the newly enclosed area complies with settlement boundary criteria B2

2. That the newly enclosed area is further justified by “This link will be further strengthened by proposed allocations”.

3.1 Settlement Boundary criteria

Paragraph 13.5 states:

“Although the area is on the periphery of Exmouth, it is considered to be physically and functionally related to it and therefore comply with criteria B2.”

The Settlement Boundary Methodology Criteria B2, (KSD-010(rev) Appendix A, pg 97), states that areas should be included within settlement boundaries if they contain:

“Built and extant planning permissions for community facilities, such as religious buildings, schools and community halls which are considered to be physically and functionally related to the settlement.”

This criterion is very specific and applies only to “community facilities that are well related to the settlement”. The part of Bystock Village proposed to be included in the new settlement boundary has no community facilities, religious buildings, schools or community halls. Neither extant nor with planning permission.

The nearby Bystock Court is not included within the new settlement boundary. Bystock Court is not a community facility, being a private care home for adults with learning difficulties. The new settlement boundary does not improve the access to Bystock

Court and, given that Bystock Court is excluded from the settlement boundary in the emerging LP, there is not even a vaguely credible argument that Criteria B2 applies.

The Evidence document appears to selectively quote just the last part of Criteria B2 and appears to be basing its inclusion purely on physical proximity to the existing settlement boundary, not the actual wording of Criteria B2.

The assertion in the Evidence that any of the included site complies with Criteria B2 is a factual error and means that the inclusion is not based in accurate fact.

This incorrect assertion has been used by the LPA throughout the Plan Making process; thus, it also means that the Strategic Planning Committee, Consultees including the public and Planning Inspectorate have been factually misinformed all the way through the Plan development process, rendering the Evidence Unsound.

3.2 Relationship with nearby allocations

Paragraph 13.5 excludes Boundary Criteria B3 as being non-applicable. Criteria B3 applies to:

“Site allocations identified in the draft local plan, or any made neighbourhood plan, for residential, community or employment uses which are physically and functionally related to the settlement.”

This is accurate as there are no site allocations at Bystock Village in either the emerging Local Plan, or made ENP, and the site therefore does not meet the criteria for inclusion within the settlement boundary.

However, paragraph 13.5 then justifies the inclusion of Bystock Village because:

“this link will be further strengthened by proposed allocations.”

There are no Allocations near Bystock Village, as can be seen in Chapter 5.3 of the Local Plan.

During the allocations screening process, the LPA considered and rejected two adjacent Allocations, EXMO_07 Bystock Court and EXMO_21 Land East of Bystock Court (Evidence section 11 Site Allocations SAL-022 Exmouth, map on pg 4).

EXMO_07 was rejected after detailed site evaluation on the grounds of heritage protections and environmental protection. (Evidence section 11 Site Allocations SAL-022 Exmouth pg 36).

EXMO_21 was rejected after a site specific evaluation on the grounds of wildlife and environmental concerns. (Evidence section 11 Site Allocations SAL-022 Exmouth pg 172).

The area of Bystock Village proposed for enclosure by the new boundary was never considered as an Allocation and is not included in the Allocations defined in the Evidence Chapter 5.3 of the Local Plan nor in any of the screening processes described in Sections 4 Housing or 11 Site Allocations of the emerging Local Plan.

As can be seen on the plan on pg 39 of KSD-010(rev) there are no allocations that connect to the proposed settlement boundary at Bystock Village. The nearest is EXMO-20 which lays on the east side of St Johns Road, and which has no connection at all, nor is access possible via Bystock Village. (Evidence section 11 Site Allocations SAL-022a(rev) Exmouth pg 26).

The proposed boundary change at Bystock Village changes a currently smooth boundary into a crude penetration into the surrounding countryside. (see Fig 5 of this document).

The statements related to nearby allocations are therefore factually incorrect, misleading and internally inconsistent.

The Settlement Boundaries Evidence statement that “This link will be further strengthened by proposed allocations.” is false, and the Evidence is unsound.

3.3 Physically and functionally related to

The LPA asserts that Bystock Village is “physically and functionally related” to Exmouth settlement. This general definition is not among the specific criteria defined by the LPA as meriting inclusion within the settlement boundary (KSD-010(rev) Appendix A). However, it is worth examining earlier descriptions of Bystock Village made by the LPA.

In 2014 and 2019 the LPA refused planning applications (13/2364/FUL and 19/0097/OUT) within Bystock Village on the grounds that the sites lay outside the Settlement Boundary. Both applications were also rejected on Appeal. In both cases the LPA delegated officer report described Bystock Village as:

“.....former Bystock Estate buildings, of a more irregular layout that is rather more semi-rural in

character, in contrast to the planned layout and greater density exhibited in the more recent estate development which is of a more suburban character and typical of more modern edge of settlement expansion.”

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“.....former Bystock Estate buildings, of a more irregular layout that is rather more semi-rural in

character, in contrast to the planned layout and greater density exhibited in the more recent estate development which is of a more suburban character and typical of more modern edge of settlement expansion.” Nothing has changed since these reports and Bystock Village remains wholly unlike the built environment of Brixington Ward.

Bystock Village shares almost no built environment with urban Exmouth, being served by an unadopted, private, single track driveway with no passing places, no streetlights, no pavement and only partially shared drainage.

Bystock Village more closely resembles the area of Exmouth described in Para 13.2 of KSD-010(rev)

which was excluded on the grounds:

“here lower density, detached housing is interspersed with open fields. Parts of this road lack footways and are unsuitable for pedestrian use. It is therefore excluded from the settlement boundary as indicated on the map below, as it was from the adopted local plan.”

4. Failure to properly consider material facts in the made Exmouth Neighbourhood Plan

Paragraph 13.5 notes that the LPA knows that the made ENP has specific heritage protection policies. However, the Evidence then completely mis-states the nature and extent of the protections and ignores the policy conflict arising from the change in settlement boundary.

4.1 Bystock Village definition

In creating the ENP and in compliance with para 204 of the NPPF, Exmouth Town Council took great care to ensure that Bystock Village was demonstrably of special social, architectural and historic interest. The ENP Evidence for conservation of Bystock Village includes over 400 pages of specific, published, detailed historic research into the history of the Bystock and neighbouring Marley Estates.

The LPA were a statutory consultee to the ENP Heritage protection provisions for Bystock Village, prior to their adoption. There is no evidence that circumstances have changed since the LPA agreed its inclusion in the ENP and the LPA offers no evidence to show that circumstances have changed.

While most buildings within Bystock Village are unlisted, the NPPF is clear that damage and harm to non-designated heritage assets must also be carefully considered (NPPF 2024 para 216).

In the ENP, Bystock Village is a specifically delineated area that the LPA wholly fails to acknowledge in its Evidence. Figure 14 in the ENP shows the mapped area of Bystock

Village that the ENP heritage protections specifically apply to. The LPA Evidence ignores this important ENP plan, which constitutes a material fact (made ENP; Policy EN1, pg 29 and Fig 7, pg 54). The ENP heritage protection area is designed to protect not only the Grade 2 listed Bystock Court, but also the original estate buildings that have group value and that, together, preserve an intact working estate that dates from at least the early 1800's. The earliest recorded existence of Bystock Estate is the early 1700's when the *** Personal details have been removed *** family are recorded as owning the lands and property. The current layout of estate houses has been in place since the early 1900's.

Most of the estate houses pre-date the current Bystock Court, evolving in form from the early 1800's. The octagonal core of the Old Dairy has been there since the very early 1800s and possibly a little earlier. Bystock Village most certainly exhibits a "unique sense of place".

The spatial integrity of the layout of Bystock Village is unique in East Devon. Enabling future infill buildings will destroy the historic context.

4.2 Heritage protections for Bystock Village in the ENP

The made ENP says of Bystock Village:

"The Neighbourhood Plan has highlighted these areas in a policy, as evidenced in the community consultation process. There is proportionate, robust community evidence behind these choices. The

community is clearly indicating that these areas are the last place they want to see development on." (made ENP, pg 29, para 10)

The ENP goes on to say:

“The following sites (including Bystock Village) have been identified as locally important and distinctive areas outside the Built Up Area Boundary (BUAB) where only minor proposals, associated with existing residential or business premises, are likely to be supported” (made ENP Policy EN1. Para 3, pg 29).

The Planning Inspectorate have supported and clarified the meaning of the ENP policies. In refusing a 2019 Planning Appeal (APP/U1105/W/19/3227752 dated 14 August 2019) the Planning Inspectorate said:

“The ENP also specifically identifies the Bystock House Estate as a locally important and distinctive area outside the BUAB where only minor proposals associated with existing residential or business premises, are likely to be supported. Whilst the term “minor proposals” is undefined, there is no suggestion that it should include the creation of new residential uses” (Planning Inspectorate Appeal refusal APP/U1105/W/19/3227752)

In April 2024, Exmouth Town Council published a “Neighbourhood Plan – Evidence base and policy development report”. This report was intended to inform a future update of the ENP. It made no recommendations for any changes to heritage protections at Bystock Village.

In combination, the ENP policies and the prior decision of the Planning Inspectorate create a material set of policy considerations that the LPA must consider if they propose to change the planning status of this heritage area. Based on paragraph 13.5, the LPA has ignored these material facts and provides no argument at all to justify a change.

4.3 Destructive impact of proposed boundary change

Paragraph 13.5 makes the following assertion:

“However, areas defined on Fig.7 of the neighbourhood plan that lie outside of proposed allocations are largely excluded from the settlement boundary.”

Given that there are no allocations in the area covered by Figure 7, a reasonable interpretation of the LPA Evidence wording is that Bystock Village is excluded from the

Settlement Boundary. This is demonstrably not true, and this Evidence statement is Unsound.

While Figure 7 (KSD-010(rev), pg 42) of the ENP shows the full extent of the former Bystock Estate, it is wholly misleading to imply that this means that the heritage protections remain intact. The actual change is clearly shown when one plots the proposed settlement boundary onto the ENP plan of the protected area of Bystock Village. It is clear from this that the emerging LP spatial policy would result in the evisceration of the integrity of Bystock Village, through a process of enabling garden grabbing. The LPA Evidence specifically ignores this, instead, offering an easily misunderstood generalization in relation to figure 7. It is noteworthy that a Brixington Councillor enquired specifically about this proposed boundary change. He reports that he was told, by the LPA Local Plan team, that Bystock Village was excluded from the boundary change.

5. Policy conflicts

The proposed boundary change converts Bystock Village from an area where development is precluded (current LP Policies 6 and 7), to one where development is assumed to be acceptable (emerging LP policy 6). This is specifically deleterious to the heritage protection measures in the made ENP.

The change also creates policy conflict within the ENP. The current ENP spatial policy EN1 mirrors that of the current LP, with development outside settlement boundaries prohibited unless specifically allowed by other policy.

The new boundary would create a situation where the ENP both allowed development under its spatial policy and prohibited it under its tested heritage protection policies.

The Evidence fails to identify any of these policy conflicts and offers no Evidence to demonstrate that they are justified by a Strategic need in the emerging Local Plan.

6. Zero benefit to proposed change

The proposed boundary change adds no new housing to the calculated strategic supply of housing, nor does it enable the delivery of any other strategic element of the emerging LP. The LPA offer no Evidence to demonstrate the strategic need for a settlement boundary change at Bystock Village.

7. Correcting the emerging Local Plan errors

The proposed boundary change is demonstrably Unsound. Resolving the issue is simple; return the settlement boundary to that shown in the current Local Plan 2013-2031 and delete paragraph 13.5 of document KSD-010(rev) in its entirety.

This solution causes no diminishment of the delivery of houses within the emerging Local Plan, nor does it require re-writing any policies or other measures within the emerging Local Plan.

At the same time, it retains the heritage protections for Bystock Village and removes any policy conflict between the emerging LP and the made ENP.

8. Conclusion

The Evidence presented by the LPA is Unsound based on its factual errors, omission of material facts, failure to consider important heritage protection measures in the made ENP and misleading assertions that are not based in fact.

At the same time the LPA has not provided any evidence of the need for change. The change creates no additional strategic housing nor enable delivery of any tangible benefit. It does however enable the future material damage to a clearly identified and protected heritage asset in exchange for no tangible benefit.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: The remedy is simple. If the LPA leave the Bystock Village settlement boundary at the location shown in the current Local Plan (2013 – 2031), then:

- there is no reduction in strategic housing delivery targets,
- there is no reduction in any emerging Local Plan benefits,
- there is no need to change any other element of the emerging Local Plan policies,
- there is no conflict between the made ENP and the emerging Local Plan,
- there is no conflict within the made ENP,
- the heritage protections for Bystock Village remain intact,

- there is no negative impact of any kind on the emerging Local Plan.

Helen and Frank Connor

Full name: Helen and Frank Connor

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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.: RE: Request to Remove Otry 21 From EDDC Emerging Reg.19 Local Plan

I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042.

Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision.

The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. a) b) c) 2. a) b) c) Failure to Meet National Policy Requirements

Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

SP06 – which restricts development outside settlement boundaries.

AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

13. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

- a) The distinctive countryside setting,
- b) The historic settlement pattern, and
- c) the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

- a) Chronic congestion in the historic town centre,
- b) High car dependency.
- c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging.

Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore:

Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

- a) Ottery St Mary has no capacity for additional residential development.
- b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.
- c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.
- d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

2Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats

The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations.

The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary.

Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon plan.

Judith Constable

Full name: Judith Constable

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: It is in conflict with paragraphs 16c, 32, 73b, 180d, 180e, 181, 185a, 186b, 188 and 191c of the NPPF December 23; it is unsound and not legally compliant. It also conflicts with para 3.6 policies PB01, PB02, PB03, PB04 and OL02 of the Local plan. The proposal is adjacent to Pebblebed Heaths SAC/SPA/SSSI and the plan HRA states, "There is, as yet, no means to mitigate or address the risks" to significant habitats and species. So this is clearly, at the moment, and unsuitable site. The Mitigation Hierarchy set out in NPPF para 32 has to be followed; and allocation of this site cannot be justified where there are other viable and less mitigation-reliant sites to select. NB the plan has an over-supply of housing allocations; so development of this site is not necessary.

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.: This large development is surrounded by countryside and is not attached to any town or village. It's not right to build a new settlement in the middle of virgin countryside. The nearest settlement is the very small hamlet of Ting Tong, which is a drive away. It urbanises the green buffer between a highly protected nature reserve and farmland, and the villages and hamlets of Ting Tong, Budleigh Salterton, and (further away), Exmouth. The only argument in its favour seems to be that it's flat; presumably for sale, and a drive away from an out of town Tesco and a Civic Amenity site.

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.: Remove Exmo_20 from the Local Plan

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I don't think it's necessary to participate; this is a different question from whether I wish to (I don't really)! Please don't dismiss my objection if I'm not there. I'm happy to answer questions if it will help.

Jennifer Coombes

Full name: Jennifer Coombes

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council’s own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and

biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local

infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: - Unsustainable - In conflict with national, local, and neighbourhood policies - Environmentally harmful - Infrastructure-constrained - Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

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.: Remove site Otry_21 from the local plan

Full name: Jennifer Coombes

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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.: See attached letter

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.: See attached letter

Full name: Jennifer Coombes

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: See attached letter

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.: See attached letter

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.: Removal of Otry_21 as a development site

Hannah Cooper

Full name: Hannah Cooper

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Robert Cooper

Full name: Robert Cooper

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: It's adjacent to the AONB and in an elevated position. This development will be detrimental to the landscape, impacting on the AONB.

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.: No development in or in close proximity to the AONB and/ National Landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Timothy Cope

Full name: Timothy Cope

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: I am e-mailing about this proposed development of houses and business premises in this location It is a part of a national landscape of beauty I believe and should be treated as such This being said any new developments within Exmouth at this time should be carefully thought through The infrastructure within Exmouth is already under immense pressure, not only healthcare educational and road networks even sewage Please, before agreeing to new developments, take these issues very seriously EMO-17 is an area where people of Exmouth do not want to see development of any kind

Sebastian Cope

Full name: Sebastian Cope

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.: Devon

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: I don't know whether it is legally compliant however it seems to be too specific for smaller properties.

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: There are a lot of old small farms in East Devon that have small dwellings or bungalows. Restricting replacement or extensions only 30% larger will inhibit investment into properties and encourage more dilapidation of these properties. If a small farm has a bungalow with a GIA of 85 sq m and they would like to add a storey to the property, this would not be permissible.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs 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 Meeting Housing Needs 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.: D. The floorspace of any replacement dwelling, or subdivided or converted building (including garages, outbuildings and any habitable space) may exceed that of the existing building where the increase can be clearly justified and where the resulting scale, height and massing remain appropriate to the site and its surroundings.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: As above

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Robin Corse

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

xmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Robin Corse

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Suzanne Cosgrave

Full name: Suzanne Cosgrave

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Cosgrave

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20 do not access the site via B3179 nor via Southern Wood

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)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Cosgrave

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20 and do not access the site via B3179 nor via Southern Wood

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)?: No, I do not wish to participate in hearing session(s)

Full name: Richard Cosgrave

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

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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

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Full name: Suzanne Cosgrave

Proposal:

5. Development in the Towns and Villages

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feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20 and do not access the site via B3179,

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)?: No, I do not wish to participate in hearing session(s)

Full name: Suzanne Cosgrave

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20 and do not access the site via B3179

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)?: No, I do not wish to participate in hearing session(s)

Trudi Cotton

Full name: Trudi Cotton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.:

Dear Planning team We understand how difficult this decision must be and how you are being pressured by the national government, however after much thought we feel the choice of Exmo-17, a large area opposite Liverton Trading Estate is the worst possible choice., for the reasons given below.

1. For years there has been the Green Belt, which has limited development and we can see that towns may have to expand into this land but this is in an area categorised as an Area of Outstanding National Beauty (now National Landscape). It would be very sad if it were to become another messy estate, such as Goodmores, where developers have ignored many of the environmental restrictions placed by the council and seem to be constructing a treeless desert.

2. Of course once the area is breached then other estates will rapidly follow, leading to the National Landscape designation becoming laughable and more of the beauty of our area disappearing. One reason for this is that building on this land will be cheaper for developers.

3. Developers who build there will not build the kind of houses that the government wants. Why would you build affordable housing when the chance of 4 and more bedroom houses with sea and beautiful countryside views will sell for so much more?

Live West has not built the agreed amount at Goodmores and the council can do nothing about this.

4. The road Exmo-17 would be built on is dangerous and friends of ours were nearly killed exiting the Liverton estate only last year. One has been left with life changing injuries.

5. The access road will also cross the Exmouth to Budleigh cycle path endangering its many users at a time when cycling in the area is being promoted by the council. There are also walkers (like us), people exercising their dogs and children who use this path.

6. Of course all the schemes will object on environmental grounds and this one is no exception. Apart from the threat to wildlife, we all need beautiful views and green spaces for mental health and these views create a particularly lovely exit from Exmouth.

7. And, as you well know, any development will put an enormous strain on our already strained water and sewerage system and this particular choice will only encourage further building, as stated above in Point 1.

Yours sincerely

Alison Court

Full name: Alison Court

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I believe that Exmo_20's allocation would overwhelm Budleigh Salterton's services and facilities in particular, and generate an unacceptable increase in traffic to/from both Budleigh Salterton and Exmouth to the significant detriment of both communities. As I understand it, the proposed access onto the B3179 would need major work which has not been properly costed and planned. But even with that work, the allocation would lead to unacceptable congestion on already busy roads and to air pollution. As I also understand, a host of expert organisations - the Devon Wildlife Trust, RSPB, Natural England and Historic England - have warned of unacceptable environmental and other impacts, and some have raised the possibility of reducing the scale and changing the boundary of the site to reduce some of them. But the key point is that the whole allocation is unsound because of its PROXIMITY to vital habitats, and at least as importantly its ISOLATION from existing communities and existing roads (and rail) that could cope with increased traffic. Note also the struggles that SW Water has had dealing with sewage in the area recently. Tankers night and day streaming from Lime Kiln car park to Exmouth. The system already cannot cope. I also believe that our environment cannot always take more development. If you look at what our countryside looked like 100 or even 50 years ago, the rate of development is obvious and unsustainable. There has to be a point when we say NO. We have to try to save what we still have, for the future health, mental and physical of our children and, we hope, our children's children.

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.: Remove it from the local plan. Development cannot continue to be on green land. It has to be on brownfield sites. And it has to be closer to transport infrastructure.

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)?: No, I do not wish to participate in hearing session(s)

David Cowan

Full name: David Cowan

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The proposed development is not suitable for the proposed location due to: Environmental - impact on the pebble bed area and historical site. Infrastructure - the current infrastructure cannot cope so any new development will just add to these issues. A key issue is the current road system in the area which is at capacity and not safe . Local services - Budleigh and Exmouth schools and health services are stretched already and would not cope with with this proposed development.

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.: Seek an alternative site .

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)?: No, I do not wish to participate in hearing session(s)

David Cowler

Full name: David Cowler

Proposal:

4. Development at the West End

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.: WS02

1(b). Does your comment relate to one of the changes listed above?: Yes

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.: The substation should not be located near to existing Farringdon properties

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.: Find alternative location away from residential properties

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Helen cox

Full name: Helen cox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important

function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land.

Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs

off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing

development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be

notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites

should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

Stephen Craddock

Full name: Stephen Craddock

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.: SD03

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Honi_07 ,Honi 13, Honi 14, Honi 18

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: here is not sufficient infrastructure in place to allow for more housing development. S W Water cannot cope as it is with Honitons waste water plant already 40% over capacity. All developments will increase traffic on already busy roads and will increase poor air quality and noise due to this increase. All developments are on green field sites therefore impacting on wildlife and the environment.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: S W Water to completely build a new waste water treatment plant. Each development should have rainwater attenuation. Infrastructure such as increased capacity to GP surgeries, schools etc should be funded.

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.: The basic infrastructure around Honiton cannot cope with increased traffic, increased patients to the surgery or increased children to the schools.

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.: S W Water to completely build a new waste water treatment plant. Each development should have rainwater attenuation. Infrastructure such as increased capacity to GP surgeries, schools etc should be funded.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I do not believe that EDDC have adequately engaged in Constructive Engagement, Strategic Planning: The duty emphasizes the importance of strategic planning, which involves addressing larger issues that cannot be resolved by a single authority alone. This includes policies related to sustainable development and environmental management. I do not agree that they have also Demonstrated Compliance

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Carole Crandon

Full name: Carole Crandon

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.9

1(b). Does your comment relate to one of the changes listed above?: No

2. Do you consider that this part of the Introduction chapter is legally compliant?:

Yes

3. Do you consider that this part of the Introduction chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: Question of transport links.

Buses need to be made available in villages where population is more likely to be elderly and driving difficult.

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Carole Crandon

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Paragraph

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

3.14

1(b). Does your comment relate to one of the changes listed in the table above?: No

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Chardstock is a small village with very limited access and an elderly population. Your proposal is to destroy green fields and increase the population by more than 10 percent. Infrastructure could not support this increase.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: A drastic reduction in the number of houses proposed and to situate them at the end of the village closest to the main road there is also the prospect of building where the George Inn sits which would save the destruction of Green fields.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Many residents presented comments at previous discussions, these have clearly been ignored as no modifications to the plan have been made. It appears to still be your intention to destroy the fabric of the village for financial gain.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

dr helen crighton

Full name: dr helen crighton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:
Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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

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Full name: dr helen crighton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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

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Full name: dr helen crighton

Proposal:

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Exmo_20

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.:

Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property

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Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
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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.:

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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.: remove exmo_20 from the local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove exmo_20 from the local plan revert to 20b as previously planned

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)?: No, I do not wish to participate in hearing session(s)

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology May 2022)]

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)]

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound

Full name: dr helen crighton

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page]

Stephen Crook

Full name: Stephen Crook

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The development proposed at Exmo_20 could and should be located on an alternative site where it would cause less or no harm to the Pebblebed Heaths(SAC/SPA). Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. The main access point of Exmo_20 is significantly closer to Budleigh Salterton than Exmouth, making Budleigh its most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the obvious choice for residents of Exmo_20. This would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the local Plan.

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.: Reduce the size of Exmo_20 * Do not access the site via the B3179 * Do not access the site via Southern Wood * Revert to Exmo_20b as previously proposed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Evelyn Crook

Full name: Evelyn Crook

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

1. Increase in traffic on small, poor roads. Without dedicated transport infrastructure there will be a large increase in traffic, especially at certain times, leaving for work / school and then coming home from school then work. There are no footpaths planned or on site schools so every child and working person will be making trips by car. The site is not suitable for such an increase in traffic 2. The proposal for a large development so close to Pebblebed Heath and all its unique landscapes and endangered wildlife is astonishing on the part of the planners. There is no mitigation possible that would account for the damage that would be done. 3. Health infrastructure. I see no provision for health care on site. The burden of new housing of this scale is likely to overwhelm local primary health care, especially in an area with a high proportion of elderly residents

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.:

1. Road widening and speed restrictions on current roads to make them suitable for the increase in traffic burden. Footpaths to local shops and schools to decrease the number of car journeys. Extra bus routes to the development to decrease the number of

bus journeys . 2. I do not believe there is any mitigation to the damage to local wildlife and environment. Remove Exmo_20 from the list of sites 3. Provide new GP surgery for the development

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)?: No, I do not wish to participate in hearing session(s)

Nathaniel Cross

Full name: Nathaniel Cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Nathaniel Cross

Proposal:

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

stephen cross

Full name: stephen cross

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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Exmo_20

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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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: stephen cross

Proposal:

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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kirsty cross

Full name: kirsty cross

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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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site,

using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: kirsty cross

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Diane Cubitt

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan,

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan,

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Diane Cubitt

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.: The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and

supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Diane Cubitt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Edward Cudworth

Full name: Edward Cudworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Reduce the size of the Exmo_20 housing allocation to reduce impact on the area and bring it more in line with local housing needs.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Revert to 20b as previously proposed to reduce the impact on and proximity to the Pebbled Heaths.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the Local Plan as the access to both Budleigh Salterton and Exmouth is not suitable without adding significant traffic to the already strained road network, especially on the B3179.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Reduce the size of Exmo_20 allocation to reduce the amount of housing that produce waste water, and hard surfaces (roads, paving, tarmac etc) that exaserbate surface water flood risks.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Edward Cudworth

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal to have the majority/bulk of the access onto the B3179 is not appropriate. This is an already busy, narrow, unlit and dangerous stretch of road that sees regular traffic accidents and debris in the road from the fragile banks and surrounding trees. To make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths.

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)?: No, I do not wish to participate in hearing session(s)

Mary Culhane

Full name: Mary Culhane

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

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

7.4

1(c). If the comment is related to a site, please state the site reference here.: Water Cycle Study

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: I'm concerned that the Water Cycle report doesn't include major issues which will impact us all in the future.

Flow rates were last reviewed in 2010. By the next census date in 2031, East Devon's population will have increased significantly by around 41,000 and to 60,000 by 2042, with an additional 9 million litres of water required every day.

My question is that I don't feel the council is across ensuring the EA and SWW have plans in place to treat this additional flow? I certainly don't see it addressed in the report.

This report and previous ones stated new developments should be designed to reduce daily water consumption, yet it continues to rise and is currently around 150 litres per person per day. What plans have the Council got to ensure reducing water consumption?

I look forward to hearing from you.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Liz Culpepper

Full name: Liz Culpepper

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: This is far too many houses for this site.

Quinton Cumbes

Full name: Quinton Cumbes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have recently been made aware of the plan to build 700 houses on the outskirts of Exmouth. I wish to object to this scheme.

Such a large increase in houses, I am concerned that the amenities will not be in place to support the scheme. With the current SWW treatment works being unable to cope with the sewage from the town, I cannot see that another 700 houses will help the situation. A large increase in houses will also need an appropriate increase in healthcare, GP's and school places. Has this been taken into account? I question how and where traffic from such a large estate will be dealt with, The roads in the area are already overcrowded.

I am a volunteer with the Pebblebed Heaths Conservation Trust. I see from the map it will be a road width's away from the heathland. I have carried out surveys this Spring in the area, counting Dartford Warblers, a very rare and important resident of the heath. Our survey came within a stone throw of the proposed project. Such a large new area of houses will impact on this and other rare species on the heath due to their proximity.

All in all, this is a very large area of proposed housing in the wrong place. I object to the plan to build so many houses here.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Delete Exmo_20

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.: I

have recently been made aware of the plan to build 700 houses on the outskirts of Exmouth. I wish to object to this scheme.

Such a large increase in houses, I am concerned that the amenities will not be in place to support the scheme. With the current SWW treatment works being unable to cope with the sewage from the town, I cannot see that another 700 houses will help the situation. A large increase in houses will also need an appropriate increase in healthcare, GP's and school places. Has this been taken into account? I question how and where traffic from such a large estate will be dealt with, The roads in the area are already overcrowded.

I am a volunteer with the Pebblebed Heaths Conservation Trust. I see from the map it will be a road width's away from the heathland. I have carried out surveys this Spring in the area, counting Dartford Warblers, a very rare and important resident of the heath. Our survey came within a stone throw of the proposed project. Such a large new area of houses will impact on this and other rare species on the heath due to their proximity.

All in all, this is a very large area of proposed housing in the wrong place. I object to the plan to build so many houses here.

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.: Delete Exmo_20

Louisa Currier

Full name: Louisa Currier

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: It is unacceptable to build on viable agricultural land.the 2025 harvest was very poor due to extreme weather events, with farmers in East Devon having to use their winter feed in summer for cattle. The economy and culture of East Devon is dependant on farming, it is essential we protect this valuable asset.

Chris Davis

Full name: Chris Davis

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 12.16

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not legally compliant. Please be as precise as possible.: I am not sure of the legalities. I want to make a comment

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Landscape chapter legally compliant. 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.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Our Outstanding Landscape 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.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

4. Do you consider that this part of the Our Outstanding Landscape chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The new development foresees hundreds of new houses. How will the transport infrastructure be improved to allow for much more traffic on narrow country roads?

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Gareth Davis

Full name: Gareth Davis

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

There is no viable access to this site, the B3179 is a narrow road which already has too much traffic using it, accidents happen quite frequently on this road. This development is also too close to the pebblebed heaths which would effect the wild life that inhabit the heaths especially nesting birds such as the nightjar.

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.: Do Not access the site via the B3179 or Southern Wood Move the boundary away from pebble bed heaths. Reduce the size of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Jenifer Davis

Full name: Jenifer Davis

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Regarding the most objected to and unpopular proposed development of 700 new houses as indicated on the Site Selection Report at East Devon District Council, reference Exmouth20, I am objecting to developers, Eagle Investments, aiming to forever change and spoil Southern Wood on the outskirts of Exmouth, to change it from a cul de sac into a potentially busy through road, by stripping and ploughing through established woodland at the bottom of the road, in order to build a bridge over Withycombe Brook for vehicle access to their proposed development site, a site set at a much higher level than Southern Wood. Planning Officers must come and see for themselves the folly of this idea of a through road before it becomes a pending nightmare. They need to see for themselves, not rely on photographs or second hand information, how wide Withycombe Brook is at the bottom of Southern Wood, how much higher the land is on the other side of the brook, so that they will know a very substantial structure would need to be built to support a bridge for any vehicle access, also to consider the future safety, the upkeep and maintenance costs which would be the sole responsibility of the council. Planning Officers also need to see for themselves the parking issues in Meadow View Road which runs along the top of Southern Wood; how access will be frustrating if more traffic goes back and forth through Southern Wood. If homeowners use this route from the new development, they would be no nearer present schools, shops or any infrastructure because of the disadvantage of having to navigate these minor roads with parked vehicles. The parking issues have arisen because some landlords, who own properties in the proximity, have let their

garages out separately, leaving tenants with no off-road parking. An unresolvable problem. I live in Southern Wood. It is a quiet cul de sac with just 12 houses. The road is approximately 6.2 m at its widest point, with raised curbs and paths. The road slopes downwards towards Withycombe Brook with woodland and fields beyond. Every house from the top of Southern Wood falls lower than its neighbour. As an example, our house is approximately one metre lower than our neighbours. The houses at the bottom of Southern Wood, numbers 5 and 6, both nearest Withycombe Brook, I understand are level 3 flood zone. The brook does gush after heavy rainfall. We now have slight flooding down the side of our house to paddle through after heavy rain and must make sure our drains are always clear of leaves. There is also puddling in our rear garden after heavy rainfall which is a new occurrence. Flooding concerns would become an issue as our winters are becoming wetter, if 700 or more new houses are built at a much higher level than Southern Wood. We have been protected with trees and fields taking up most of the rainwater, but a housing estate would not do this. In the Exmouth Journal, 19th January 2026, they included a report by the environmental group Round Our Way, quoting East Devon had 673 alerts and warnings recorded since 2011 during the most severe flood seasons, according to a new analysis based on Environment Agency data. This equates to 436.1 alerts and warnings per 100,000 residents, placing East Devon among England's top 20 most impacted areas. Eagle Investments appear to be confident they will be awarded planning permission to have vehicle access through Southern Wood, as they have already felled many trees surrounding Withycombe Brook where it runs along the bottom of Southern Wood. They started felling the trees in 2023. When asked by neighbours the reason, they were told it was due to Ash dieback. I understand Eagle Investments obtained a licence from the Forestry Commission, application Ref: 018/2753/2022, a licence with permission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". Sadly, Eagle Investments workers have felled many trees located in the path of their new proposed bridge and road before any planning permission has been given. You can now see through the woods towards the fields; the denseness has been depleted. Crows used to nest in the trees at the bottom of Southern Wood and fly around in circles above before roosting, but they have mysteriously moved on. We know trees are important, not only in helping flood management but also helping to minimise pollution. If Eagle Investments are given permission to go through Southern Wood and build a bridge over Withycombe Brook for vehicle access, they will need to clear all the remaining trees, therefore disregarding any conditions of their licence from the Forestry Commission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". It will be a shame if an unnecessary through road is allowed to change the environment we presently enjoy in Southern Wood, especially as there is already access to the proposed development site from the entrance to Liverton Business Park,

on the B3178, the Salterton Road. This business park has established roads and retail units with free parking and leads directly to the proposed development site. It is also home to the emergency services. To use the route through the Liverton Business Park would save pointless junctions being created on our country roads, many without footpaths, therefore limiting destruction to our wildlife and I expect saving costs. There are traffic lights at the Tesco store on the Salterton Road, there are traffic lights at the top of Dinan Way successfully serving many established developments and keeping traffic safe. So, traffic lights at the entrance to Liverton Business Park, which is presently quite dangerous as some drivers take chances to leave, would make any new junctions or through roads unnecessary, and so much safer and more convenient for all. I can see no point in causing chaos and structural upheaval to Southern Wood by making it a through road, forever spoiling its environment and established woodland with its homes for wildlife and I object to this. I can see no point in creating unnecessary new junctions on our country roads as proposed and I object to this. I trust that planners will consider these issues and protect our environment. I would point out to the reader the red line Eagle Investments have drawn on Exmouth 20b, shows intended access not from Southern Wood, but from Woodfield Close, an area with garages and parking for the residents there. This error should be corrected.

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.: Remove Exmouth_20 from the local plan. Do not access the site from Southern Wood.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jenifer Davis

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Regarding the most objected to and unpopular proposed development of 700 new houses as indicated on the Site Selection Report at East Devon District Council, reference Exmouth20, I am objecting to developers, Eagle Investments, aiming to forever change and spoil Southern Wood on the outskirts of Exmouth, to change it from a cul de sac into a potentially busy through road, by stripping and ploughing through established woodland at the bottom of the road, in order to build a bridge over Withycombe Brook for vehicle access to their proposed development site, a site set at a much higher level than Southern Wood. Planning Officers must come and see for themselves the folly of this idea of a through road before it becomes a pending nightmare. They need to see for themselves, not rely on photographs or second hand information, how wide Withycombe Brook is at the bottom of Southern Wood, how much higher the land is on the other side of the brook, so that they will know a very substantial structure would need to be built to support a bridge for any vehicle access, also to consider the future safety, the upkeep and maintenance costs which would be the sole responsibility of the council. Planning Officers also need to see for themselves the parking issues in Meadow View Road which runs along the top of Southern Wood; how access will be frustrating if more traffic goes back and forth through Southern Wood. If homeowners use this route from the new development, they would be no nearer present schools, shops or any infrastructure because of the disadvantage of having to navigate these minor roads with parked vehicles. The parking issues have arisen because some landlords, who own properties in the proximity, have let their garages out separately, leaving tenants with no off-road parking. An unresolvable problem. I live in Southern Wood. It is a quiet cul de sac with just 12 houses. The road is

approximately 6.2 m at its widest point, with raised curbs and paths. The road slopes downwards towards Withycombe Brook with woodland and fields beyond. Every house from the top of Southern Wood falls lower than its neighbour. As an example, our house is approximately one metre lower than our neighbours. The houses at the bottom of Southern Wood, numbers 5 and 6, both nearest Withycombe Brook, I understand are level 3 flood zone. The brook does gush after heavy rainfall. We now have slight flooding down the side of our house to paddle through after heavy rain and must make sure our drains are always clear of leaves. There is also puddling in our rear garden after heavy rainfall which is a new occurrence. Flooding concerns would become an issue as our winters are becoming wetter, if 700 or more new houses are built at a much higher level than Southern Wood. We have been protected with trees and fields taking up most of the rainwater, but a housing estate would not do this. In the Exmouth Journal, 19th January 2026, they included a report by the environmental group Round Our Way, quoting East Devon had 673 alerts and warnings recorded since 2011 during the most severe flood seasons, according to a new analysis based on Environment Agency data. This equates to 436.1 alerts and warnings per 100,000 residents, placing East Devon among England's top 20 most impacted areas. Eagle Investments appear to be confident they will be awarded planning permission to have vehicle access through Southern Wood, as they have already felled many trees surrounding Withycombe Brook where it runs along the bottom of Southern Wood. They started felling the trees in 2023. When asked by neighbours the reason, they were told it was due to Ash dieback. I understand Eagle Investments obtained a licence from the Forestry Commission, application Ref: 018/2753/2022, a licence with permission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". Sadly, Eagle Investments workers have felled many trees located in the path of their new proposed bridge and road before any planning permission has been given. You can now see through the woods towards the fields; the denseness has been depleted. Crows used to nest in the trees at the bottom of Southern Wood and fly around in circles above before roosting, but they have mysteriously moved on. We know trees are important, not only in helping flood management but also helping to minimise pollution. If Eagle Investments are given permission to go through Southern Wood and build a bridge over Withycombe Brook for vehicle access, they will need to clear all the remaining trees, therefore disregarding any conditions of their licence from the Forestry Commission "to fell trees for silvicultural thinning to improve the quality and vigour of the remaining trees and that any planning permission sought after would not override any conditions of the licence". It will be a shame if an unnecessary through road is allowed to change the environment we presently enjoy in Southern Wood, especially as there is already access to the proposed development site from the entrance to Liverton Business Park, on the B3178, the Salterton Road. This business park has established roads and retail units with free parking and leads directly to the proposed development site. It is also

home to the emergency services. To use the route through the Liverton Business Park would save pointless junctions being created on our country roads, many without footpaths, therefore limiting destruction to our wildlife and I expect saving costs. There are traffic lights at the Tesco store on the Salterton Road, there are traffic lights at the top of Dinan Way successfully serving many established developments and keeping traffic safe. So, traffic lights at the entrance to Liverton Business Park, which is presently quite dangerous as some drivers take chances to leave, would make any new junctions or through roads unnecessary, and so much safer and more convenient for all. I can see no point in causing chaos and structural upheaval to Southern Wood by making it a through road, forever spoiling its environment and established woodland with its homes for wildlife and I object to this. I can see no point in creating unnecessary new junctions on our country roads as proposed and I object to this. I trust that planners will consider these issues and protect our environment. I would point out to the reader the red line Eagle Investments have drawn on Exmouth 20b, shows intended access not from Southern Wood, but from Woodfield Close, an area with garages and parking for the residents there. This error should be corrected.

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.: Remove Exmouth_20 from the local plan. Do not access the site from Southern Wood.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jenifer Davis

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am objecting to the proposed development of 700 new properties indicated on the Site Selection Report at East Devon District Council, reference Exmouth20. I believe this area, set approximately three miles from Exmouth town centre, the train station and sea front, is an unsuitable location for further development. Do we need years and years of destruction and disruption to build such a high volume of new properties, spoiling a beautiful area of Exmouth, when there are already extensive and ongoing developments at Goodmores and Plumb Park in Exmouth. Has anyone calculated with so many new properties being built, how our struggling sewage system will cope, what new flooding issues will arise, how our local services will manage when already stretched, and sadly our country roads, few with footpaths, will inevitably become even busier. The A376 is one of only two traffic routes out of Exmouth towards the M5 and Exeter, and all know the nightmare of the queuing traffic when using this road and the delays for our buses. The new roundabout at the top of Dinan Way will give new access to the A376, and although it will make the point of entry onto the A376 easier, it is still joining the busy traffic on the same road, the A376. The other traffic route to the M5 and Exeter via Woodbury is already causing problems for those roads, most without footpaths and are now too dangerous to walk or cycle due to the fast through traffic. The easier route is by train, but you would still have to drive to the station, find expensive parking or travel by bus. Not many would want to cycle, to negotiate heavy traffic or breathe in traffic fumes in all weathers. We are told we need more housing, but do we have proof that so many people want to move to Exmouth when there is not enough employment available for the local population, they cannot all work from home? Can Liverton Business Park, situated adjacent to the new proposed development, cater for such a huge population burst. Do we know how many of the new houses on the Goodmores or Plumb Park developments have sold? Housing in Exmouth is expensive and to buy these new

homes would require owners to be able to afford a substantial mortgage and have reliable employment. If we do not heed the warnings of over development in unsuitable areas, of properties built but not wanted, we could end up with half-built developments deteriorating as is happening in Cornwall. The ongoing trauma of this planned development on the outskirts of Exmouth, knowing it will spoil this area forever, with residents unsure of the impact on their homes and location is unfair and has been going on for so long and is distressing for all. Yes, if we need more housing, build in suitable locations, closer to cities, towns and industrial estates. The proposed new community being planned near Exeter Airport, with more employment possibilities, is a far more suitable and sensible location and would benefit all.

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.: Remove Exmouth_20 from the local plan

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)?: No, I do not wish to participate in hearing session(s)

Julie Dawkins

Full name: Julie Dawkins

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I am writing as a local resident to object to the proposed development on Exmo_17, which lies within a protected National Landscape.

Exmouth needs genuinely affordable homes for local people, not predominantly high-end housing in a sensitive landscape.

The development would add hundreds of extra vehicles to already congested roads

I walk the Exmouth–Budleigh path regularly with my dogs and also cycle and run along it, as do many of my friends. I also spend time on the South West Coast Path. The proposed access road would cut across the cycle and footpath, require the loss of mature trees, and all the poor animals and creatures and wild life living there .

For these reasons, I strongly object to the development of Exmo_17 and urge the council to protect this precious landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Paul De'Athe

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Plan has an oversupply of housing allocations due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. this figure should be reduced to 1,1445 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath Special Protected area (SPA)/Special Area of Conservation (SPA) and Site of Special Scientific Interest (SSSI). Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

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.: Remove Exmo_20 from the Local Plan

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.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of the NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations as a result of not using the "most recent data published at the time", ONS data, as is mandatory (MHCLG - Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. The figure should be reduced to 1,156 with 80% being 925, with a 22 year plan requirement of 20,342 (not including rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and, since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the Plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath Special Protection Area (SPA), Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI). Further numerical and mathematical are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and consulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of the National Policy Planning Framework (NPPF) December 2023 states that "Plans should contain policies that are clearly written and unambiguous so that it is evident how a decision maker should react to development proposals".

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.: Remove Exmo_20 from the Local Plan

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.: In the interest of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03 and therefore unsound. It also conflicts with paragraphs 3.6 & 11.2 of the Local Plan. It's evident that Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main proposed access point on the B3179 (roughly opposite the existing Archery Club), to access services and facilities further afield. It has not been demonstrated that sufficient regularly needed local services can be accessed by either cycling or walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as cycling or walking being a likely first transportation choice is now considered mandatory rather than desirable. The isolated nature of the location and Exmo_20's B3179 proposed access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services in either Budleigh Salterton or Exmouth on roads unsuitable for large volumes of traffic. Regarding housing in the southern part of the site, the use of the B3179 as the access point would need a minimum of 1km on-site driving every time prospective residents went anywhere and returned home, that in itself raising additional vehicular emissions within the site and around the B3179 entrance and exit.

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.: Remove Exmo_20 from the Local Plan

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.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and is therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and local area's topography makes the potential cycling and walking options far less viable, which is not apparent on the policy maps. Cycling and/or walking along the B3179 would not be something to be undertaken lightly given the nature of the road with high hedges and no footway.

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.: Remove Exmo_20 from the Local Plan

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.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and local area's topography makes the potential cycling and walking options far less viable, which is not apparent on the policy maps. Cycling and/or walking along the B3179 would not be something to be undertaken lightly given the nature of the road with high hedges and no footway. The 3D representation of the area specific to Exmo_20 has been uploaded below and serves to show the topography of the watershed and its height above Bystock Fishponds that could potentially be adversely affected by increased runoff from the B3179 occasioned by increased vehicular movement from Exmo_20.

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.: Remove Exmo_20 from the Local Plan

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.: In the interests of local democracy, fairness and openness of the planning system

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.: Remove Exmo_20 from the Local Plan

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.: In the interests of local democracy and our lived in environment

Full name: Paul De'Athe

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The allocation of Exmo_20 is in clear conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraphs 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is NO viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179 but in order to make this viable would need major, uncertain and uncoded highway works, NOT confirmed by Devon County Council. Cumulative and in-combination effects on the B3179 must be considered, both in terms of traffic disruption, congestion and accompanying air pollution affecting the adjacent Pebblebed Heaths. The Habitats Regulation Assessment (18.11.25) confirms that there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary to the Pebblebed Heath. The allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy over avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's in the plan is therefore unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)

Cathy Debenham

Full name: Cathy Debenham

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.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I am distressed to see the council's proposals to build a huge estate on National Landscape land.

1. Firstly large housing estates should not be built on a protected AONB (National Landscape).

2. It would be cheaper to build on land outside the National Landscape area, and would make it possible to build a bigger percentage of affordable homes.

3 The exit from the site (Exmo-17) would create traffic chaos and the access road would go straight across the busy Exmouth to Budleigh cycle/footpath endangering users such as children, cyclists, families, dogs, etc.

Daniela Deighton

Full name: Daniela Deighton

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Firstly the web link Commonplace is complicated and not easily accessible, essentially for people whose computer abilities are limited.

This could be perceived as a deliberate obstruction to allowing people to access the ability to lodge objections. Penultimately this would affect the data/figures for any responses.

I wish to lodge my complaints AGAINST the above housing proposals as below:

1) The Proposed Development is very close to an area of ANOB and pebblebed heaths. Surrounded by Woodbury Common to the east and St John's Woodlands to the west. The destruction of woodland containing veteran trees and wildlife habitat. This is also incorporating area close to St Johns in the Wilderness Church which is a historic church.

2) The B3179 is entirely unsuitable for the excess traffic volume that will be created. The traffic will be accessing the road through Woodbury Village via B3179 to access EXeter

and M5Junction:and the B3180 across Woodbury Common to access A30/Exeter Sky Park. Woodbury Village narrow is unsuitable for volume of traffic and HGVs. The route via Woodbury Common/West Hill is also narrow and unsuitable for traffic and HGVs. The A376 Lypstone to Exeter has had no improvement/widening for traffic capacity and will result in Commuter traffic bottleneck.

3) Insufficient infrastructure in the proposed location: A)No access to public transport,forcing people to use vehicles.At a time when we are supposed to be adopting “Green Transport “ Strategy. There will be at least 700 to 1400 extra vehicles registered to the residential area and using the roads. B)Insufficient Doctors Surgery. C) Insufficient schools. D) inadequate and currently failing sewerage system.This is already failing to serve the towns of Exmouth and Budleigh Salterton.

4) Pollution from vehicles and human activity. 5) Environmental damage.

MY VOTE IS THE OBJECTION TO THE PROPOSAL OF EXMOU_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Delete the allocation

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.:

Firstly the web link Commonplace is complicated and not easily accessible,essentially for people whose computer abilities are limited.

This could be perceived as a deliberate obstruction to allowing people to access the ability to lodge objections. Penultimately this would affect the data/figures for any responses.

I wish to lodge my complaints AGAINST the above housing proposals as below:

1) The Proposed Development is very close to an area of ANOB and pebblebed heaths. Surrounded by Woodbury Common to the east and St John's Woodlands to the west. The destruction of woodland containing veteran trees and wildlife habitat. This is also Incorporating area close to StJohns in the Wilderness Church which is a historic church.

2) The B3179 is entirely unsuitable for the excess traffic volume that will be created. The traffic will be accessing the road through Woodbury Village via B3179 to access EXeter and M5Junction:and the B3180 across Woodbury Common to access A30/Exeter Sky Park. Woodbury Village narrow is unsuitable for volume of traffic and HGVs. The route via Woodbury Common/West Hill is also narrow and unsuitable for traffic and HGVS. The A376 Lympstone to Exeter has had no improvement/widening for traffic capacity and will result in Commuter traffic bottleneck.

3) Insufficient infrastructure in the proposed location: A)No access to public transport,forcing people to use vehicles.At a time when we are supposed to be adopting "Green Transport " Strategy. There will be at least 700 to 1400 extra vehicles registered to the residential area and using the roads. B)Insufficient Doctors Surgery. C) Insufficient schools. D) inadequate and currently failing sewerage system.This is already failing to serve the towns of Exmouth and Budleigh Salterton.

4) Pollution from vehicles and human activity. 5) Environmental damage.

MY VOTE IS THE OBJECTION TO THE PROPOSAL OF EXMOU_20

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.: Delete the allocation

Leo Dickinson

Full name: Leo Dickinson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: This development is too large. 1000 new homes would mean approximately an extra 2000 cars and the planned access onto the B3179 would be a disaster for the area around Knowle. The consequence of building these houses would be to overload the medical and school services. It is not in keeping with the local plan, which is something we did have a say about.

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.: Revert to 20b a smaller development with a different access.f

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)?: No, I do not wish to participate in hearing session(s)

Mandy Dickinson

Full name: Mandy Dickinson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: This development conflicts with the local plan paragraph 3.6 policies PB01 PB02, PB03 PB04 and OL02. It is too large and too close to the pebble bed heaths. The site should not be accessed from the B3179. This site is closer to Budleigh Salterton than Exmouth meaning more traffic using the B3179 (60mph speed limit) with no consideration of people trying to exit Knowle either from Knowle village where there are often traffic jams or Dalditch Lane which is very dangerous exit due to limited visibility.

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.: I suggest that you revert to site 20b, closer to Exmouth and smaller with access to the site from Dinan way (30mph speed limit)

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

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: I agree more homes need to be built but not another town.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

sharlene dodd

Full name: sharlene dodd

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I did not receive an email.

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.: . Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear

justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by

increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland

SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and

churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge

East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and

achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such

impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature

conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable

through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats lastly, the local sewerage system is already in adequate and the actions by SWW are not effective in Budleigh with many outflows occurring with even a few mm of rain. The large number of outflows will affect both Budleigh Salterton and Exmouth. There appears to have been little or no increase in treatment capacity. The work has mostly concerned with shifting the sewerage from one region to another.

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: We have not heard about the changes directly from county council

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Mark Dodd

Full name: Mark Dodd

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

Elizabeth Donnelly

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from this plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Please remove this site from the plan.....

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

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Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove the site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Elizabeth Donnelly

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove site from plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Helen Douglas

Full name: Helen Douglas

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

- Proposals adjacent and very close to the Pebblebed Heaths (Special Areas of Conservation, Special Protection Areas, Site of Special Scientific Interest). Wildlife must be protected in this area! Noise & pollution from housing/new roads would also impact wildlife. Similarly woodland must be protected - it takes a very long time for woodland, habitats and new wildlife to establish and once this is removed it would never be the same again. The level of housing and infrastructure proposed in this area is of too great a scale! Building housing / associated infrastructure in this area will impact the tranquillity of heritage assets (St John in the Wilderness Church) and natural habitats for wildlife. - Exmouth already is very busy in the summer, but currently still achieves being a relaxing destination for locals and tourists to enjoy the rest of the year. Building SO many more houses (which comes with it typically 2 vehicles per house, families, surplus requirements for local services) will put so much pressure on the existing schools, services and transport networks in the area. The roads will become too busy. Exmouth will lose it's relaxing charm. We need to protect these beautiful coastal areas and not overwhelm them.

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.: Remove Exmo_20 from the local plan or significantly reduce the size of it. Ensure greater buffer zones around wildlife areas.

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)?: No, I do not wish to participate in hearing session(s)

Michael Downes

Full name: Michael Downes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: [1. relates to another site]

2. to destroy National Landscape (Exmo_17). In both cases there will be:

3. damage to the natural habitat of mammals and other wildlife.

4. loss of good agricultural land leading to increased food miles because we have to import food instead of growing it in the UK.

5. increased risk of flooding caused by run-off because of concreting over fields.

6. increased traffic on narrow roads leading to traffic jams and collisions in the local area, all leading to gigantic bottleneck on A376 road to Exeter from Exmouth.

7. increased pressure on the currently insufficient transport infrastructure resulting in more and more potholes because of the volume of traffic including HGVs going to industrial sites).

8. increased pressure on the present poorly maintained sewerage systems resulting in inability to cope with more poo etc from houses, leading to polluted beaches which damages the tourism reputation of places like Exmouth.

9. public cynicism about the entire planning process because in this case government legislation is being forced through despite possible objections from EDDC. Inevitably

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

this will lead to the reluctance of people to become councillors, whose role will be seen as ineffectual - a bad thing for democracy.

Full name: Michael Downes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I

object to the plans for increased housing and industrial estates on greenfield sites in Exmouth. I object particularly to the plans for housing which are likely

1. to have a negative impact on a Special Site of Scientific Interest (the heathland in Exmo_20) [2. Related to other site]

3. damage to the natural habitat of mammals and other wildlife.

4. loss of good agricultural land leading to increased food miles because we have to import food instead of growing it in the UK.

5. increased risk of flooding caused by run-off because of concreting over fields.

6. increased traffic on narrow roads leading to traffic jams and collisions in the local area, all leading to gigantic bottleneck on A376 road to Exeter from Exmouth.

7. increased pressure on the currently insufficient transport infrastructure resulting in more and more potholes because of the volume of traffic including HGVs going to industrial sites).

8. increased pressure on the present poorly maintained sewerage systems resulting in inability to cope with more poo etc from houses, leading to polluted beaches which damages the tourism reputation of places like Exmouth.

9. public cynicism about the entire planning process because in this case government legislation is being forced through despite possible objections from EDDC. Inevitably

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

this will lead to the reluctance of people to become councillors, whose role will be seen as ineffectual - a bad thing for democracy.

Anthea Downes

Full name: Anthea Downes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted. The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population. I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the

Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it. The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it. The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps. So for environmental, conservation and heritage reasons, I object to Exmo_20. *** Personal details have been removed ***

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-- *** Personal details have been removed ***

Full name: Michael Downes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The area is part of the major attractions of Exmouth on the eastern edge of the town. EDDC are intent on redefining the borders of the East Devon National Landscape: that is contrary to the Countryside and Right of Way (CROW) 2000 Act. Section 85 of the Countryside and Right of Way Act 2000 (as amended by the Levelling-up and Regeneration Act2 in December 2023) requires ‘relevant authorities’, in exercising or performing any function that affect AONBs in England, to ‘seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.’ It states that this is a 'statutory duty', not discretionary, and is a strengthening of the previous ‘duty of regard’.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Brownfield sites and land that is outside the National Landscape should be given priority on this matter.

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.: I object to the current plans to build 450 houses along with industrial and other

development as set out by East Devon District Council planning proposal 25/0002/EIA as Exmo_17. Increased traffic would cause further deterioration in the state of local roads plagued by potholes. Increased housing is likely to cause more flooding problems and will contribute to South West Water's continuing issues with sewage disposal.

Exmo_17 would impact an Area of Outstanding Natural Beauty (or National Landscape) which has local historical , environmental and farming importance.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Anthea Downes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with para 16c, 32, 73b, 180d, 180e, 181, 185a, 186a, 186b, 188 and 191c of the NPPF Decmber 2023 and is unsound and not logally compliant. It also conflicts with policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

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.: The infrastucture has not been considered and the response of SW Water has been unsatisfactory. We have had problems in this area with sewage in the rivers Otter and Exe and the sea at Exmouth and Budleigh. The road which is proposed as the access point opposite the Archery Club is already very busy and it would prove extremely difficult for people to get to work in Exeter from Budleigh. There is also the year round influx of tourists most of whom come by car. The site and the road are also closer to Budleigh than Exmouth and our surgery and primary school are already suffering from inadequate facilities. With an enlarged population this would be insupportable. This area is next to Woodbury Common and the Pebblebed Heaths SAC/SPA/SSSI which are already under threat from illegal motorbike scrambling, and unrestrained dogs causing harm to the highly designated protected habitats and species. A precationary approach should be applied by the Competent Authority, the LPA.

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.: There is no way that this scheme can work unless the road is vastly widened, also damaging the environment. A contact at Friends of the Earth has told me that brownfield sites are being subject to 'land banking'. Surely these sites which are being hoarded could be built on instead of green fields which could be used for farming if the farmers are not continually being penalised for producing food for the country. This leads to importing food which is also bad for the environment. Brownfield sites would also tend to be closer to industrial areas where there is employment. We understand there is a need for housing but this seaside area is already a tourism hot spot. The coastal area below this planned development is also supposed to be protected, but would inevitably be impacted by this number of houses, cars etc.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: As above, this Allocation of Exmo_20 is in conflict with paragraphs of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with the Local Plan. It also is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance for mitigation. The greenfield Exmo_20 is in contravention of earlier reports of growing flood risk to Exmouth, and also has not taken account of the impact on existing wildlife sites and Local Nature Recovery Area, or any environmental and heritage considerations in the National Landscape.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Michael Downes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. The area is adjacent to the Pebblebed Heaths and further housing and vehicle traffic would consequently have a negative impact on local wildlife. The area has a wilderness setting, particularly around St John's Church; increased artificial light from housing and street lighting would have a damaging effect in this regard. Increased housing is likely to cause more flooding problems and will contribute to South West Water's continuing issues with sewage disposal. Increased traffic is certain to cause damage to local roads which are already plagued by potholes.

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)?: No, I do not wish to participate in hearing session(s)

Karen Drodge

Full name: Karen Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Dear Sir/Madam,

I wish to submit a formal objection to the proposed site allocation Exmo 20 within the East Devon Local Plan, on the grounds that the proposal is unsound, unsustainable, and contrary to the principles of sustainable development as set out in the National Planning Policy Framework (NPPF).

1. Highway Capacity, Safety, and Lack of Mitigation

The existing highway network is already operating beyond safe and practical capacity, particularly during peak hours and the summer tourist season. Additional development at this location would significantly increase vehicle movements on a road network that is already congested, unsafe, and inadequately designed.

I have personally reported safety concerns to Devon Highways regarding the T-junction towards Exeter. This junction is unlit, poorly configured, and increasingly dangerous. I was informed that Devon Highways cannot currently afford to install traffic signals, which demonstrates that there is neither the funding nor the delivery certainty required to mitigate further traffic growth.

The allocation of Exmo 20 appears to rely on assumptions of future mitigation that are neither funded nor guaranteed. This conflicts with the NPPF requirement that development should only be permitted where the residual cumulative impacts on the road network are not severe.

2. Lack of Supporting Physical Infrastructure

There is insufficient supporting infrastructure to accommodate further population growth in this area.

Local wastewater and drainage infrastructure appears to be under significant strain. The visible decline in seawater quality is deeply concerning. The condition of the sea this year was such that I did not feel safe swimming. This is unacceptable for a coastal community and raises serious concerns about the cumulative environmental impact of continued development without necessary upgrades to sewage and treatment capacity.

No clear, funded, or deliverable infrastructure improvements have been demonstrated to accompany this allocation.

3. Education Capacity Constraints

Local secondary education provision is already at capacity. Exmouth Community College and Simonds College are full. Grammar school provision is extremely limited, with Colyton Grammar unable to accommodate all qualifying pupils.

As a result, my own child was forced to attend Torquay Grammar School, requiring an excessively long and unsustainable daily journey from Budleigh. This is not a reasonable or equitable outcome for families.

The allocation of Exmo 20 fails to demonstrate how additional demand for school places will be met. This is inconsistent with the NPPF requirement that development should be supported by appropriate social infrastructure.

4. Environmental Harm and Impact on Protected Landscapes

The site lies in proximity to the Pebblebed Heaths, an environmentally sensitive and valued landscape. These habitats are irreplaceable and form a key part of East Devon's ecological network.

Further development risks habitat fragmentation, biodiversity loss, recreational pressure, and long-term degradation of protected environments. This would conflict with national and local policies requiring the protection and enhancement of natural capital and biodiversity net gain.

5. Loss of Green Space and Local Character

East Devon's rural and coastal character is fundamental to its identity, economy, and community wellbeing. Continued greenfield development erodes this character irreversibly.

Exmouth has already experienced extensive recent housing growth. Infrastructure is now stretched to its limits. The cumulative impact of further allocations has not been adequately assessed.

6. Inadequate and Inaccessible Public Engagement

I also wish to formally object to the consultation process itself.

Budleigh Salterton has a disproportionately elderly population, many of whom are not digitally confident. The consultation website was extremely difficult to navigate, even for me. The process involved unclear references (e.g. SD01), excessive scrolling, and a confusing series of links before reaching the final response section.

When attempting to submit my objection on a mobile phone, the website crashed twice. The layout, terminology, and navigation are not accessible for many users, particularly elderly residents and those with disabilities.

This raises serious concerns about digital exclusion and whether the consultation process meets the standards of fairness, accessibility, and inclusivity required for meaningful public participation.

Furthermore, I only became aware of this consultation two weeks ago. Communication to local residents has been inadequate, especially given the scale and long-term consequences of these proposals.

Conclusion

The allocation of Exmo 20 is unsound because:

- The highway network is unsafe and at capacity
- No funded or deliverable transport mitigation exists
- Sewage and drainage infrastructure is inadequate
- Schools are already full

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- Sensitive habitats are at risk
- Greenfield land is being lost unnecessarily
- Public engagement has been inaccessible and poorly communicated

For these reasons, I strongly object to the inclusion of Exmo 20 in the East Devon Local Plan.

Yours faithfully, *** Personal details have been removed *** Budleigh resident

Andrew Drodge

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo-20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Karen Drodge

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

OBJECTION Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove exmo20 from local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Colette Dumortier

Full name: Colette Dumortier

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here:
Exmo_20

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.: My main concern is about the protection of the Pebblebed Heats (migration, nesting, protected fauna and flora, animals, lights, sound, predation, disturbances...) And of course all the common infrastructures as schools, shops, sewage.... But also the number of buildings and then sewage, electricity, road safety, traffic,...

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.: Remove Exmo_20 from the Lo Move the settlement boundary from the Pebblebed Heats

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)?: No, I do not wish to participate in hearing session(s)

Hilary Dunster

Full name: Hilary Dunster

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Dear *** Personal details have been removed ***. I would like our opposition to the proposed house building in Sidford to be noted in commonplace We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations. Also would like to add that the flood risk to this area from hard landscaping would in crease an already bad area that floods at the point where the 'estate' would come onto the main road. As well as the increased stress on the local

services and road use . Yours *** Personal details have been removed ***. Sent from my iPhone

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.:

Dear *** Personal details have been removed ***. I would like our opposition to the proposed house building in Sidford to be noted in commonplace We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district,

making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations. Also would like to add that the flood risk to this area from hard landscaping would in crease an already bad area that floods at the point where the 'estate' would come onto the main road. As well as the increased stress on the local services and road use . Yours *** Personal details have been removed ***. Sent from my iPhone

Brenda Duplock

Full name: Brenda Duplock

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Local Infrastructure is already stretched this development will strain local resources - potentially to breaking point. There is also a high impact on the local wildlife.

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.: Remove Exmo_20 from the local plan

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)?: No, I do not wish to participate in hearing session(s)

Chris Durbin

Full name: Chris Durbin

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

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Reduce the size of Exmo_20,

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

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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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

Proposal:

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chris Durbin

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Nicola Dustan

Full name: Nicola Dustan

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Being adjacent to pebble bed heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “it was not possible to screen out a likely Significant Effect for other units within the EDPH SAC and SPA “ and the plan HRA states “ there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is as yet , no means to mitigate or address the risks”

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.: Remove EXmouth 20 from the local plan. Do not access the site from via B 3179, Reduce the size of EXmouth 20 Move settlement boundary away from Pebblebed Heaths Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Abi Dymond

Full name: Abi Dymond

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: 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.: I am emailing to express my views as part of the consultation on the East Devon Local Plan, having found the online system quite difficult to navigate, as it wasn't clear where my comments would best fit. I am writing to express my concern at the sewage system here at Exmouth and the fact that it is not fit for purpose, with our seas regularly polluted. This is not only sad to see, it poses real damage to Exmouth's future as a tourish town. Therefore as part of the plan I would like to urge you to take all actions within your power to work with SWW and others to a) upgrade the current sewage system so that it is fit for purpose and b) until that is done, avoid doing anything that would put extra demand on that system, as it simply does not have the capacity to cope at the moment, never mind with additional demands (such as housing etc).

Thank you for the opportunity to take part in the consultation and for all your hard work protecting East Devon!

Stephen Dymond

Full name: Stephen Dymond

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

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.: We would like to object to the above planning proposal on the grounds of accessibility.

1) Windsor Mead was never designed as a through road.

2) The properties in Windsor Mead were bought on a cul de sac. There is no facility for a through road to the proposed development East of Burscombe Lane.

3) Burscombe Lane is not suitable for access to the proposed development. Coming from Sidford High Street and after the Corefields turning, Burscombe Lane becomes a single lane without pavement. This lane is not suitable for the increase in traffic that a new development would produce.

4) Also the access from Burscombe Lane onto Sidford Hig Street has poor visibility from both directions. This would only be exacerbated by the inevitable increase in traffic flow.

Christopher Dyson

Full name: Christopher Dyson

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.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_05, Feni_08

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Planning permission has recently been granted to Application Ref 24/0431/MOUT for 86 dwellings and this application, Feni 11, needs to be taken into account before the Plan is approved.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Remove Feni 08 from the application, 60 houses, replace with Feni 11.

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.: The draft local plan allocated ONLY sites Feni 05 and Feni 08 (102 dwellings). Although local residents would say this is too much, it was intended to reflect the plans strategy to provide LIMITED development to a tier 4 service village sufficient to meet the local need. Now that Feni 11 has been granted consent for a further 85 dwellings, agreed at appeal not by EDDC, there is NO justification for continuing to include Feni 08 within the plan. Had Feni 11 been included initially included Feni 08 would never have been agreed as it

takes the total allocation for Feniton now out of line with the plans spatial strategy of only limited development in tier 4 settlements.

Sally Eade

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

There are a lot of cyclists locally, who either cycle for pleasure or as a commute to remove pollution and cars from the road. This development will make those cyclists feel more vulnerable from the increased pollution and number of cars and may decide to drive themselves - further adding to the traffic volume and consequences.

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.: for locals to be heard.

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: for locals to be heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: for locals to be heard.

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. The road junction at the halfway house is already gridlocked at many times of the day. It will become virtually impossible to exit with the additional cars - having an impact on everyone in the area and knock on impacts on work efficiency, pollution etc.

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 have local voices heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: for locals to be heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: scrap the proposal to build here

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.: for local voices to be heard.

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.: Allocation of

Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then

the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

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.: for peoples voices to be heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: for local voices to be heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: if the development goes ahead for it to be significantly ie no greater than 25% of the suggested size and the buffer to be increased to 1000m.

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.: for locals to be heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European

Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: locals voices to be heard

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: stop Exmo_20

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.: for the voice of local people to be heard.

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

There is not the sewage capacity in the area to support increased housing of this kind. We have raw sewage being pumped into the sea and rivers in Exmouth and Budleigh. There is no way that more housing should be allowed to happen when we can't manage the services for the housing that we have and until the sewage management is resolved this should be put on long term hold. Currently sewage from Budleigh is being taken by tanker along the road to Exmouth and poured into the ocean there - before being washed east back to Budleigh. Counsellors need to get a grip of this and stand up the pressure that they are being put under to build. We need to develop brownfield sites and small scale infill builds not huge developments like this.

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.: Stop pursuing Exmo_20 until sewage issues fully resolved for the long term.

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.: The voices of the locals are not being heard.

Full name: Sally Eade

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Shear volume of houses is unreasonable for this site - it will turn Exmouth and Budleigh into a 'super town' but without the infrastructure to cope. The pebblebed heath site will be impacted negatively but increased number of people using it - if there are 4 people per household this is an additional 2800 within close proximity.

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.: Remove Exmo_20 from the plan completely.

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.: I feel that the local community is not being listened to in their objection to this huge development.

Alison Earp

Full name: Alison Earp

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

4. Do you consider that this part of the Spatial Strategy 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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: SP02 This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

4. Do you consider that this part of the Spatial Strategy 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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo_20 from the Local Plan

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

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound.

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: Alison Earp

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon.

Brian Eastwood

Full name: Brian Eastwood

Other party name (if relevant): Brian Eastwood

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20 has too many homes without improvements to sewage systems and would mean a significant increase in school and medical provision which does not appear to be happening. These homes should not be built in an area of outstanding natural beauty anyway

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.: Remove Exmo_20 from the plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Gillian Eastwood

Full name: Gillian Eastwood

Other party name (if relevant): none

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 206 of the December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (Grade 11* listed) will have significant adverse effects on the remove, tranquil surroundings of the Church and Churchyard. The area around the Church and surrounding buildings, a Medieval Saxon Settlement site, is characterised by dark skies and a sense of remoteness; a 'Wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Gillian Eastwood

Other party name (if relevant): none

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 & TR03, and, therefore, unsound. It also conflicts with paragraphs 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmouth_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the Local Plan

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.: I am deeply concerned about the implications of this project. I was born and raised in Exmouth and over the years it has grown exponentially. We do not have the infrastructure to cope with more people, let alone our sewers which are already way above capacity. I am also heartbroken that you plan to surround the beautiful St John In The Wilderness Church with housing. I'm just lost for words and those that probably will not even be looked at or taken into consideration. Absolutely shocking!

Chris Edser

Full name: Chris Edser

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: 700 homes = approx 2000+people and 1400 vehicles. Where are the supporting plans for the new dentist, doctors clinic, school, road and infrastructure upgrades, traffic lights position? Without new supporting services, 700 homes will overwhelm the existing services and infrastructure.

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.: Reduce the size of Exmo_20, Do not access the site via B3179

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)?: No, I do not wish to participate in hearing session(s)

Richard John Eley

Full name: Richard John Eley

Proposal:

2. The Vision

1. To which part of the Vision chapter does your representation relate?: Paragraph

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

2.1 - 2.11

2. Do you consider that this part of the Vision chapter is legally compliant?: Yes

3. Do you consider that this part of the Vision chapter is sound?: Yes

4. Do you consider that this part of the Vision 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)?: No, I do not wish to participate in hearing session(s)

Kathleen Ellett

Full name: Kathleen Ellett

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will

also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.

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.: Remove site from local plan

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)

Full name: Kathleen Ellett

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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)

Full name: Kathleen Ellett

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Reduce size of site
Do not access from B3179

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)

Full name: Kathleen Ellett

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored

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.: Do not access site from B3179 Site further away from Pebblebed heath

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)

Clare Elliott

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant.

The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan.

The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound.

The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan.

Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound.

In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan.

The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery

Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan.

A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it.

HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the

proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan.

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland

SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths

SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Clare Elliott

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Below are all the appropriate objections against building 700 new homes in east Devon , budleigh area / our home .

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA

has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Lucy Elmslie

Full name: Lucy Elmslie

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I want to raise an objection to the proposal to create a road which cuts directly through the Budleigh Salterton cycle path to Salterton Road.

The cycle path is a vital resource for local residents. Not only does the pathway give access to an area of natural beauty it is used by hundreds of people per day for walking, cycling and dog walking. Children are taught to bike ride on this pathway. Race organisers use this cycle path for events on a frequent basis. Disabled residents from the nearby properties use the pathway as an easy route to access with mobility scooters. This is the main route for people like myself who do not live close to the seafront and do not have easy access to other places to exercise. Personally I suffer from an anxiety disorder for which I take fluoxetine medication and walking this route with my dog is vital for my mental wellbeing when in the past I have had severe struggles with even being able to leave the house.

If a road is created to intersect this pathway it will be a huge disruption to all of these activities. Runners will no longer be able to use the pathway for events and races and will also have to pause their run to wait for traffic, I personally would worry about being able to walk my dog off lead for fear of her running into a road and there are no other nearby routes for off lead walking, parents will have to closely monitor their children for

fear of traffic, bike riders will also be disrupted from travelling the route to Budleigh Salterton and these people are our towns workers who need this route to go to work.

All of these concerns are practical concerns but there will also be a huge impact of the wildlife in the area and pollute the natural beauty of the area. Birds, squirrels, foxes, voles which are all present along this cycle path will now be at risk from traffic.

There are already roads accessible without ruining this area. Castle Lane already links to Salterton Road and so the creation of a new road is unnecessary, disruptive and destructive.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Maxine Else

Full name: Maxine Else

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for

enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Maxine Else

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

Full name: Maxine Else

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.: SD01

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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.: Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing

people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan,

Full name: Maxine Else

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be

required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: Maxine Else

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: I believe EDDC do not hold the uniqueness of the Devon Countryside in the regard it should be. These areas are precious and house development should be facilitated in brownfield area/regeneration of excisting property and close to road networks.

Jill Elson

Full name: Jill Elson

Proposal:

4. Development at the West End

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.: WS01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Marlcombe

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Overall it meets the legal requirements of producing a local plan. It needs to be integrated into the reorganisation of Local Government

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: It is important to recognise the need for Health facilities from the beginning of the housing development in order not to over stretch the existing facilities. The NHS was very late with its proposals for Cranbrook and the surrounding primary care was under a great deal of pressure during its development.

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.: It should be noted that at the current time pupil numbers are decreasing. Can South West Water actually supply sufficient water and the disposal of waste water without using discharge into the local rivers.

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)?: No, I do not wish to participate in hearing session(s)

Lynne Erskine

Full name: Lynne Erskine

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I'm writing to object to the beautiful fields being destroyed by building houses . I walk across the fields almost every day and have done for years . It's so beautiful there and the home to so much wildlife. We need to save these special places for future generations. We've been lucky . Don't take this away from future families . The old railway line is used by so many .. runners , cyclists, walkers and dog walkers . Think about the future

Elizabeth Everett-Wright

Full name: Elizabeth Everett-Wright

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: To
East Devon District Council, Local Plans Team

I wish to strongly object to the Exmo_20 plan. I think it should be at the very least reduced in size, and the proposed settlement boundary moved further away from the Pebblebed Heaths. Reducing housing number and concentration of development by moving further southwest would allow a greater rural buffer between it and the Heaths.

Also this proposed site for Exmo_20 would increase the need for car travel. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.00 miles from Exmouth. Exmo_20 settlement would overwhelm the Budleigh Salterton facilities, e.g. parking, medical services, sewage disposal, and the topography does not show potential options for cycling and walking.

Sincerely,

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

*** Personal details have been removed ***

Carole Evershed

Full name: Carole Evershed

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04a

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.: I am writing to oppose this proposed development. I am very much aware that more housing is required and indeed if I believed that the majority of these proposed houses were going to be social housing one might be more accepting of such a development although the environmental concerns would of course still remain.

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

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.:

I am writing to oppose this proposed development. I am very much aware that more housing is required and indeed if I believed that the majority of these proposed houses were going to be social housing one might be more accepting of such a development although the environmental concerns would of course still remain.

Melanie Farrant

Full name: Melanie Farrant

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_04a

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.: I am writing as a resident of Exmouth to formally oppose the plans to build houses on the area known as The Lawn, off Higher Marley Road. This area is home to endangered species and a number of ancient trees, and forms both a physical and environmental break between the growing town of Exmouth and Woodbury Common. Additionally extra traffic on that road would be beyond its capacity.

I chose to move to Exmouth 21 years ago because of its character which is slowly but surely being eroded and replaced with something generic and bland. I have seen huge degradation in the roads, sewage, and maintenance of the town and believe that the council should be looking to rectify this, not extend the town further and place additional burdens on an already overstretched infrastructure; as well as making every effort to preserve what remaining character the town has and protecting the rural belt and its habitat and wildfire.

Roger Fetherston

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The LPA has tried to retrospectively change the Site Selection Methodology to justify Exmo_20. The SSM May 2022 is the one used for the Regulation 18 process, not the Dec 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. The original May 2022 version, used for the regulation 18 stage has wording that does not allow Exmo_20 to be selected.

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.: I wish to hear at first hand the rationale behind site selection beyond, its a big space and it just adds a bit to Exmouth which currently seems to be the explanation.

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The proximity of the site to Budleigh Salterton has not been considered because it will be the closest shopping area and facilities such as doctors, library, garages, and recreation opportunities. Parking is limited, opportunities to walk or cycle are not feasible given the nature of the highways. Policy TR01 clearly states the preference for walking or cycling as the natural first choice which are not feasible here.

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.: Consider the impact on Budleigh that has so far been ignored completely. Reduce size of Exmo_20

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 give my views of the non sense of this proposal

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The consequences for water run-off from a site whose location is higher than Exmouth seem to be ignored in a cavalier manner. Impermeable surfaces, roads/paths/roofs will rapidly accelerate run-off placing strain on the existing water courses and leading to flood potential. Green field sites mitigate flood risk, urban sites advance flood risk. Nature provides a natural sponge, urban structures remove that effect. Modern floods are not just the consequence of heavier than normal rainfall but also more artificially created impermeable surfaces and rapid drainage systems overloading watercourses. The Withycombe brook will require a strategy that compensates for the inevitable added flow as a consequence of Exmo_20. It is surprising that at these times where climate change is becoming a reality there is so little regard for the changes to hydrological systems such proposals will produce.

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.: Develop a strategy, funded and in liaison with other responsible bodies for water management to avoid flooding in Exmouth. Reduce the size of Exmo_20

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 hear at first hand how planners consider it sound to create a potential flood risk.

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The plan fails to address issues of ecological continuity by fragmenting habitats and destroying corridor like areas that enable the movement of species and destroying many ancient trees and areas of woodland that contribute so much to our wellbeing and providing ecological diversity. Hedgerows are simply dismissed as expendable. The value they add is enormous to the diversity of wildlife and flora.

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.: Reduce the size by at least 60%. Add to the floral diversity and pay far more regard to what the landscape can offer without destroying it by seeking greater profit. Short term gain, permanent loss. it is that stark.

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.: I wish to hear first hand how planners justify such ill thought urban expansion

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 ignores the value of heritage in the way in which the St John in the Wilderness church have its setting completely changed with a blatant disregard for the essential qualities of tranquility and calm. It is so disappointing that planners can so permanently ignore the need for spaces such as that provided by the church and its surroundings just to meet a target!!!!

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.: Reduce the size is essential and buffer the area in the vicinity of the Church. Better have the courage to say we have this wrong and reconsider the whole manner in which targets are to be met looking at the wider consequences of making Exmouth such an awful example of how not to plan expansion.

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 listen at first hand the rationale for this awful example of yes there are fields with nice views where we can sell houses easily so lets build them then tell people not to be NIMBY like.

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The traffic generated from 700 new homes each with at a conservative estimate 1.8/2 cars is highly significant but added to the fact the the B3179 is a narrow rural road means that for safety reasons alone a considerable highway improvement scheme would be required paid for by? Has this been quantified to any meaningful extent? Consider the junction between the B3179 and Hullum Road which is already congested at peak times, together with the B3180 junction with the road to Woodbury where there are frequent long delays at this dangerous spot. The roads in their current state are simply inadequate. Where is the joined up thinking? How will more cyclists manage on roads designed for small cars with no cycle lanes in the vicinity and none planned. Footpaths for pedestrians to access bus stops, and the thought of buses on the B3179 or B318?

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.: Redesign the road system including public transport. Was the Ronda link road designed with all these new proposals in mind , definitely not. it is an awful place to locate 700 homes without seeing the total picture of the consequences which will be so damaging.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: Too many people, too close to the Pebblebed heathlands will lead to significant and highly damaging degradation of the ecosystem. The very quality that makes the environment as attractive will be lost for ever. It will be impossible to restrict numbers and the behaviours of people on the heathlands. There is a totally inadequate monitoring or controlling of behaviour at present and many do not comply to guidance such as dogs on leads, no dogs in Squabmoor reservoir, no motor bikes, leave no litter. This is with no great numbers of houses right on the edge of the pebblebeds.

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.: The 400 meter buffer is totally inadequate and seems a 'sop' allowing planners to say look how carefully regarded the environment and protected it. From 700 homes, people, and all the accompaniments that brings.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The damage to the pebble bed ecosystem would be permanently damaging. Such a precious environment cannot be adequately protected by a mere 400metre buffer zone from predation by cats, dogs, humans cycling, motor bikes. It is nonsense to believe it will be adequate. The heathlands are a small area of great significance with species such as the nightjar, dartford warbler, dragon flies, lizards, butterflies, moths, frogs, toads, snakes not to mention the rich flora. All this threatened by ill judged urban expansion because it meets a target!!!!

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.: Reduce size by at least 60%. Increase the buffer zone to at least 800 metres. reconsider road access and the unsuitable proposal that takes traffic to very margins of the heathlands.

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 have my voice heard.

Full name: Roger Fetherston

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 represents a large urban extension set on the margins of Exmouth, within a mile of Budleigh Salterton, adjacent to an invaluable set of heathland habitats recognised nationally as significant , within an infrastructure already unable to adequately cope with water/sewage systems, with road access totally unsuitable for what would be probably another 1250 vehicles at least, with no pedestrian access to nearest shops. Exmo_20 is an example of the very worst urban planning . It is simply an expedient to meet a 'target' because it is said there is no where else. What logical reason is that? The environmental damage as admitted has not been quantified with habitat loss and disturbance highly damaging. Consider the number of dogs, cats and human interference that will permanently damage such a fragile ecosystem as the pebble beds.

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.:

The very qualities you, as a council, and we as residents value is threatened here. Exmo_20 is too large by far, it is too close to the heathlands , has inadequate roads and should be honestly reviewed. It is too significant to just meet a target. Please take this opportunity to step back and consider how this would change the environment for ever with nothing positive to offer other than ticking a box and ignoring public feeling. Site access via the

B32179 is completely unsatisfactory. The road was never built or designed for such a level of traffic as would result from these proposals.

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.: I believe my voice should be heard and I wish to hear at first hand justification for this ill-judged and highly damaging proposal.

Sadie Flather

Full name: Sadie Flather

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17/Exmo_20

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.:

Please note I object to all the future housing sites/industrial sites planned around and near Exmouth, Woodbury and Lypstone and want you to stop the building of a huge estate and industrial buildings on our protected Area of Outstanding Natural Beauty (now known as 'National Landscape') on the edge of Exmouth.

(1) Large housing estates should not be built on National Landscape or on or near Areas Of Outstanding Beauty.

(2) Building on land away from the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes.

3) The exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users.

4) Already sewage problems at Plum Park are known and toilets in the town are filling up bubbling with water when rains heavy

More houses is always detrimental to wildlife. Added stress for humans lives as roads, places become gridlocked and the plumbing/sewage facilities cannot cope with more people living in and around Exmouth.

Marcia Fletcher

Full name: Marcia Fletcher

Other party name (if relevant): And for Kingston Road Community

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I write to express my deepest concerns for the proposed development of over 400 homes at the site known as EXMO17.

The proposed site is National Landscape land and as such is national parkland.

As well as being national parkland the siting of any housing development in this location is totally unsuited.

1. There is no infrastructure support in place and especially sewage capacity. As a resident of Exmouth for 20 years i have witnessed the increasing pollution by Southwest water of the discharge of sewage into the sea EVERY TIME IT RAINS for hours and hours. As a cold water swimmer all year round, the available times for swimming in clean sea water has drastically reduced and especially since other housing developments have been built ie Plum Park which shares the same lack of capacity of the sewage infrastructure.

2. Road congestion in Exmouth with its one road in, one road out has again dramatically increased and if EXMO17 and EXMO20 developments are built, several extra hundreds cars will further add to the congestion problem. There is limited capacity to accommodate extra vehicles. The exit from the proposed development would further add to congestion and there are clear safety issues.

3. It is not clear who all these proposed houses are for? Already we have two new very large developments at Dinan way and 100s of other existing houses for sale in and around the town. Are they being targetted to second hime owners? Councils from other UK counties wishing to off-load problem tenants such as what happened at Newcourt? We dont need more pressure on our limited social services.

4. There are no NHS dentists in the town, GP surgeries are full and Exmouth has limited employment opportunitues.

It appears that greed us fuelling the sell off of these areas of natural beauty in the surrounding area around our town. Short term gain for long term problems. There is no consideration by EDDC to take into account the quality of life that is threatened by the development if these sites.

The building companies do not care - once they have had their money, they will have no concern about the damage they have created sanctioned by EDDC. Who will deal with the flooding, the extra sewage in the sea, the loss of natural habitats for the nature they destroyed. Will EDDC provide compensation to residents for the destruction of the right to enjoy living in Exmouth? What funds are being set aside for claims post house building? Are developers being asked to set aside sums for the ongoing damages their developments cause or will the town and new Unitary bodies have to pay compensation and soend tax payers money mopping up the mess?

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

These proposed new developments are not suitable for our town and its high time EDDC pointed this out to this disasterous government which is clueless.

Its up to EDDC to say no and accurately present the reasons why no further building of more houses should go ahead.

Stephanie Fletcher

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Resubmitting this comment as did not receive email confirmation that the comment had been received/accepted. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended

accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

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.: Remove Exmo_20 from development plans and reconsider other sites.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from planning and reconsider other sites.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Resubmitting this comment as unsure if it was accepted the first time Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in

cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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.: Remove exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from plans and revert to previously site.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmouth 20 from plans

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from plans

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.: Remove exmo 20 as a viable option for development of this size. Ensure that Pebblebed Heath is protected.

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.: Remove Exmo-_20 as a viable option

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove emo_20.
From the plans

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Stephanie Fletcher

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

James Forbes

Full name: James Forbes

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.: SD18

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Feni_08

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Planning permission has recently been granted to Application Ref 24/0431/MOUT for 86 dwellings with access from Colestock Road. This should be taken into account in deciding the policy for Feniton.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: The site reference Feni_08 should be removed from Strategic Policy SD18 and the site for Application Ref 24/0431/MOUT included instead.

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.: It does not include the site for Application Ref 24/0431/MOUT

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.: The site reference Feni_08 should be removed from Strategic Policy SD18 and the site for Application Ref 24/0431/MOUT included instead.

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)?: No, I do not wish to participate in hearing session(s)

Richard Foulkes

Full name: Richard Foulkes

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I wish to register my objection to the proposed/possible Exmo_20 development. I am a relatively new resident in Budleigh Salterton and yet I can already tell from my experience;

- Population growth in East Devon is running significantly ahead of the South West and UK averages (2011 to 2021 growth of 13.8% compared to 7.8 and 6.3% respectively for S West & UK). While recognising that this puts pressure on you as planners, it does not mean that developments should be allowed to proceed at the request and profit of property developers without there being especially strong planning measures to protect the area's SSI & AONB , World Heritage categorisation and unique natural beauty and ecosystems. You need to be safeguarding that for future generations and not be in an apparently zealous rush to encourage further population growth.

- I see no evidence in the Exmo_20 proposal that proper consideration has been given to sewage infrastructure. The River Otter is very polluted, primarily due to upstream housing developments which have been carried out without adequate development of the sewage infrastructure. It is in the worst 20% of rivers in Devon & Cornwall for pollution. Prior to Christmas there was the ridiculous scenario of BS sewage being taken to Exmouth by tanker, only to then be pumped into the sea anyway

due to stormwater overload. There should be no further developments until this basic infrastructure is sorted.

- The roads to Exeter , where presumably most of the Exmo_20 residents would be working, are in a poor state of repair, badly potholed and endless delays due to road closures at Woodbury. The high St road surface in BS is an awful state . Many new residents will come here to shop. Again, your plan appears to not address the need for the existing infrastructure to be improved.
- You will be aware of the proximity of the development to the Pebblebed Heath . This is a priceless ecological treasure that is being put at severe risk , with the buffer zone of only 400m appearing to be completely inadequate.

I would strongly advocate that the Exmo_20 development be shelved , or at the very least be delayed until all the existing infrastructure problems are fully resolved and other alternatives (to compromising the ecosystem) have been exhausted.

Thank you for your consideration .

Jill Fowler

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Reduce the size of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Reduce the size of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Reduce the size of Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Jill Fowler

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Reduce the size of Exmo_20, and move the settlement boundary away from the Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Chloe Fox

Full name: Chloe Fox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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?: 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.: The destruction of the extensive bat, badger, and slow worm habitat, protected agricultural hedges, the two dozen mature oak trees (bordering the cycle path in the middle of Exmo_17), will never be able to be mitigated locally, as all the land nearby is earmarked for development or being farmed. There is nowhere else in Exmouth that combines these habitats with the public access, sustainable transport link (cycle path) undeveloped open space with footpaths, dark skies, and clean air. It is a huge draw to visitors who come to this exact spot in their thousands every year from the nearby caravan site, from Exmouth via the cycle route, and from Budleigh at the other end of the cycle path. This is a unique environment which is not heathland but valuable top grade farmland being managed in a way which gives habitat for hundreds of species. In order to comply with 30By30 and multiple environmental commitments which EDDC and the Govt have committed to, the destruction of this National Landscape Site is a backward step and will contribute to not just flooding locally, but climate change and species extinction in the south west. The bird life in the protected hedges is extensive and varied, and the bats living within this site (and badgers in the ground underneath it) are protected. Environmental commitments must be respected and land found elsewhere. To destroy this area will cause a huge drop in visitor numbers which will affect tourism in this area and people's livelihoods will be adversely affected. Why would people visit a housing estate on holiday? They will go elsewhere.

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.: Remove Exmo_17 from the local plan and substitute with land not within the national landscape nor which is home to protected mammals and invertebrates, to comply with 30By30 and the Govt's environmental commitments and those of this Local Authority.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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?: 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.: The site Exmo_17 is visible from the Jurassic Coast World Heritage Site and is only 1km away from the Heritage Site. The World Heritage Site Setting is protected by the National Landscape designation and the CPA, which EDDC has tried to remove, however only the Secretary of State can change the Buffer Zone or Protections acting as a buffer zone, of a World Heritage Site. EDDC's unilateral actions in trying to lift the CPA from fields in Exmo_17 are not supported by the Jurassic Coast World Heritage Site's Articles of Inclusion and any changes to the site's setting, which includes the coastal land, puts the designation of the whole site at risk. The whole of Exmo_17 will be visible from the Jurassic World Heritage site, a site of global significance. It is an incursion of urban sprawl into an area covered at present by two levels of protection which EDDC is desperately trying to ignore or lift, to make up their housing target numbers. This is incorrect management of an incredibly important site, the Jurassic coast WHS,, and its surrounding protected area.

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.: Remove Exmo_17

from the Local Plan and use land not adjacent to, or forming part of the setting of, the Jurassic World Heritage Site.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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?: 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.: The site allocations are flawed. If it is proposed to build within National Landscape, one can build on land outside the NL but with a view of it. The allocations do not stand up to scrutiny. Exmo_24 which has been refused for allocation, due to the aforementioned “view of the NL”, is not within the NL and could provide equally good transport links, it is only across the main road. The way in which some sites have been allocated and others not allocated in this Plan, makes no sense and therefore the Plan is terribly flawed. It is common sense to use up all the available land outside the National Landscape before you build in a protected area and plainly EDDC has not done that, nor does their rationale of “building in the public interest” stand up to scrutiny, as these houses will be unaffordable to anyone but homeowners in the southeast and home counties – a market which is already well served, here in East Devon, and which does not represent housing need, only location preference. There is no public interest rationale for building in a national landscape when the completed houses will be unaffordable to ordinary people living and working here.

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.: Remove Exmo_17

from the Local Plan and include Exmo_24 instead, or other sites not in the designated national landscape.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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?: 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.: This is not just one development in a National Landscape, it is the first of many which will be proposed and marketed to south-eastern buyers as “situated within the National Landscape” so the houses will be a premium price. Very few will be affordable and certainly not so for local people, therefore local housing need will not be addressed. For this reason, the supposed overriding “in the public interest” descriptor/justification of building in a National Landscape does not apply, because the “public interest” is not to provide second homes or houses for southeast retirees, there are plenty of those on the market already. The public interest is addressing housing need for people in this County, on the housing list and for working families, and developing Exmo_17 will not do a thing to help those people, therefore it’s not in the “public interest”. Houses currently on the market are not selling, due to the extraordinary prices in East Devon, which will only be exploited by the developer when new houses are marketed as being “in a National Landscape”. This allocation was never in the public interest, it is merely a money-making scheme by the landowner, which will deprive future generations of our heritage.

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.: Remove EXmo-17

from the Local Plan and purchase or allocate land outside the national Landscape so the premium price addition of being within a NL does not apply to any housing allocation which is supposed to address housing need in East Devon.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: The site is wholly within a protected National Landscape. EDDC was never supposed to be able to list Exmo_17 due to its CPA and NL designations, but these have been treated as if they don't exist and the CPA is "lifted" from two fields within Exmo_17 which were specifically included by the landowner, the *** Personal details have been removed *** family, in the National Landscape (then AONB) in 1962. *** Personal details have been removed *** requested these two fields in Exmo_17 were included within the AONB during a consultation prior to the finalising of the AONB boundary in 1962. The *** Personal details have been removed *** family had good reason for putting those fields in the AONB (now National Landscape) and they insisted on drawing the "built area Boundary" at that exact point. This is just the first "domino" in a set of developments which are to be brought forward by *** Personal details have been removed *** Devon Estates which will tarmac the National Landscape from Liverton to Quentance Farm and take many hundreds of acres away from our East Devon National Landscape. This initial site, Exmo_17, is the site which will remove any idea of the National Landscape being a protected area and open the rest up to destruction. It is impossible to "sensitively build and landscape" 410 houses into a protected area, it will neither conserve or enhance it, the dark sky will be further eroded, protected species will be wiped out here, along with mature oak trees, protected agricultural hedges and the hundreds of insect bird and wildlife species living there. As the built area boundary advances this will cause catastrophic loss of habitat and turn this rural area into an urban one, destroying the character of the village, and setting up a Nature deficit which cannot be mitigated either in this area or elsewhere – there is no nearby space for nature mitigation which has not been earmarked for development. This site, the first of

many planned by the landowner, will effectively destroy the EDNL as a protected area and a space for nature in East Devon.

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.: Remove Exmo_17

from the Local Plan and use land outside the National Landscape, EDDC has compulsory purchase powers and a lot of land to choose from, before it should be developing within the NL. Just because the landowner seeks profit, does not mean future generations should lose our National Landscape forever.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Chloe Fox

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.:

There is significant flood risk to the valley as Exmo_17 is on a south-facing slope which extends downwards into the valley floor, where there is a polluted Brook already overtopping due to runoff from other developments, and where road and farm flooding is taking place right now. Fast flowing water comes down the valley on the red clay soil and apparently has not been mitigated properly from prior developments, as it is causing serious flooding and bogging of farmland, private property, the graveyard, and other sites on the Allocation List. It is obvious one cannot build at the top of a valley without rendering the land downhill impossible to develop and without affecting several Listed properties, including a 1000-year old Church and its graves, several thatched cottages and a listed farmhouse. The water runoff from huge developments does not run tidily into ponds – the sheer weight of the developments compresses the soil, makes it less permeable to water moving through it, and runoff increases from the vast tarmacked areas, driveways, roofs, and road drains. All of this will go down the valley towards a Brook which is over capacity right now, running next to homes where people live, and miring ground which is also up for development or where people are trying to farm.

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.: Remove Exmo_17

from the Local Plan and find the necessary houses from a part of East Devon not within the National Landscape and which would not cause flood risk downhill.

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)?: No, I do not wish to participate in hearing session(s)

Peter Frean

Full name: Peter Frean

Other party name (if relevant): Juliet Frean

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing

allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East

Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated

heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC

ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the

NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts

with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and

not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable a

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.: Remove Exmo20 from the local plan.

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)?: No, I do not wish to participate in hearing session(s)

Susan Gallagher

Full name: Susan Gallagher

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.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:

Axmi_02, Axmi_08, Axmi_09

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am not qualified to say one way or another but it does not feel as if enough consideration has been given to this for it to be legally compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: It is essential that the “northern part” of AXMI_02 is clearly and unambiguously identified and labelled on the plan. The submission should include a robust impact analysis of the archaeological constraints affecting the whole site, access to the site and also to the number of houses that are proposed. It must demonstrate how these constraints have been assessed, what changes may be required, and whether they could affect the feasibility, timing, or design of a suitable access arrangement.

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.: This was covered in my previous submission in the first consultation. None of those issues were addressed and all are still relevant.

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.: All are included in my comments above.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I feel it does not address anyl broader aspects and the full impact on Axminster as a whole.

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.: I am an Axminster resident and I feel very strongly that the town must move with the times and continually improve. However, I feel that this shouldn't be at the expense of its existing residents in all the ways stated in my previous submission.

Roger Gallagher

Full name: Roger Gallagher

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.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Axmi_02, Axmi_08, Axmi_09

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Not in a position to say as not legally qualified

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Not in a position to say as not legally qualified

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: It is essential that the “northern part” of AXMI_02 is clearly and unambiguously identified and labelled on the plan. The submission should include a robust impact analysis of the archaeological constraints affecting the whole site, access to the site and also to the number of houses that are proposed. It must demonstrate how these constraints have been assessed, what changes may be required, and whether they could affect the feasibility, timing, or design of a suitable access arrangement.

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.: This was covered in my previous submission and is still valid and has not been fully addressed.

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.: Included in my comments.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I feel it does not address the broader aspects of full impact of Axminster.

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.: As an Axminster resident I am passionate about improving the well being of Axminster and the people that live and work here. Planning is a key element.

Sabra Gardner

Full name: Sabra Gardner

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.: SD02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Axmi_02, Axmi_08

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?: 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.: I

have previously mentioned the issues with transport, flooding, SWW infrastructure, Bat populations and archeology. Recently, field archeological investigation has confirmed the significance of the proposed allocations as sites of significant historical importance. The site selection report sets out the opposition to inclusion of Axmi_02 in particular for development and discusses the northern part being NOT developed but a public heritage site created. The limited archeology so far has already uncovered the significance of the site - and therefore all these sites should be removed from allocation plan so as to preserve the historic space for the community. Even if the northern section of Axmi_02 was preserved as a public heritage site - developing right next to this would create further issues of damage, flooding, access, noise. There is no outline of the area that should be not developed so it is not clear how much of Axmi_02 would not be developed?

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.: Following the Site

Survey report after the initial archeological investigations - it is clear that Axmi_02 would not be suitable for development as it would be a high risk to the preservation of heritage assets. Suggesting the northern area should not be developed would not remove the affect on the heritage significance - and no new area showing the new public heritage site has been put forward. Developing near such a historically important area should not be considered - rather preserving the heritage site for the community would be a positive improvement for Axminster. Even if full archeological investigation of the whole area was a requirement for any future developer - this would not mitigate against the impact construction would have on the heritage preserved area - not to mention the other issues such as flooding, access, bat activity. Axmi_02 & Axmi_08 should be removed as unsuitable from the allocation plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I dont believe that development and inclusion of Axmi_02 & Axmi_08 complies with co-operating with other agencies who have already demonstrated how these allocations are unsuitable based on heritage impact (HE & DCC) and the environment (Environment Agency).

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Christian David George

Full name: Christian David George

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site

boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove the Exmo_20 from the local plan

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

Alison Gibbings

Full name: Alison Gibbings

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: A large housing estate should not be built on National Landscape. This is destroying farmland, ruining family farms and wildlife. Once destroyed our beautiful landscape will be gone forever. As a tourist area we need to retain our countryside to allow tourism to flourish. Building on land outside the National Landscape would be cheaper, making possible a bigger percentage of affordable homes. Homes should be being built for current residents of exmouth to enable young people to leave home. Why not build pods as they are doing in Tiverton outside of the national landscape. These are cheap and small and would make affordable housing. This would not put extra pressure on our services as locals could buy and they already live here. We cannot accommodate more people from outside the area The exit from this site (Exmo17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users (children/elderly/cyclists/families/dogs). There is insufficient capacity on the roads to Exeter to deal with the current traffic without adding more *** Personal details have been removed ***

Hannah Gibbons

Full name: Hannah Gibbons

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.:

Exmo_17 should be removed from the Local Plan as it is unsuitable for development due to its location within sensitive landscapes. The site lies within the East Devon National Landscape and historically within the Coastal Preservation Area (until a recent underhand and strategic change of site boundary to exclude Exmo_17). Both of which are designated to protect the undeveloped character and scenic quality of the coastline and surrounding countryside. Development would result in irreversible harm to landscape, visual amenity, and the setting of Littleham and Exmouth, contrary to national and local policy. Early site assessments found Exmo_17 unsuitable and not a preferred allocation, citing landscape sensitivity, heritage impact, and pressures on local infrastructure. These constraints remain unaddressed, yet the site has been included primarily to meet national housing targets rather than on the basis of planning merit. The partial reduction of the Coastal Preservation Area to accommodate development further undermines established protections without sufficient evidence that the landscape or coastal character is no longer of value. Allocating Exmo_17 would therefore fail tests of justification, consistency with national policy, and sustainability, and would set a precedent for further greenfield development in protected areas.

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.: For these reasons [above], Exmo_17 is not a sound allocation and should be excluded from the Local Plan.

Roger Gibson

Full name: Roger Gibson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: It follows that Exmo_17 must be removed from the Local Plan. This is confirmed in a statement concerning Exmo_17 by Natural England:

Statement by Natural England regarding Exmo_17.

In this instance, we would draw your attention to the National Planning Policy Framework (NPPF), the East Devon National Landscape's Management Plan, the Environment Act 2021, and section 245 of the Levelling up and Regeneration (LURA) Act 2023. As regards the NPPF, sections 2, 13, 14, 15 and 16 are all especially relevant to Protected Landscapes. Notably, in this instance, s.15 paragraph 190 states that 'when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest' (*italics added*). Also, in s.2 paragraph 11.d.i., where National Landscapes and National Parks are described as areas or assets of particular importance, the policies of which provide a strong reason for refusing development.

Alongside the NPPF is the strengthened Protected Landscapes Duty outlined in Section 245 of LURA 2023. This duty creates an obligation amongst public bodies and statutory bodies to ‘seek to further’ the purposes of Protected Landscapes whenever exercising functions that affect land in these areas, a change to the previous wording which necessitated relevant authorities needed only to ‘have regard to’ these purposes. This change necessitates proactive measures be taken rather than the more passive action that preceded it. The purposes of National Landscapes are to ‘Conserve and enhance the beauty of the area’. Importantly, this statutory purpose is very similar to that which governs National Parks. Unfortunately, this is often not recognised, with the relevant authorities often viewing National Landscapes as a ‘secondary’ or ‘weaker’ designation. This misguidance is perhaps an unfortunate outcome of chronic, inadequate resourcing of National Landscape teams.

Similarly, the Environment Act 2021 established the statutory obligation to produce Local Nature Recovery Strategies (LNRS) as well as ensure a mandatory 10% biodiversity net gain for ‘almost all development in England’. In the first instance, Devon County Councils LNRS explicitly references the East Devon National Landscape as a key landscape for ‘Devon Special Species’, highlighting its importance in achieving local environmental plans.

Lastly, relevant authorities should pay significant attention to the National Landscape’s Management Plans when making planning decisions. These plans, reviewed and published every 5 years in accordance with the statutory obligations of the Countryside and Rights of Way (CROW) Act, are produced on behalf of the local councils that host the National Landscape, and the local council adopts the Management Plan as part of its own policy. Given that the Local Authority is the Local Planning Authority for planning decisions, and the National Landscape’s Management Plan becomes a council document, not an external recommendation or oversight.

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.:
Objections to building on Exmo_17 (National Landscape).

The chapters stated refer to those in the Commonplace questionnaire.

Chapter 8: Housing Needs

The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high- end, bought by people from outside the area, increasing the local population and putting further stress on the inadequate infrastructure, particularly water supply and sewage disposal systems. There is no shortage of high-end houses for sale in Exmouth so no more are needed.

Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Chapter 11: Sustainable Transport

The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been projected plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, to catch two buses (passing every half hour) or a bus plus a train.

Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against

large-scale developments. This land serves two nearby farms: losing these fields would put both farms in jeopardy.

EDDC's duty is to 'conserve and enhance' it. (***) Personal details have been removed (***) on behalf of the Housing Minister, (***) Personal details have been removed (***) has confirmed this in a letter to our MP, (***) Personal details have been removed (***) of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it. There are no 'exceptional circumstances' justifying building a large estate on this National Landscape: there is land outside the National Landscape that could be used instead. As far as being 'in the public interest' is concerned, the losses far outweigh the benefits. There is no reason to build the proposed industrial units on this land either. Logically, they should be built on the Trading Estate opposite, or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner, Clinton Devon Estates, has recently terminated the lease to a nearby farm of 84 acres of National Landscape pastureland adjacent to Exmo_17. Could it be that they are intending a domino effect, building further estates on our irreplaceable National Landscape? If the rumour is true, that the landowner has sold or will be selling the land next to Exmo_17 to Bloor Homes, it would confirm their confidence that the District Council will allow them to keep building on National Landscape in the future.

Chapter 15: Historic Environment

The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried. There is also a grade 2 listed farmhouse, Mountain Farmhouse, on the perimeter.

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast, which is one reason why these fields had Coastal

Preservation Area protection until EDDC recently removed it, simply to facilitate building the proposed estate.

In conclusion, National Landscape is officially equal in importance and protection to National Parks. It follows that Exmo_17 must be removed from the Local Plan. This is confirmed in a statement concerning Exmo_17 by Natural England:

Statement by Natural England regarding Exmo_17.

In this instance, we would draw your attention to the National Planning Policy Framework (NPPF), the East Devon National Landscape's Management Plan, the Environment Act 2021, and section 245 of the Levelling up and Regeneration (LURA) Act 2023. As regards the NPPF, sections 2, 13, 14, 15 and 16 are all especially relevant to Protected Landscapes. Notably, in this instance, s.15 paragraph 190 states that 'when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest' (italics added). Also, in s.2 paragraph 11.d.i., where National Landscapes and National Parks are described as areas or assets of particular importance, the policies of which provide a strong reason for refusing development.

Alongside the NPPF is the strengthened Protected Landscapes Duty outlined in Section 245 of LURA 2023. This duty creates an obligation amongst public bodies and statutory bodies to 'seek to further' the purposes of Protected Landscapes whenever exercising functions that affect land in these areas, a change to the previous wording which necessitated relevant authorities needed only to 'have regard to' these purposes. This change necessitates proactive measures be taken rather than the more passive action that preceded it. The purposes of National Landscapes are to 'Conserve and enhance the beauty of the area'. Importantly, this statutory purpose is very similar to that which governs National Parks. Unfortunately, this is often not recognised, with the relevant authorities often viewing National Landscapes as a 'secondary' or 'weaker' designation. This misguidance is perhaps an unfortunate outcome of chronic, inadequate resourcing of National Landscape teams.

Similarly, the Environment Act 2021 established the statutory obligation to produce Local Nature Recovery Strategies (LNRS) as well as ensure a mandatory 10%

biodiversity net gain for ‘almost all development in England’. In the first instance, Devon County Councils LNRS explicitly references the East Devon National Landscape as a key landscape for ‘Devon Special Species’, highlighting its importance in achieving local environmental plans.

Lastly, relevant authorities should pay significant attention to the National Landscape’s Management Plans when making planning decisions. These plans, reviewed and published every 5 years in accordance with the statutory obligations of the Countryside and Rights of Way (CRoW) Act, are produced on behalf of the local councils that host the National Landscape, and the local council adopts the Management Plan as part of its own policy. Given that the Local Authority is the Local Planning Authority for planning decisions, and the National Landscape’s Management Plan becomes a council document, not an external recommendation or oversight.

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.: It follows that Exmo_17 must be removed from the Local Plan.

Full name: Roger Gibson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_04a

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.:

Exmouth 04 is small parcel of land off Higher Marley Road, Exmouth. This land is known as The Lawn, it is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. The parkland pre dates the old mansion Marley and was probably laid out when previous house 'Whimsey' was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused. As well as the parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site is 400m from Pebblebed Heaths.

Thank you for your consideration.

Martin Gibson

Full name: Martin Gibson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I don't want to swim in poo! There have been many illegal discharges of unprocessed sewage into the sea of recent months. SWWA can't cope. What do you think will happen when you allow a thousand more toilets up hill from Exmouth? Do you honestly imagine that they will be able to provide the increased sewerage and treatment plants in a timely manner?

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.: Please don't tarnish your (presently) good names by allowing this monstrous, unnecessary, Government inspired, development.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Gibson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Access on to B3179 is terrible idea. This road is narrow, unlit, busy and has bends. Road safety will be highly compromised.

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.: No access from B3179

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

Full name: Martin Gibson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: Too near Woodbury Common. Increased Dogs, predatory cats and people will decimate the fragile wildlife

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.: Minimum 0.5km border with B3179

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)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Gibson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Flood risk to Exmouth with extra roads, driveways and roofs. Recall 1960, and extrapolate! Very poor drains here NOW. I don't trust SWWater to make the necessary upgrade - do you? Too close to wildlife on the common. Predation by cats, disturbance by dogs.

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.: Smaller scheme At least 800m from Common

stefan gieron

Full name: stefan gieron

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. ALLOCATION OF EXMO_20 IS IN CONFLICT WITH PARAGRAPHS 16C, 32, 73B- (Specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6 policies PB01, PB02, PB03, PB04, AND OL02 OF THE LOCAL PLAN. Being adjacent to the Pebble Bed Heaths SAC/SPA/SSSI the allocation relies on significant habitat and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "it was not possible to screen out a likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks" This site was selected on 03/09/24 (without option to reconsider), with the draft local plan approved on 11/12/24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30/01/25 HRA, contrary to CJEU "People over Wind". Furthermore selecting sites with no mitigation requirements requires clear justification when assessing allocations against Mitigation Hierarchy as set out in NPPF paragraph 32.

2. Allocation of Exmo_20 is in conflict with paragraph 16c, 32, 73b (specifically footnote 38+7) 180d, 180e, 181, 185a, 186a, 186b, 188+191c of the NPPF December 2023 and is unsound as not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 & OL02 of the Local Plan. A minimum of 400m adjacent to the Pebble Bed Heaths SAC - SPA-SSS1 must be excluded from the EXmo-20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural

areas cats can roam over 2km (HRA 4.10), and considering the ground nesting NIGHTJAR is a qualifying feature of the SPA, so a clear and significant predation risk it would seem precautionary for this distance to be significantly more than the pragmatic 400m (Underhill-Day 2005) currently proposed as it is recognised but just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling and walking which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level 3. Allocation of Exmo_20 is in conflict with paragraphs 16c,92, and 114b, 114d,180e +181 of the NPPF Dec2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 & PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto B3179, but to make this viable would require MAJOR uncertain and uncoded hi-way works, not confirmed by Devon County Council. Cumulative and in-combination effects on Regulations Assessment (18/11/25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to air quality", due to the primary access to Exmo_20 being onto the B3179 which would sent traffic along the boundary Pebble Bed Heath SAC-SPA-SSS1. Allocation of Exmo-20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo-20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation

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.: REMOVE Exmo-20 from the local plan

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)?: No, I do not wish to participate in hearing session(s)

Spencer Giles

Full name: Spencer Giles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am formally writing to object to Exmo_20 under the following grounds.

1. Damage to site of special scientific interest (heathland in the area, and important buffer between Exmouth and the Heath, and a wildlife corridor).
2. Loss of good agricultural land leading to increased food miles.
3. Increased risk of flooding and by run off, caused by concreting over fields.
4. Traffic jams with increased cars in area, leading to bottle necks on A376.
5. Insufficient sewage systems which already can't cope with capacity in Exmouth.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Full name: Spencer Giles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am formally writing to object to Exmo_20 under the following grounds.

1. Damage to site of special scientific interest (heathland in the area, and important buffer between Exmouth and the Heath, and a wildlife corridor).
2. Loss of good agricultural land leading to increased food miles.
3. Increased risk of flooding and by run off, caused by concreting over fields.
4. Traffic jams with increased cars in area, leading to bottle necks on A376.
5. Insufficient sewage systems which already can't cope with capacity in Exmouth.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Natalie Giles

Full name: Natalie Giles

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I am formally writing to object to Exmo_20 under the following grounds.

1. Damage to site of special scientific interest (heathland in the area, and important buffer between Exmouth and the Heath, and a wildlife corridor).
2. Loss of good agricultural land leading to increased food miles.
3. Increased risk of flooding and by run off, caused by concreting over fields.
4. Traffic jams with increased cars in area, leading to bottle necks on A376.
5. Insufficient sewage systems which already can't cope with capacity in Exmouth.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Carol Giles

Full name: Carol Giles

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

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.: Remove Exmo_20 from the Local Plan

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)?: No, I do not wish to participate in hearing session(s)

Ann Gillham

Full name: Ann Gillham

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The main access point of Exmo_20 is significantly closer to Budleigh Salterton than Exmouth, making Budleigh it's most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the preferred choice for residents of Exmo_20. This undermines the settlement hierarchy and would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the Local Plan. An alternative site to Exmo_20 for housing allocation should be selected, one which was deemed available, achievable & suitable in the HELAA. Exmo_20 would cause harm to the adjacent Pebblebed Heaths (SSSI/SAC/SPA/NNR) due to Exmo_20 being a supporting foraging habitat. Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. Exmo_20 would cause harm to the heritage assets, most significantly St John in the Wilderness Grade II* listed church and churchyard, drastically altering the attractive rural setting for worship & burials which currently exists. This is contrary to POLICY HE02. Exmo_20 would have a detrimental effect on the adjacent designated wildlife sites and destroy the "tranquility, wildness and dark skies" of the countryside, which is contrary to POLICY OL01. Exmo_20 development would be in conflict with the Strategic Nature Area 368, fragmenting and isolating habitats and destroy wildlife corridors, contrary to PARAGRAPH 13.23 of the Local Plan. It would cause harm to irreplaceable habitats, veteran trees and species rich hedgerows across the site, contrary to PARAGRAPH 13.9. Exmo_20 is in conflict with POLICY OL09 and POLICY PB04 as the Habitats Regulations Assessment (30.01.25) states that there is

“currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA) such that the Plan fails the integrity test. Development of Exmo_20 on heavy clay subsoil with ineffective soakaways, would exacerbate the already identified downstream flood risk along Withycombe Brook through Exmouth, which is already beyond its design capacity. This is in conflict with POLICY AR01B. Exmo_20 would increase the need for car travel and increase traffic congestion, in conflict with PARAGRAPH 11.2. The isolated location is unsustainable development as people would need to travel much further than 800m to existing key services and facilities, contrary to PARAGRAPH 11.6. It is too far (and too steep) from any town centre to use walking or cycling as their choice of transport. This is contrary to POLICY TR01.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

jason gillingham

Full name: jason gillingham

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::

Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Remove EXMO_20 from the proposal

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.: As a professional ecologist I can see a number of issues with the proposed EXMO_20 site. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. I endorse the existing and very well stated comments that follow: "The LPA appears to demonstrate a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03,

PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would see precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed, as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significant greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape. As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure

a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6 policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. Clarke, R.T. (2007) 'What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*?' *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan

and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 20).... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development an associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified. 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a,

186c, 188 and 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathway with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk are without yet considering current and future impacts from climate change. The greenfield Exmo_2 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need

for car travel, resulting in more car journeys via convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking and cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, use for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below: criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342

(not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are o can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity an congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels

of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife- rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration o creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, an which is like;y to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment ha concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscape and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset fro development within its setting should require clear justification. Assets of the highest significance, notably....grade I and * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impact Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways,

including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017. Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choice. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats. In addition the presence of Hazel dormice, a European Protected Species, throughout the woodland around Bystock Pools and by inference all linked hedgerows would be threatened by the introduction of domestic pets (particularly cats). There are no proven ways to prevent predation of dormice by domestic cats. What provision has been made for the Lesser horseshoe bat colony close to Bystock House? What will the impact be of reducing the immediately available foraging habitat for this colony.

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.: Remove EXMO_20 from the local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Sophie Glanfield

Full name: Sophie Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Significantly reduce housing allocations for Exmouth given the unique local constraints

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Sammy Glanfield

Full name: Sammy Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Significantly reduce housing allocations for Exmouth given the unique local constraints.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

finn glanfield

Full name: finn glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Reduce housing development in Exmouth in recognition of its limitations and constraints.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

emily glanfield

Full name: emily glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Significantly reduce housing allocation to Exmouth given the unique constraints.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Joe Glanfield

Full name: Joe Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

Full name: Sophie Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Significantly reduce quantity of houses being built across all sites, especially Exmo_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Remove housing from close to european wildlife sites like EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Significantly reduce the housing allocation to Exmouth and reconsider other sites.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Reconsider the location of large housing allocations including Marlcombe, considering the known South East Devon strategic mitigation strategy.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Reduce development on outskirts of Exmouth.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Significantly reduce the housing around the edge of Exmouth, keeping any developments closer to the town centre.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial

Strategy 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.: Significantly reduce housing allocations for Exmouth given the unique local constraints

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Significantly reduce number of houses in EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Reduce the size of EXMO_20 and remove access to the B3179

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove EXMO_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove access from B3179 and significantly reduce size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Significantly reduce number of homes in EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Reduce the size of EXMO_20 significantly.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: EXMO_20 should be removed from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from local plan.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Sophie Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from local plan or as a minimum revert back to EXMO_20B

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the local plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the local plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove B3179 access and reduce size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove EXMO_20 from site selection.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Close access to B3179 and reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Reduce size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Significantly reduce EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Exmo_20 should be removed from the plan, failing that access to the B3179 should be removed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increasethelocal resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Significantly reduce or remove EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Sammy Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from strategic plan or reduce size back to EXMO_20B

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Reduce the size of EXMO_20 significantly or remove it from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Reduce the size of EXMO_20 or remove site from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Reduce size of EXMO_20 or remove it and focus development closer to public amenities.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Significantly reduce or remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified".

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.: Significantly reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Significantly reduce the size of EXMO_20 and take away access from the B3179

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) ... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: EXMO_20 should be removed from the strategic plan in its entirety.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from strategic plan or revert to EXMO_20B

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: finn glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Reduce or remove EXMO_20 from the strategic plan.

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: EXMO_20 should be significantly reduced in size.

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: EXMO_20 should be at least reverted to EXMO_20B or removed from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove access to B3179. Reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Revert EXMO_20 to EXMO_20B or remove from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 or significant reduce size and limit to EXMO_20b

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: emily glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from strategic plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove EXMO_20 from strategic plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Massively reduce the size of EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Reduce or remove

EXMO_20

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove EXMO_20

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: EXMO_20 should be removed from strategic plan or heavily reduced.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Reduce or remove EXMO_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 from the strategic plan.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20
OR Remove access from B3179 and reduce.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 or if not possible revert to EXMO_20b

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)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove EXMO_20 if this isn't possible then revert to EXMO_20B

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)?: No, I do not wish to participate in hearing session(s)

Full name: Joe Glanfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

Full name: Sophie Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: Sophie Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Sophie Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: Sophie Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)]

Full name: Sophie Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: Sophie Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page]

Full name: Sammy Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: Sammy Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Sammy Glanfield

Proposal: Sustainability Appraisal

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Full name: Sammy Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Sammy Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Sammy Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: finn glanfield

Proposal: Sustainability Appraisal

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Full name: finn glanfield

Proposal: Sustainability Appraisal

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Full name: finn glanfield

Proposal: Sustainability Appraisal

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Full name: finn glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: finn glanfield

Proposal: Sustainability Appraisal

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Full name: finn glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: emily glanfield

Proposal: Sustainability Appraisal

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Full name: emily glanfield

Proposal: Sustainability Appraisal

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Full name: emily glanfield

Proposal: Sustainability Appraisal

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Full name: emily glanfield

Proposal: Sustainability Appraisal

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Full name: emily glanfield

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Full name: Joe Glanfield

Proposal: Sustainability Appraisal

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Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Joe Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: Joe Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)]

Full name: Joe Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: Joe Glanfield

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page]

robert glanville

Full name: robert glanville

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.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Whim_08a

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The Whim_08 proposed site is not founded on a robust evidence base. All the evidence for Whim_08 given by the EDDC officers was unfavourable to the development for multiple reasons. Despite the fact that nothing has changed, the local Lib Dem councillor, with no support from the village or Parish Council, proposed building on the promised Green Wedge site of Whim_08 - on which promise he was elected to protect, as councillor. Reference EDDC Strategic Planning Committee Meeting Autumn 2024. Surely this disregard for clearly unfavourable evidence does not comply with 'maintaining public trust'.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
There are no obvious modifications that could render this site a safe development, or protect the habitat - Little Owls, bats etc - of protected species.

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.: The

main road through the village is nothing more than a lane in places, resulting in several one-way traffic stretches. Additionally the lack of pavement and lighting on this road, which leads to the village square, shop, railway station, school and village hall, clearly demonstrates that it is totally unsuitable for the extra traffic, which the development of Whim_08 would bring.

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.: Whimple is a small village obviously not established with today's traffic in mind. The main road could not be widened to accommodate pavements to provide safety to pedestrians and drivers alike. Road safety is already a huge issue in Whimple.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The Highways Agency would surely be concerned about serious traffic safety due to any increase of traffic in an already overcrowded 'lane' through the village. Also, has there been any engagement with Wildlife Trusts or similar bodies in relation to the protection of habitats for Little Owls, bats etc.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

robert kennet glanville

Full name: robert kennet glanville

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.: SD29

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Whim_08

Kirsten Goodesmith

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned ho

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Revert to 20b

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Move boundary from Pebblebed Heaths

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

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.: Do not access the site via Southern Wood

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)?: No, I do not wish to participate in hearing session(s)

Full name: Kirsten Goodesmith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Remove Exmo_20 from the local plan

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)?: No, I do not wish to participate in hearing session(s)

Mr Richard J Goodier

Full name: Mr Richard J Goodier

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_31

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In respect of Sidm_31, the Second Draft states: "It is expected that access for all road users would be off Windsor Mead." I own the land between Windsor Mead and the proposed development site. I have had no contact with either the council nor the developer as to how they intend to access the development through my land. Any request for access or purchase would be refused.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Delete the sentence detailed above. Access would have to be via Burscombe Lane which is also problematic for reasons clearly stated in the existing planning application.

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.: See answer to 2(b) above.

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.: See answer to 2(c) above.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See answer to 2(b) above.

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.: The current proposal necessitates a road going through my land.

Julia Gould-Smith

Full name: Julia Gould-Smith

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals,

preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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)?: No, I do not wish to participate in hearing session(s)

Kate Grant

Full name: Kate Grant

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: This is an area of Outstanding Natural Beauty - not enough consideration has been given to this. Trees will be unnecessarily felled - thousands of years worth of history gone. Birds and other wildlife will be disturbed and their natural habitat removed. I strongly object to this area of Outstanding Natural Beauty being destroyed - EDDC have a duty to conserve and enhance this. The landscape and associated plants and trees act as a natural flood defence. If these are removed, so is natural drainage and flooding will increase. The town's infrastructure is not equipped for this massive development. Our sewage system is already not fit for purpose - the addition of 700 homes will only add to this. The same applies to GP Surgeries and Schools. There are not enough to serve Exmouth and Budleigh as it stands now. I fail to see the need for 700 additional houses when other local developments remain unoccupied. It is shameful to even consider destroying this area of beautiful landscape - to do so will deprive both current and future generations of this natural amenity .

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.: Remove Exmo_20 from the Local Plan - Leave the natural landscape and associated nature alone - You

have a duty to protect it. Enough of it has already been taken to build homes that remain unoccupied.

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)?: No, I do not wish to participate in hearing session(s)

Jennifer Gray

Full name: Jennifer Gray

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am writing to oppose the frightening plan Of 700 new homes being built near the Archery Club

Obvious objections include Pressure on existing Budleigh facilities Including Surgery Pharmacy Dentist School sewerage and High Street The surgery is barely running at the moment Through lack of doctors There are no NHS dentists The Pharmacy is overburdened The existing road to Woodbury Is dangerous as it is Large vehicles will ruin existing roads Our beautiful countryside will be ruined for ever

The East Devon salvo 'Area of outstanding beauty' Will become a myth

I appreciate that new homes are necessary But where are the homes for the public sector? A far more pressing concern

Will our local taxes go up To maintain this madness?

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally

compliant. 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.:

Delete the allocation

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.: I am writing to oppose the frightening plan Of 700 new homes being built near the Archery Club

Obvious objections include Pressure on existing Budleigh facilities Including Surgery Pharmacy Dentist School sewerage and High Street The surgery is barely running at the moment Through lack of doctors There are no NHS dentists The Pharmacy is overburdened The existing road to Woodbury Is dangerous as it is Large vehicles will ruin existing roads Our beautiful countryside will be ruined for ever

The East Devon salvo 'Area of outstanding beauty' Will become a myth

I appreciate that new homes are necessary But where are the homes for the public sector? A far more pressing concern

Will our local taxes go up To maintain this madness?

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.: Delete the allocation

Roy Greateorex

Full name: Roy Greateorex

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: It will significantly erode the buffer zone between the Pebblebed Heaths and the urban area to the south. Inevitably the increased population with its attendant cars, pets and recreational pursuits will adversely affect the natural habitat. I am also very concerned as to how the existing infrastructure will be able to cope with the increased traffic, water supply, rainwater runoff and sewage drainage, given the current situation.

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.: Remove EXMO-20 from the Local Plan Reduce the size of EXMO-20 Do not access the site via B3179 'Southern Wood Move the settlement boundary away from the Pebblebed Heaths Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Full name: Roy Greateorex

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: I wish to lodge my objection to the proposed development of this combined housing/industrial units on National Landscape land. It beggars belief that such a proposal should be considered, let alone countenanced, on what is supposed to be protected status land - a valuable and dwindling resource. The development would seriously impact upon the existing cycle path/footpath between Budleigh Salterton and Exmouth as it would be bisected by the proposed road network. Additionally, shifting the rural boundary on the approach to Exmouth would increase the length of the suburban section entering Exmouth, thus spoiling further the scenic nature of this route and adding traffic hazards. Furthermore, increased traffic on often congested and definitely crumbling roads will sorely test the patience of the local population. What proposals and, indeed, guarantees are to be in put place to avoid any further strain on our woefully inadequate water supply and sewage systems? It is common knowledge that S.W. Water cannot today meet its obligations to the community - preventing and repairing leakages - so how will it cope with further development? Additional housing we may need but not before the infrastructure - schools, health care, sewage treatment etc. - is prepared for them. If it is decreed that we must create additional dwellings then repurpose empty buildings or develop brownfield sites, but hands off our green spaces.

Simon Griffiths

Full name: Simon Griffiths

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: NPPF (2023) requires that plans set out contributions from development. However, not in the revised Infrastructure Delivery Plan (KSD - 001 (REV), nor anywhere else in the current Regulation 19 documentation is the necessary transport or other infrastructure, i.e. technical adequacy, safety and cost, considered in sufficient detail to show that Exmo_20 is deliverable. In particular the IDP does not consider the need for widening or otherwise safely upgrading the northern (B3179) route nor the southern access option via Dinan Way to meet predicted increases in traffic use. Similarly there is no discussion of how new utilities and drainage and flood alleviation will be provided, what adverse effects there maybe on the existing highway and drainage networks during construction, and whether the developer will pay, or not. Without considering such issues in reasonable detail there is no evidence that proposed Exmo_20 site is deliverable, particularly as compared with other site options for the proposed 700 new homes, sites where, whether or not they have yet been considered by EDDC, the existing area infrastructure may already be better developed and hence able to accommodate any new development. The policy in respect of Exmo_20 is this unsound in my view.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: The IDP should be revised provide the level of detail described in 2(b) above in respect of the Exmo_20 site to show that it is deliverable.

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.: The IDP should be revised provide the level of detail described in 2(b) above in respect of the Exmo_20 site to show that it is deliverable.

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.: Traffic impact assessments, outline highway designs and infrastructure designs should be discussed with DCC etc and costed.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: In respect of Exmo_20 it does not show any evidence of detailed discussion with Devon County Council on highway matters nor with utility companies.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Holly Griffiths

Full name: Holly Griffiths

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site

currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to

other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In

the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much

of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph

11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". -----

----- LIST OF POLICIES REFERRED TO IN SUGGESTED
OBJECTIONS (FOR YOUR REFERENCE ONLY) National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is

adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 170b states that development should not increase flood risk elsewhere Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification.

Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5

miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)?: No, I do not wish to participate in hearing session(s)

Mr & Mrs Guck

Full name: Mr & Mrs Guck

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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

Full name: Mr & Mrs Guck

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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.: I oppose this development completely there is not the •No infrastructure to cope with this amount of housing.

- There is no pavements in that area.
- The flood risk.
- agricultural land

Samantha Guck

Full name: Samantha Guck

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Sidm_01

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

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

?1. Impact on National Landscape (formerly AONB) ?The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. • ?Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. • ?Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing. ?2. Violation of Green Wedge Policy ?This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. • ?Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. • ?Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

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.: ?3.

Failure to Prioritize Sustainable Alternatives ?The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets. • ?Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. • ?Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes. ?4. Environmental and Infrastructure Constraints • ?Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. • ?Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. • Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Conclusion ?For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

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.: I am a resident of Sidmouth I am concerned about any development in our town

Amanda Gulbranson

Full name: Amanda Gulbranson

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am genuinely concerned about the impact of this development, both on the existing town and infrastructure and current population, as well as the impact on the environment, the landscape and nature and the eco system. I do not believe that there has been adequate thought or planning, and that if this has been considered, no evidence forthcoming to demonstrate this about the impact of a significant number of new houses being build to an already expanding town- where existing development has still not been completed. The local secondary school is one of the biggest (the biggest) in the UK- and is already over-subscribed, with local children having to access places elsewhere (which requires travelling by bus etc) We have inadequate provision for GP and dental services, and congestion and commuting in and out of Exeter/ access to M5 is becoming increasingly difficult and taking longer, as – despite the new road layout linking dinan way to the Exmouth- Exeter road – there are still only 2 main routs in and out of Exmouth. In addition to this there is the obvious challenges of infrastructure around water and sewerage- with South West Water still providing no reassurance or a clear plan as to how this will be addressed for the current population, let alone significant grown. Access to the proposed site (Exmo_20) is also significantly restricted. This will create a bottle neck of traffic entering/ exiting the site (during development and when completed) via a current residential housing estate My understanding is that Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel.

Whilst previous comments by developer have stated that many will walk/ take the bus (assuming new bus routes are possible / viable) many households now have 2 cars....and even if they don't use a car- there is a high likelihood that they will have shopping/ orders delivered – which will also increase traffic with access being through restricted sites and surrounding roads not able to support increased volume of traffic (as demonstrated recently where St Johns Road was used as a diversion- this quickly resulted in grid lock and large queues of traffic trying to exit the road onto Dinan Way. Due to access, the isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. If walking and cycling is to be encouraged, the current infrastructure for cycling needs to be significantly improved in order to achieve/ enable this (with current access to cycle paths from proposed location requiring access via busy road. My understand in that Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. As eluded to above- there is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (Nov 25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site's inclusion in the plan appears to be unlawful due to there being no reasonable scientific certainty presented for mitigation. For the several parts of my submission I acknowledge that I am drawing on information, and the wording, that has been discussed and shared locally. Life is busy with a family and working – but I feel incredibly strongly about the proposed development- and therefore felt it was important to submit my concerns and objection.....and that this in any form would be better than none at all in order to ensure the council are fully aware of the concerns: Noted that allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph

3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Exmo_20 lies next to Pebblebed Heaths . The mitigation strategy included in the plan states that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was identified September 2024, with the Regulation 19 draft Local Plan approved in Dec 2024 on the assumption that a mitigation strategy would be forthcoming; Sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. Exmo_20 site supports a huge diversity of wildlife, and the habitat is vital for the homes and foraging of the animals, birds and insects that inhabit this area already. Nature in the UK is in crisis, with more and more building encroaching on land. Mammals and birds include badgers, dormouse, firecrest, goldcrest, nightjars and bats to name but a few. The area also provides an important corridor between other woodland and farm land and the pebble bed heaths. Nature is vital for our (human) health too- with increasing studies to demonstrate this- therefore a healthy balance and careful planning needs to support this to protect this for future generations as well. Once it is gone it is gone and reversing a decision of this magnitude will be impossible. It is my opinion that The Exmo_20 allocation is hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” In addition to this the RSPB’s view states “ mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the

St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." Continuing with concerns regarding the environment and ecosystems; the allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site

without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. Objection 7. And finally, it is my understanding that Exmo_20 is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. I am concerned that these need to be corrected and reconsulted upon before any further discussion/ decisions can be made, as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

I appreciate that there is a need to include the building of more houses within local planning....but that this also has to be balanced with sensible consideration of appropriate sites. At this time, I do not think that Exmo_20 is a viable site to consider for inclusion in the local plan due to location, size and access of the proposed site, in addition to wider local infrastructure that is not currently in place to support current growth. Limited access to the site alone, given the number of proposed houses and limited points from Southern Wood and B3179 are inadequate and likely to cause significant disruption to current routes and environment, including close proximity to pebble bed heaths. Due to these concerns - as highlighted in 3B- I would propose that site Exmo_20 is currently removed from the local plan, or at best the size of the proposed site and development significantly reduced. In the future, if land use changes and access changes (in addition to strengthened and improved infrastructure of town) it may be appropriate to reconsider this.

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)?: No, I do not wish to participate in hearing session(s)

P. Hagerty

Full name: P. Hagerty

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.:

Large housing estates should not be built on National Landscape. Building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. The exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users. (children/elderly/cyclists/families/dogs). The sewage system can't cope with the housing we already.

Lesley Hall

Full name: Lesley Hall

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I wish to put forward my objections to the proposed development of site Exmo_20

1. It will destroy the wildlife-rich habitats including some protected species.

2. It will increase the risk of flooding in Withycombe brook, also...

3. With the increased pressure of water running down the stream it could cause landslides in residents' back gardens.

Please listen to the people that live around the proposed development site & take on board their objections.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

We know & understand the damage this development will cause to this significant area. Thank you for reading.

Barbara Hall

Full name: Barbara Hall

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I am writing to strongly object to this above plan to build on this land. There are so many reasons why this should not be allowed and here are some of them: It is a Site of Special Scientific Interest and as such should remain untouched for the obvious reason that building in this land will cause untold damage to wildlife and the land in general. Traffic - the roads around Exmouth are gridlocked now so any more traffic will simply cause chaos during peak times and contribute to the pollution of the area so damaging health of the general public and lungs of little children. Flooding - obviously this risk will increase with building on concreted land that will no longer be able to absorb rainfall. Sewage - we already have a massive sewage overflow problem in Exmouth (beach closed after heavy rain/swimming banned/tourism affected etc etc) Exmouth does not have the infrastructure to cope with any more inhabitants. We will not have enough doctors' surgeries, schools etc to cope with the population already here. Both of us (***) Personal details have been removed ***) strongly object to this proposal.

Full name: Lesley Hall

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I am listing my objections to the proposed development of site Exm_20 as follows:

Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats & Species Regulations 2017. The proposed development will destroy the wildlife rich habitats including some protected species.

The proposed second access to the South of the site in Southern Wood is wholly inappropriate & likely to be quite dangerous. Residents wishing to travel to Tesco's or Exmouth town or the local schools are likely to use this access. From Southern Wood they will need to enter Meadow View Road which is likely to cause congestion whilst trying to exit on to Dinan Way. Meadow View Road is not very wide & there is only room for single file traffic & with cars parked on the road there is already a need to be very vigilant when driving on the road. Children also play outside on their bikes etc. It feels like an accident waiting to happen. Meadow View Road cannot cope with the increase in traffic on this road if the proposed access goes ahead.

It will increase the risk of flooding in Withycombe Brook & the increase in flow of water from entry would cause more pressure & could result in landslides of residents' back gardens.

Policy OL01d states that development will only be permitted where it will not harm the aesthetic & perceptual factors such as "tranquility, wildness & dark skies" St Johns Church is a listed grade 11 building & is recognised for its architectural & historical significance. The surrounding area & St Johns road leading to the church should be left well alone.

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.: Please note these objections. If the development goes ahead as planned it will destroy this part of Exmouth & will be irrecoverable .

John Hamill

Full name: John Hamill

Organisation (where relevant): John Hamill

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Paragraph 1.14 is the “Duty to co-operate and joint working with neighbouring authorities”. Where is the “Duty to Co-operate and communicate with the Public”??? Whilst EDDC may have consulted with neighbouring authorities, there is little evidence of this with regards to the public and where there is evidence of this (e.g. the First and Second Reg 19 consultations), the EDDC’s consultation with the public has been one way with no real evidence provided that any notice/attention has been taken of the public’s and key organisations, comments, suggestions, and valid concerns. This is particularly evident with regards to the 1110 comments for Exmo_20, including those from Natural England, DWT, the RSPB and East Devon National Landscapes. Since we were made aware of this process back in September 2024, it has been evident that EDDC strategic planning officers were predetermined on what they wanted to happen, and have guided through a result and process that suited them without focussing on East Devons future needs nor the National Governments desire for sustainable development. SITE Exmo_20 IS A PRIME EXAMPLE OF THIS, YOU JUST HAVE TO LOOK AT THE VIDEOS OF THE STRATEGIC PLANNING COMMITTEE MEETINGS REGARDING THIS SITE STARTING WITH THE ONE ON THE 3RD SEPTEMBER 2024.....

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 ensure the Inspector hears from the public not the version EDDC puts forward

Full name: John Hamill

Proposal:

2. The Vision

1. To which part of the Vision chapter does your representation relate?:

Figure/Image

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

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Vision chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Vision chapter is not sound. Please be as precise as possible.: The whole Draft Local Plan process including the consultation is divisive. The public, parishes, councils, committee members and councillors are effectively pitted against each other, not only in defence of their town/village but also down to site/area level. This seems to be deliberate and is clearly demonstrated by the new community of Marcombe. This Second Reg 19 Consultation was specifically arranged because details about Marcombe were still being finalised. All of this detail is now available and described within the Draft Local Plan under Chapter 4. However, as I write this comment on Sunday 25th January 2026 with less than one day to go before this consultation closes, there are only 6 comments against this new community for over 10,000 homes. The Planning Officers may say that it is because they have done a great job, everyone is happy etc.... Unfortunately the more likely reasons are to do with "apathy", along the lines of "it is going to happen in anyway", "why bother commenting", "it is a foregone conclusion", "what new community?", "where?", "better there than in our town/village, so hurry up and do it". No thought about the impacts of these 10,000 homes and its residents on the already straining infrastructure, or thoughts about how the roads especially around junctions 29 and 30 of the M5 are going to cope, or how this will impact the routes into towns/villages and beaches, etc...

4. Do you consider that this part of the Vision 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 ensure the Inspector hears from the public not the version EDDC puts forward

Full name: John Hamill

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unsound. [attached evidence: SE Devon Mitigation Strategy Map 2]

Full name: John Hamill

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

Full name: John Hamill

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

Kerin Hamill

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is

imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”.

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.”

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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.: Both EDDC and Commonplace have made participation in this so called Consultation virtually impossible, I am very keen that the Inspector hears from ordinary residents affected by this proposal.

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant.

The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from the Local Plan

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.: Both EDDC and Commonplace have made participation in this so called Consultation virtually impossible, I am very keen that the Inspector hears from ordinary residents affected by this proposal

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20

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.: Someone needs to listen to the public

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: No one is listening

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20

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.: This is such an important change to this natural area that the inspector needs to be well informed

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20

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 have my views taken into account

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20 from the local plan

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 have a voice

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20 from the Local Plan

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 have a voice as although this is called a consultation it isn't

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the local plan

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.: There are so many things that have not been taken into account to make this legally compliant

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: remove Exmo_20 from the local plan

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 heard

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
EXmo_20

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.:

Allocation of EXmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to EXmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of EXmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The EXmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: REmove Exmo_20 from the local plan

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.: This proposal is wrong on so many fronts and no one has been listening

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heath SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

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.: Remove Exmo_20 from the Local Plan

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.: Because I need to have views considered

Full name: Kerin Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: There have been 1110 comments for the previous Regulation 19 consultation and EDDC didn't take any notice and just carried on regardless. Many valid points were raised so I would like to speak to an inspector.

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement.

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.: Remove Exmo_20 from the Local Plan

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 ensure the Inspector hears from the public not the version EDDC puts forward

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from the Local Plan

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.: EDDC ***** and Officers are fully aware of the failings with Exmo_20 yet continue to include it in the Plan for reasons of expediency. It is necessary to explain this to an Independent person without the filter of EDDC

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the Local Plan

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 clearly state the failings in Exmo_20 to a professional planner independent of EDDC

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the Local Plan

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.: It is necessary that the Inspector learns from members of the public not just the one sided view of ***** and Officers of EDDC

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20

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.: It is important that the Inspector hears directly from members of the public and does not have to rely on EDDC for the true picture

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20 from the Local Plan

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 ensure my voice is heard

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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 ensure my very real concerns about Exmo_20 are heard by an independent Inspector

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo_20 from the Local Plan

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.: EDDC cannot be trusted to provide the Inspectors with a full and accurate explanation of the failings in Exmo_20 therefore I would like to inform them myself

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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 ensure the Inspector is fully aware of EDDC's failings in this Consultation

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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.: I want the Inspectors to hear directly about the failings in this proposal

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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 make sure my voice is heard

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan

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.: I have made many presentations to EDDC Strategic Planning Committee and not been listened to, I believe the Inspector will listen...

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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.: Remove Exmo_20 from the Local Plan

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 ensure the Inspector hears my objection

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

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.: Remove Exmo_20 from the Local Plan

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 bring to the Inspectors' attention the failures of EDDC in this process

Full name: John Hamill

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

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.: Remove Exmo_20 from the Local Plan

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 ensure the Inspector hears directly from a resident about the failures of EDDC in this process

Full name: Kerin Hamill

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

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

6.4

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.: SD01

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter legally compliant. 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.:

6.4 This contradicts the proposed work on the EXmo_20 site

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: The proposed Exmo 20 site will require travel onto the B3179. This location maximises the need to travel. It is in direct conflict with 6.4

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: Stop Exmo 20

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kerin Hamill

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

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

6.5a

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
EXMo_20

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.:

6.5a is in direct conflict with statements made about EXmo_20 site

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Kerin Hamill

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
EXmo_20

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: How can no significant adverse impacts that cannot be satisfactorily mitigated be possible with the significant extra volume of traffic that such a huge proposed site would create? The site is also adjacent to the protected pebble beds yet 6.5 states that it should not be near protected sites. The whole EXmo_20 proposal contradicts paragraphs 6.5 a b and c

Full name: Kerin Hamill

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
EXMo_20

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: I disagree with the statement that Development Location should minimise the need to travel with regard to EXMO_20 as building homes here and commercial buildings will definitely lead to more travel and more pollution. There is no other way to travel other than mechanical transport as the B3179 is not a place for cyclists and walkers. Creating more pollution cannot be mitigated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: Stop EXmo_20

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

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.: This is a very important part of life and needs discussion.

Full name: Kerin Hamill

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC04

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.: EX mo_20

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible.: Chapter 6.8 for emissions is a direct contradiction of proposals. Putting a large energy station on the end of the site next to the National Protected Pebblebeds or just outside of it is not compliant with what is required on a National Landscape.

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Sustainability Appraisal On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally compliant, unjustified and unsound.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)]

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: John Hamill

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page]

JOHN RICHARD VINCENT HARDING

Full name: JOHN RICHARD VINCENT HARDING

Other party name (if relevant): MRS PAMELA ANN HARDING

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: EXMO_20 is at variance with Section 32 of the NPPF of December 2023 and must be considered as unsound. It was falsely claimed that it was available for site selection when this was not the case. Originally under HELAA it was deemed unsound but this was subsequently changed but without the detailed supporting evidence covering surrounding roads' capacity, and safety for pedestrians, educational and health facilities, leading to greater potential pressure on already overloaded facilities in neighbouring communities.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
EXMO20 should be removed from consideration.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Ian Harrington.

Full name: Ian Harrington.

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB01

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: I'm not sure if I'm in the correct section, but here goes. All I will say is that absolutely no development is permitted within sight of the River Axe and the surrounding wildlife habitats. Several preferred sites in the East Devon plan that don't encroach on the River Axe should always be considered first. Planning committee members very rarely visit or have any knowledge of proposed sites proximity to the River Axe or the potential pollution and wildlife distruction which will ensue.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant. 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.: I'm not sure if I'm in the correct section, but here goes. All I will say is that absolutely no development is permitted within sight of the River Axe and the surrounding wildlife habitats. Several preferred sites in the East Devon plan that don't encroach on the River Axe should always be considered first. Planning committee members very rarely visit or have any knowledge of proposed sites proximity to the River Axe or the potential pollution and wildlife distruction which will ensue. The planning committee have already made their minds up before they listen to any objections.

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: I'm not sure if I'm in the correct section, but here goes. All I will say is that

absolutely no development is permitted within sight of the River Axe and the surrounding wildlife habitats. Several preferred sites in the East Devon plan that don't encroach on the River Axe should always be considered first. Planning committee members very rarely visit or have any knowledge of proposed sites proximity to the River Axe or the potential pollution and wildlife distruction which will ensue.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: No development shall be built anywhere near the River Axe and other preferred sites in the East Devon plan always be considered first.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I'm not sure if I'm in the correct section, but here goes. All I will say is that absolutely no development is permitted within sight of the River Axe and the surrounding wildlife habitats. Several preferred sites in the East Devon plan that don't encroach on the River Axe should always be considered first. Planning committee members very rarely visit or have any knowledge of proposed sites proximity to the River Axe or the potential pollution and wildlife distruction which will ensue.

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.: Hopefully I'll be listened to, which I unfortunately I doubt.

Linden Harris

Full name: Linden Harris

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSi the allocation relies on significant habitats and species mitigation which has not been shown to be achievable or viable. The plans HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks". Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (especially footnotes 38 & 7) 180d, 180e, 181, 185a, 186b, 188, & 191c, of the NPPF December 2023 and is unsound and not legally compliant. Allocation of of Exmo_20 is in conflict with the paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01 (b) of the Local Plan and is therefore unsound. Exmouth is noted as having numerous significant flood risk pathways, with fluvial flooding in 1960, 1983 and 2012 recorded. Withycombe Brook currently has significant flood risk areas. It should be noted that the change in weather patterns as a result of climate change are increasing the likelihood and ferocity of flooding events with intense rainfall events happening with greater frequency and strength. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook, and flows through the most populous wards of East Devon. The LPA have not deployed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and service (2.3 miles to Budleigh Salterton and 4 miles to Exmouth). It is therefore an unsustainable location for development. The site would overwhelm the

local villages and Budleigh Salterton and is in conflict with the settlement hierarchy. The plans do not take into account Budleigh Salterton by the LPA. Policy TR01 states that walking/cycling must be the natural first choice for transport which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options unviable which is not apparent on the policy maps. The allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03 and therefore unsound.

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.: The best remedy would be to remove Exmo_20 from the Local Plan. Brownfield sites within Exmouth should be reviewed to address any housing needs before this greenfield site. If not in terms of modification the following would mitigate some of the effects. - Do not access the site via the B3179 - Do not access the site via the Southern Wood. - Move the settlement boundary away from the Pebbelbed heaths. - Revert to 20b as previously proposed.

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)?: No, I do not wish to participate in hearing session(s)

Matthew Hart

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.:

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

.Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heath SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heath SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Matthew Hart

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not 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 informed, updated and to participate in person.

Peter harvey

Full name: Peter harvey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: Too many houses for site. Need cycles pathways and footpaths.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Bob Harvey

Full name: Bob Harvey

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Please add this to commonplace. Thank you We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. ? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marcombe as the primary vehicle for meeting the district's housing targets. ? Marcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

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.:

Please add this to commonplace. Thank you We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape

Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses. ? Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest. ? Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages. ? Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl. ? Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlbcombe as the primary vehicle for meeting the district's housing targets. ? Marlbcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations. ? Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints ? Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy. ? Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure. ? Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not

legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

Karime Hassan

Full name: Karime Hassan

Proposal:

4. Development at the West End

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.: WS01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Marlcombe

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: I wish to add text. I write specifically in connection with the Reg.19 consultation, In relation to the following I do not wish to object to the changes that have been made, but I do want to bring to your attention my observations about a very specific matter in relation to community infrastructure probably best addressed under WSO1 and Policy CF01 : new or extended community facilities, the justification set out in Paragraph 16.2. The scale of housing development directed towards the west of the district recognises the relationship with the city of Exeter and the economic opportunities associated with the city and the transport infrastructure. From Junction 28 to junction 31 of the M5 strategic housing and employment provision is directed to the Exeter area in strategic allocations. All of which I support and accept the strategic strategy. The challenges of delivering the required social and community infrastructure together with the critical highway and transport infrastructure will be considerable. Past experience suggests there is likely to be a lag in the timing of infrastructure and therefore it would be sensible to utilise or sweat existing assets even though they may not reside in East Devon, and to actively plan for this proactively as part of the delivery strategy. This was something that emerged in the case of Cranbrook where we could have done better at co-ordinating early provision of leisure facilities. This is a general comment and it acknowledges the impact of new housing provision can fall on a footprint that does not respect municipal boundaries. This is a general comment and is applicable to sporting and leisure facilities, places of worship and community halls. In my role as a trustee of Exeter Mosque, I would like to offer a very specific comment in

relation to the changing demographic character of the population in and adjacent to Exeter, Cranbrook being a good example. It is younger than the rest of Devon and more diverse. With the planning of Cranbrook EDDC invited all the churches of Devon to work together to address the needs of the future residents. It would be appropriate to include Exeter Mosque in any future conversations about the social and community needs arising from the proposed allocations. This has particular relevance in the context of Strategic Policy WS01: Development of Marcombe new community east of Exeter, under Wider Infrastructure E. Serviced land of at least 1ha in size for a cemetery. F. Serviced land for a place of worship and parsonage. The need to provide burial places for the Muslim community as a consequence of the planned developments in and around Exeter is becoming a pressing issue for our community and lack of identified land is a problem. A charity has been formed by members of Exeter's Muslim community to seek to address the need, known as Garden of Eden, the charity is actively fundraising to support the provision of a burial ground. To be clear this is not an immediate short term (next two to three years) issue, it is an issue arising from the scale of housing and population growth planned in the draft local plan and the pace of population growth in the sub-region. The proper planning of the area should allow us to plan and coordinate provision of critical infrastructure. Policy WS01 is designed to do so and I am therefore fully supportive of the requirements set out in the Policy. Therefore the question for you is how can Exeter mosque work with EDDC to help practically with the delivery of the cemetery and place of worship/parsonage? Two of the founding trustees of Garden of Eden are trustees of Exeter Mosque and The Office of Exeter Mosque would be the appropriate contact. I can provide you with the contact details of the Mosque, and I am very happy to explore the issue further. *** Personal details have been removed ***; Exeter City Council is the lead trustee for the Garden of Eden project.

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I wish to add text

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.: With the planning of Cranbrook EDDC invited all the churches of Devon to work together to address the needs of the future residents. It would be appropriate to include Exeter Mosque in any future conversations about the social and community needs arising from the proposed allocations. This has particular relevance in the context of Strategic Policy WS01: Development of Marcombe new community east of Exeter, under Wider Infrastructure E. Serviced land of at least 1ha in size for a cemetery. F. Serviced land for

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

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.:

It would be appropriate to include Exeter Mosque in any future conversations about the social and community needs arising from the proposed allocations. This has particular relevance in the context of Strategic Policy WS01: Development of Marlcombe new community east of Exeter, under Wider Infrastructure E. Serviced land of at least 1ha in size for a cemetery. F. Serviced land for a place of worship and parsonage. The need to provide burial places for the Muslim community as a consequence of the planned developments in and around Exeter is becoming a pressing issue for our community and lack of identified land is a problem. A charity has been formed by members of Exeter's Muslim community to seek to address the need, known as Garden of Eden, the charity is actively fundraising to support the provision of a burial ground. To be clear this is not an immediate short term (next two to three years) issue, it is an issue arising from the scale of housing and population growth planned in the draft local plan and the pace of population growth in the sub-region. The proper planning of the area should allow us to plan and coordinate provision of critical infrastructure. Policy WS01 is designed to do so and I am therefore fully supportive of the requirements set out in the Policy.

Therefore the question for you is how can Exeter mosque work with EDDC to help practically with the delivery of the cemetery and place of worship/parsonage? Two of the founding trustees of Garden of Eden are trustees of Exeter Mosque and The Office of Exeter Mosque would be the appropriate contact. I can provide you with the contact details of the Mosque, and I am very happy to explore the issue further. *** Personal details have been removed ***, Exeter City Council is the lead trustee for the Garden of Eden project.

SARAH HATFIELD

Full name: SARAH HATFIELD

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: my comments as below Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebbled Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. my comments as follows: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and

therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this fall within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

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.: remove exmo_20 from local plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: SARAH HATFIELD

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

following comments as below: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebbled Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebbled Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and

therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: remove exmo_20 from local plan

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)?: No, I do not wish to participate in hearing session(s)

Andrew hatfield

Full name: Andrew hatfield

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: My comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebbled Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: remove exmo_20 from local plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

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

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Exmo_20

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.: . MY COMMENTS AS FOLLOWS: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188-figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebbled Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: MY COMMENTS AS FOLLOWS Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The sites and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

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Proposal:

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: MY COMMENTS AS FOLLOWS: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebbled Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

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Full name: Andrew hatfield

Proposal:

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1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: MY COMMENTS AS FOLLOWS: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

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Proposal:

5. Development in the Towns and Villages

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Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: my comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebbled Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebbled Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: remove exmo_20 from local plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: my comments as follows: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this fall within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: remove exmo_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: my comments as below Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebbled Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: remove Exmo_20 from local plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: my comments as below Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebbled Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebbled Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.: Remove Exmo_20 from the Local Plan,

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

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Full name: Andrew hatfield

Proposal:

5. Development in the Towns and Villages

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: . my comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebbled Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebbled Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebbled Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: remove Exmo_20 from local plan

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)

Full name: Andrew hatfield

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

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.: .
following comments as below: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebbled Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebbled Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and

therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: remove Exmo_20 from the local plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Andrew hatfield

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

1. My comments as follows: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebbled Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore, selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: please remove Exmo_20 from local planning

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)?: No, I do not wish to participate in hearing session(s)

Fran Hawthorne

Full name: Fran Hawthorne

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

This extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 800 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development.

The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round.

Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the

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SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats.

By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Rosie and Guy Hayward

Full name: Rosie and Guy Hayward

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.: SD07

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Brcl_12, Brcl_29

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

Full name: Rosie and Guy Hayward

Proposal:

5. Development in the Towns and Villages

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Brcl_12, Brcl_29

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.:

Direct impact to local property Footpath not adequate – Several homes lie along the public footpath shown in the proposal as the main footpath from the development site to the village centre. The footpath has been used for very light footfall for many years. It is totally maintained by the home owners along the path. If this path becomes the main walkway, the properties will be directly negatively affected by noise, lack of privacy, litter, added security threats and wear and tear due to a substantial increase in footfall. Also, the footpath exits onto the very busy and dangerous Town End, with no pavements, fast and at school times, constant traffic and a danger to children walking to school. This has always been a hazzard and will become more so with increased usage. If this proposal is to go ahead, Developers must reconsider the relocation of such a vital pathway to the village amenities and to the schools. A new footpath must be created in a more appropriate location, given the massive increase in usage and the danger to pedestrians exiting to Town End. I hope the council and planning officers will seriously consider the negative impact on this small quiet footpath, its residents and its users and direct the walkway elsewhere within the proposal. Flooding - LVA's flood risk assessment does show that Lake Barn has a flood risk, but a low one, which is incorrect. In reality, the private gardens adjacent to the Winter Gardens site are saturated from October through to April and there have been many times that a torrent of water has flowed off the fields, down the footpath and into residents gardens. This tends to happen when there has been a period of dry sunny weather and the ground has become caked and solid. With the additional concrete and pavements this development brings, we feel the threat of flooding will be exacerbated. Upslope development has proven throughout the UK to cause a huge increase in flooding, to the

point that homes that have stood for centuries with minimal flooding have now been reclassified by the Environment Agency as being within flood plains. We are extremely concerned that the drainage system being put forward will not address the low lying properties along the footpath, Town End and Burrow Road, all of which flood regularly already. Noise and Security - As mentioned, the considerable increase in footfall along the proposed footpath and its use morning and afternoon as the main walkway to and from the schools, will undoubtedly impact on the noise level for all residents. Homes will be open to potential security issues and antisocial behaviour and we are concerned about the impact this will have on village lives. Parking and vehicular access – With reference to the footpath off Town End, to date, the only cars parked in that lane belong to the residents. We note that LVA has proposed a large playing field on site, but this has no nearby parking provided at all. Where will users of the playing field park? There is a strong belief that the footpath will be used regularly for parking cars that wish to use the playing fields and for additional cars belonging to the estate homeowners. This is another reason another footpath should be created in a more appropriate location.

Direct impact to Broadclyst Village – Lack of proposed infrastructure Sewage - The sewage pumping station and treatment plants are hardly coping right now, but yet LVA have not addressed the sewage situation in any way. Sewage is at capacity and that's before the 15 new homes are developed along the Whimble Rd. The developers say there are no records of overflows yet everyone in the village is aware of the raw sewage overflows into the fields and onto the lanes. The current pipes are not able to cope and the system is not fit for purpose. Flooding - having lived in the village for 28 years, we know how badly the area floods. The Wintergarden fields flood constantly over the winter. The lanes from Station Road through to Town End and Burrow Road and the back country lane to Cranbrook, are under water a great deal of time. Our own garden off Town End has an incredibly high water table. It would be vital that both planning and developers take this into account and we would question where all the water will go if such a massive site is laid with concrete Traffic and access - with the village served by narrow, winding lanes, many single track, serving many homes and two schools with few pavements and little parking, the village traffic as it is, is both dangerous and increasingly overwhelming. Lack of pavements are already causing issues for pedestrians and school children. There are no cycle lanes and few footpaths. The village suffers from a huge increase in traffic coming cross country from Cranbrook, speeding along the back village lanes to the schools morning and afternoon and generally through the day. Town End has become another dangerous school rat run. There is no parking for parents so the whole of Town End is double parked with cars morning and afternoon. Any new development will have the potential to add to the chaos and danger...there would need to be safe, plentiful access out of the site, providing safe pavements and new cycle paths to and from the village. There would need to be adequate footpaths

throughout the new area and adequate lighting. In order to sustain safety, the village would need pavements and cycle paths, all the way to the schools from the proposed site. As Town End cannot sustain any further traffic, somehow a solution would have to be proposed to deal with the extra cars and pedestrians onto the narrow single track lanes around the proposed site. We would greatly appreciate members of the Planning Department to visit the village around Cyst Vale Community College both morning and afternoon school times to see for themselves the absolute gridlock that occurs every single weekday during school term time.

Healthcare - The plans put forward by LVA do not show any Doctors surgery. Broadclyst and Pinhoe surgery have found it difficult enough to accommodate the massive intake of new patients from Cranbrook, which should have adequately provided healthcare for its own people but did not. The surgery has made it clear that they are full to capacity and cannot take on the burden of more families. This would need to be seriously addressed before any further homes were considered.

Schools - The local schools are completely overwhelmed and full to capacity with waiting lists. There is no provision in the plan to develop a new school, yet the local schools cannot cope with more intake.

Transport in and out of the village - this too is already a worrying problem for villagers...the Whimple Road, Station Road and the Main Road to Exeter are already jam packed both morning and evening...the traffic is absolutely horrendous and increasingly getting worse. The proposed site would add to the congestion and chaos considerably. With the development of Cranbrook, the Science Park and the huge number of large lorries and Amazon vans using Station Road, plus the fact it has no pavements, the road is chaotic, dangerous and often flooded.

Wildlife - it is well known that the proposed site support birds, bats and a diverse amount of wildlife and plant species and the land is productive farmland. It seems shortsighted to not take this into account and plan so many more houses in such a wildlife rich area.

To conclude, the Wintergardens proposal should not be accepted given the many negative factors as shown above. The size and scale of the proposed development would engulf the village and its historic character and cause a vast increase in the

struggles the area already faces. If any building was to go ahead on this site, there are a large number of very practical concerns that must be addressed and fixed by both Planning and developers at a very early stage. This undoubtedly would incur much cost, but it is imperative that these issues be taken into account and seriously understood and put right.

Wes healey

Full name: Wes healey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The access arrangements need more clarity before being able to consider this site for allocation, specifically ensuring viable cycle and pedestrian access to local facilities

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Toni Heaslewood

Full name: Toni Heaslewood

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Please do not build on "The Lawn" Higher Marley Road. This is a Wood Pasture Priority Habitat. Living here are many endangered species. Ancient woods - some of the oldest Luccombe Oaks in the country. A stream would have to be diverted. This area takes the run off from Woodbury Common. If built on there will be flooding in Exmouth. There would be more traffic on Dinan Way and Woodbury Common too. Please do not destroy this very important land.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Delete Exmo_04

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.:
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Full name: Toni Heasleywood

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I object to Exmo_20 for environmental, conservation and heritage reasons. It would be a tragedy if it is allowed to go ahead. This part of Exmouth does not have the infrastructure to support the number of houses proposed. A beautiful area used by local people for walking and cycling would disappear. Many trees and habitats would be lost. My partner and I live in the immediate vicinity and would be horrified if this beautiful area of countryside was lost .

Paul Heath

Full name: Paul Heath

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To whom it may concern

As a longterm Budleigh Salterton resident, I wish to register my objection to the proposed site Exmo_20 in the strongest terms. Below I outline the specifics of my objections, outlining 9 valid reasons to oppose this proposed development.

OBJECTION 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”.

Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

OBJECTION 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heath SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

OBJECTION 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-

combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

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.: To whom it may concern

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Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

OBJECTION 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

OBJECTION 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

OBJECTION 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

OBJECTION 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

OBJECTION 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

Yours sincerely

Emma Heath

Full name: Emma Heath

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To whom it may concern

As a longterm Budleigh Salterton resident, I wish to register my objection to the proposed site Exmo_20 in the strongest terms. Below I outline the specifics of my objections, outlining 9 valid reasons to oppose this proposed development.

OBJECTION 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”.

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

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OBJECTION 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the

NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

OBJECTION 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

OBJECTION 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the

Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

OBJECTION 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

OBJECTION 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

OBJECTION 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

OBJECTION 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

OBJECTION 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

Yours sincerely

Jackie Hennesy

Full name: Jackie Hennesy

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.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I object to the proposed Exmo_17 plan because: Large housing estates should not be built on National Landscapes. Building on land outside National Landscapes would be cheaper, making a bigger percentage of affordable homes. Exit from this site (Exmo_17) would create traffic chaos and the access road would go straight across to the much-used Exmouth to Budleigh cycle/footpath endangering users (child, elderly, cyclists, families and dogs).

Peter Hennesy

Full name: Peter Hennesy

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.: SD01

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I

think that it is appalling that you think that by changing the name of this land from Outstanding Natural Beauty to National Landscape gives you the right to allow development to occur. The junction by McDonalds is bad at the moment due to get a lot worse. The popular Old Railway Track will be severed by an estate road The Local Doctors are busy enough without another 800 patients. The sewage problems are real and will get worse We all appreciate we need more affordable housing in Devon this development is NOT affordable to locals

Margaret Hiley-Payne

Full name: Margaret Hiley-Payne

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Access for cyclists and pedestrians direct into Exmouth. Main access being on a relatively narrow road. The local infrastructure is not sufficient to meet the needs of a 700 development. Impact on wildlife incl light pollution.

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.: Too many to list!

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

BRIAN & JENNY HILL

Full name: BRIAN & JENNY HILL

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.: SD04

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Otry_21

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Not plan led

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Removal of site

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.: RE: Request The Removal of Otry_21 From EDDC Emerging Reg.19 Local Plan We are writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints,

infrastructure capacity, highway safety, and landscape protection. 1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: • Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. • Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. • Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria. 2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: • SP06 – which restricts development outside settlement boundaries. • AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. • OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council’s own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan’s objectives for protecting East Devon’s rural character. 3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: • The distinctive countryside setting, • The historic settlement pattern, and • the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning. 4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: Chronic congestion in the historic town centre, High car dependency. Narrow approach roads, and Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow. 5. Wastewater, Drainage and Environmental risks • Both the East Devon Water Cycle Study (2025) and South West Water’s Strategic Drainage Plan (2023) make clear that: • Ottery St Mary has no capacity for additional residential development. • The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. • The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. • Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats. 6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development. 7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8. Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: • Unsustainable • In conflict with national, local, and neighbourhood policies • Environmentally harmful • Infrastructure-constrained • Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. We therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: For reasons outlined in section 3(b)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Emma Hillman

Full name: Emma Hillman

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

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.: I am writing to object to the EDDC local plan for development on land off Higher Marley Road. There are already more than 1000 homes designated for building across a town that is already fit to bursting with traffic. This patch of land contains some of the oldest Luccombe Oak trees in the country and has an underground stream, both of which by themselves make it unsuitable for building on. Then on top of this the increase in people trying to use the already overflowing infrastructure in the town like roads, health services and school places. This country is already one of the most nature depleted in the world and the tidal wave of substandard new build developments is pushing it to the brink. Exmouth can't even cope with the current population, let alone another thousand properties. I was born and raised in Exmouth and am saddened by the changes in recent years.

Claire Hindle

Full name: Claire Hindle

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Allocation of EXMO-20 in conflict of paragraphs 16c, 32 & 73b

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.: Remove EXMO-20 from local plan, reduce size, reevaluate impact on environment & flood risk

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

Stephen Hobday

Full name: Stephen Hobday

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.: SD25

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Plym_03

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.: For well documented reasons of road safety, accessibility, drainage, regular flooding of entry and exit routes, limited public transport/amenities I fail to see how Plymtree can be classed as a sustainable village designated for development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Annette Hoe

Full name: Annette Hoe

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:

Exmo_20, Exmo_04a

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.:

Good morning,

I wish to object to the EDDC Local Plan which includes 700 houses at St Johns Road, 450 at Littleham and more to be added to Dinan Way.

As an Exmouth girl I cannot afford to buy a house in my own town as there is no affordable housing. It is constantly people from up-country moving down to Exmouth and knocking the prices up.

The GP Surgeries, Dentists and schools are finding it difficult to cope with the influx of new people to the area.

Sewage is struggling as it needs to be updated as too many people making demands on the system. The roads that are used constantly for the vehicles bringing building supplies damage the roads and cause potholes. Douglas Avenue the prime example.

There is also the damage that would be done to endangered species and there are many veteran/ancient trees on site. You will be damaging ancient woods and a stream,

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

all to make more money and bring more people from up-country, while the locals have to move it.

Living in Littleham, it will be even more of a nightmare if more houses are built there.

A concerned local

*** Personal details have been removed ***

Sarah Hogg

Full name: Sarah Hogg

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.: SD01

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_04a

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.:

Dear Sir

I am writing to object to the possibility of new houses being built on land at Higher Marley Road, Exmouth. The area of land has several ancient trees on it and to tear them up would be heartbreaking. They must be well over 100 years old.

Government guidelines, suggest that for our mental health and well being being outside and walking in areas that bring calm and peace is so beneficial to us all. Taking this away would be a detrimental decision in my view.

Exmouth is an over developed town and is unable to provide enough facilities for the amount of families they already live there. The traffic and parking can be stressful and the character of this lovely little seaside town will be gone forever. It's just to big.

Please think carefully about the decision to allow yet more houses on such a beautiful area. Exmouth is being ruined by developers greed and got the sake of those who live nearby I am strongly objecting to this piece of land being destroyed for developer greed.

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

So much of our beautiful spaces in Eadt Devon has gone forever and replaced with small, crammed in and poorly built houses that we, who live here, have to look at every time we pass by. Once it's gone, it's gone.

Please think carefully before allowing this to happen.

Kind Regards

*** Personal details have been removed ***

Dr George Hooper

Full name: Dr George Hooper

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paras 16c, 32, 73b, 180d, 180e, 181, 185a, 186b, 188 and 199. I believe it is unsound and not legally compliant. As the site is adjacent to the Pebblebed Heaths SAC/SSSI/SPA the allocation relies on significant habitat and species mitigation, which has not been shown to be achievable or realistic. The mitigation strategy states "it was not possible to screen out a likely Significant Effect for other units within the EDPH, SAC and SPA." The plan HRA also states "there is inherent conflict in the growth proposed in the Plan, which would exceed threshold levels and there is no means to mitigate or address the risks." The site was selected, and the draft plan approved on the assumption that there would be a mitigation strategy forthcoming. It must also be noted that the proximity of the site to the Pebblebed Heaths SAC/SSSI/SPA gives a clear and significant predation risk for the ground nesting Nightjars, as well as an obvious impact from walkers, dogs etc which would cause heavy disturbance to this crucial nesting area. Exmo_20 is also in conflict with paras 92 and 109 of the NPPF December 2023 and policies TR01 and TR03, and is therefore unsound. The limited access arrangements would very significantly increase the need for car travel from the main access point proposed on the B3179 to access services and facilities, being 2.3 miles from the centre of Budleigh Salterton by road and 4 miles from the centre of Exmouth, and is therefore an unsustainable location for development. The site would overwhelm Budleigh Salterton, which has not been taken into account by the LPA. Policy TR01 states that walking/cycling must be the natural first choice for transport, which will be impossible in this case

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)?: No, I do not wish to participate in hearing session(s)

Carole Hooper

Full name: Carole Hooper

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here:
Exmo_20

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.: The main access point of Exmo_20 is significantly closer to BudleighSalterton than Exmouth, making Budleigh it's most convenient and accessible town. The services and infrastructure of Budleigh (High Street, Doctor's, school, beach etc) would be the preferred choice for residents of Exmo_20. This undermines the settlement hierarchy and would lead to coalescence of Budleigh and Exmouth, contrary to POLICY OL05 of the Local Plan. An alternative site to Exmo_20 for housing allocation should be selected, one which was deemed available, achievable & suitable in the HELAA. Exmo_20 would cause harm to the adjacent Pebblebed Heaths (SSSI/SAC/SPA/NNR) due to Exmo_20 being a supporting foraging habitat. Developing Exmo_20 is contrary to POLICY PB01 of the local plan and not in accordance with the mitigation strategy. Exmo_20 would cause harm to the heritage assets, most significantly St John in the Wilderness Grade II* listed church and churchyard, drastically altering the attractive rural setting for worship & burials which currently exists. This is contrary to POLICY HE02. Exmo_20 would have a detrimental effect on the adjacent designated wildlife sites and destroy the "tranquility, wildness and dark skies" of the countryside, which is contrary to POLICY OL01. Exmo_20 development would be in conflict with the Strategic Nature Area 368, fragmenting and isolating habitats and destroy wildlife corridors, contrary to PARAGRAPH 13.23 of the Local Plan. It would cause harm to irreplaceable habitats, veteran trees and species rich hedgerows across the site, contrary to PARAGRAPH 13.9. Exmo_20 is in conflict with POLICY OL09 and POLICY PB04 as the Habitats Regulations Assessment (30.01.25) states that there is "currently not sufficient

certainty to rule out adverse effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA) such that the Plan fails the integrity test. Development of Exmo_20 on heavy clay subsoil with ineffective soakaways, would exacerbate the already identified downstream flood risk along Withycombe Brook through Exmouth, which is already beyond its design capacity. This is in conflict with POLICY AR01B. Exmo_20 would increase the need for car travel and increase traffic congestion, in conflict with PARAGRAPH 11.2. The isolated location is unsustainable development as people would need to travel much further than 800m to existing key services and facilities, contrary to PARAGRAPH 11.6. It is too far (and too steep) from any town centre to use walking or cycling as their choice of transport. This is contrary to POLICY TR01.

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.: Remove Exmo_20 from the Local Plan or Do not assess the site via B3179

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Ian Hornby

Full name: Ian Hornby

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_31

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.: I object to the planning application for the field which is described as “Land East of Burscombe lane / West of Windsor Mead Sidmouth_31.” For the following reasons:

Aside from the decidedly problematical access and water runoff issues which I am sure others have mentioned in detail (water runoff does affect my garden at present - sometimes free running along the path at the side of the bungalow in winter), the site is within an area of National Landscape. Beacon Hill local nature reserve with its dartford warblers and nightjars is less than a mile away - ground nesting birds like the nightjar are particularly sensitive to disturbance by cats and dogs.

Another thought is that this location is not particularly suitable for the social housing mandated in the Neighbourhood plan - it is some distance from most of the employment opportunities in Sidmouth.

Anna Howell

Full name: Anna Howell

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" *Ibis* 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? *Ibis*, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heath" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/ SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified” 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan”. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/ cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on- site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals,

preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans...it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to.... unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife- rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the ...natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on...intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably....grade I and II * listed buildings should be wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/ or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account...the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

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)?: No, I do not wish to participate in hearing session(s)

Chrissy Howick

Full name: Chrissy Howick

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 12.1 - 12.36

1(b). Does your comment relate to one of the changes listed above?: Yes

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.: Why lay down all these policies in 'our outstanding landscape' - only to ignore your own policies when it comes to EXMO_20 and many other sites in East Devon - makes a mockery of the whole thing

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Our Outstanding Landscape 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.: Adhere to your own policies so they can be trusted!

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 check that the policies in the plan are actually adhered to

Josie Howick

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process, not the December 2024 amended version, presented in the 1 st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected.

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.: Remove Exmo_20 from the plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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?: 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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove Exmo_20 from the plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: remove Exmo_20 from the plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats.

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.: Remove Exmo_20 from the plan

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)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:
Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

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.: Remove Exmo_20

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)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:
Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality”, due to the primary access to Exmo_20 being onto the B3179, sending traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

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.: Remove and stop Exmo_20 from the plan totally

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)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

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.: Remove Exmo_20 from the Local Plan

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level

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.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Josie Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

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.: Remove Exmo_20 from the Local Plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Barbara Howick

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

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.: The allocation of Exmo_20 conflicts with paragraph 16(d) of the National Planning Policy Framework (December 2023) and is therefore unsound and not legally compliant. The Local Plan includes too many housing allocations because it does not use the most up-to-date ONS data, as is required by national guidance (MHCLG Housing and Economic Needs Assessment). The 1,188 figure quoted in paragraph 3.11 was calculated in February 2025, before the 2024 ONS data was published, and is therefore incorrect. Using the latest data, the correct housing figure should be 1,156, with 80% being 925, and a 22-year plan requirement of 20,342. This represents a reduction of 567 homes. Many policies in the plan rely on a claimed “overriding need” to justify impacts or harm. Because the housing figures are wrong, there is no valid justification, particularly for mitigation measures. Exmo_20 must be removed from the plan because it requires multiple mitigation strategies due to its impacts on the internationally and nationally designated Pebblebed Heath SPA, SAC and SSSI. Additional numerical and calculation errors are found in evidence documents HOU-002 (October 2025) and HOU-001

(November 2025). These must be corrected and reconsulted on, as they form the basis of the Local Plan's housing policies. Finally, paragraph 16(d) of the NPPF states that plans must be clearly written and unambiguous so decision-makers can easily understand how to respond to development proposals. The current errors make the plan unclear and unsound.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraph 109 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan policy TR01 and paragraph 11.6 of the Local Plan. The main vehicle access to Exmo_20 is 2.3 miles by road from the centre of Budleigh Salterton and 4 miles by road from the centre of Exmouth. This location would place significant pressure on Budleigh Salterton and does not respect the settlement hierarchy. Budleigh Salterton has not been properly considered by the Local Planning Authority when assessing the impacts of the Exmo_20 allocation. The site's location means residents would be likely to rely heavily on Budleigh Salterton for services, even though it is not identified to accommodate this

level of growth. In addition, the steep and challenging local landscape makes walking and cycling difficult. These constraints are not clearly shown on the policy maps, giving a misleading impression of sustainable travel options. As a result, Exmo_20 does not support sustainable transport choices and conflicts with national and local planning policy.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraph 32 of the National Planning Policy Framework (December 2023) and is therefore unsound. The Local Planning Authority has attempted to change the Site Selection Methodology (SSM) after the event in order to justify the inclusion of Exmo_20. The Site Selection Methodology dated May 2022 was the version used for the Regulation 18 stage of the Local Plan. After 11 December 2024, when the draft Local Plan was approved to proceed to Regulation 19, the SSM was altered. A revised version dated December 2024 was then included in the first and second Regulation 19 evidence libraries and presented as if it had been used to select sites. In reality, this revised version was not used during site selection, and the original

May 2022 version was not included. This raises serious concerns about transparency and decision-making. The May 2022 Site Selection Methodology, which was used at Regulation 18, does not allow Exmo_20 to be selected. The site failed the HELAA assessment, as it was not considered suitable or achievable. The methodology is clear that only sites assessed as suitable, available and achievable in the HELAA can progress beyond Stage 2 of the site selection process. It also explicitly states that sites within 400 metres of the Pebblebed Heaths SAC should be ruled out as unsuitable, or failing that, removed at Stage 2. Exmo_20 does not meet these requirements. Its inclusion therefore conflicts with the agreed site selection process and national planning policy, making the allocation unsound.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraph 170b of the National Planning Policy Framework (December 2023). It also conflicts with paragraph 3.6 and policy AR01(b) of the Local Plan and is therefore unsound. The Strategic Flood Risk Assessment (Level 1) gives very little attention to Withycombe Brook, where it is only mentioned in a footnote in Table 5-3. However, Exmouth is known to have several significant flood risk routes, with recorded fluvial flooding in 1960, 1983 and 2012. Withycombe Brook already has areas at high risk of flooding, even before taking account of the increased risk expected from climate change. The Exmo_20 site is greenfield land located above the town, with tributaries and surface water runoff flowing directly into Withycombe Brook. This brook

then runs through the most densely populated parts of East Devon. The Local Planning Authority has not applied the required sequential, risk-based approach to site selection to avoid flood risk to people and property. As a result, the allocation of Exmo_20 does not comply with national or local planning policy.

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.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 and 191 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan policies PB01, PB02, PB03 and PB04, and with paragraphs 3.6, 13.10, 13.11 and 13.24 of the Local Plan. The Exmo_20 site forms part of Strategic Nature Area 368. This area provides an important buffer between Exmouth and the internationally and nationally protected Pebblebed Heaths SPA, SAC and SSSI. It also supports key wildlife functions, including Nightjar foraging habitat, which is important because the Nightjar is a qualifying species for the SPA and a Section 41 species of principal importance. The site also acts as a wildlife corridor

linking the Pebblebed Heaths to the coast. Developing Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council is in the final stages of designating this site as a Local Nature Recovery Area as part of its Local Nature Recovery Strategy, due to be published in March 2026. This designation supports the aims of the Environment Act 2021 by linking existing wildlife sites and expanding habitats. Development would directly conflict with these objectives. The site contains veteran trees, ancient woodland and historic hedgerows, all of which would be at risk from habitat loss and fragmentation if development were allowed. Devon Wildlife Trust, in its response to the Regulation 19 consultation, stated that the entire Exmo_20 allocation lies within a Strategic Nature Area identified for its nationally important habitats, woodlands and wide range of species, including birds, insects, mammals and amphibians. They emphasised that Strategic Nature Areas are a key part of Devon's Nature Recovery Strategy and should be enhanced rather than developed. Devon Wildlife Trust also stated that development of Exmo_20 would expose sensitive habitats and species associated with NNRS, SAC, SPA and SSSI designations to significant harm. They concluded that it is not feasible to develop the site without causing adverse effects on the integrity of the SAC and strongly urged East Devon District Council not to include Exmo_20 in the Local Plan. I reserve the right to comment further if, and when, a supporting Habitats Regulations Assessment and mitigation strategy are provided for the Local Plan, and I request to be notified at that time.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraph 206 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan policies HE02 and OL01(D). A development the size of Exmo_20, surrounding the Grade II* listed Church of St John in the Wilderness, would cause serious harm to the church and its setting. The church and churchyard sit within a remote and tranquil landscape that reflects their historic origins as part of a medieval Saxon settlement. This area is defined by dark skies and a strong sense of isolation and “wilderness”. Building housing around the church would permanently damage this setting, even if a buffer zone were left around it. The quiet, rural character that contributes to the significance of the

church would be lost. Historic England, in its response to the Regulation 19 consultation, stated that Exmo_20 covers a very large area to the east and north-east of Exmouth, much of which lies within the setting of the Grade II* listed church and churchyard. They warned that development could cause considerable harm to the setting of this highly significant heritage asset. Historic England also raised concerns about the proposed long access road from the B3179 to the north, stating that this could itself cause significant harm to the setting and increase future pressure for further development in the area. They advised that alternative access from the south of the site should be explored. Historic England further stated that if evidence shows development could be accommodated in less sensitive areas to the south, the site boundary should be changed. If this is not possible, then the scale and type of development should be limited to what can be properly justified.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraphs 16c, 92, 114b, 114d, 180e and 181 of the National Planning Policy Framework (December 2023). It is therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04, and paragraph 11.2 of the Local Plan. There is no realistic or viable access to the site. The current proposal relies on most of the site access being taken from the B3179. However, making this work would require major highway works that are uncertain, not costed, and not confirmed or agreed by Devon County Council. The cumulative and in-combination impacts on the B3179 must also be considered. These include increased traffic congestion and worsening air pollution, which would directly affect the

Pebblebed Heaths. The Habitats Regulations Assessment dated 18 November 2025 confirms that there is currently not enough certainty to rule out harmful effects on the integrity of the East Devon Pebblebed Heaths SAC and SPA due to air quality impacts. This is because the main access to Exmo_20 would be from the B3179, which runs along the boundary of the Pebblebed Heaths. The allocation of Exmo_20 therefore conflicts with the required precautionary approach and the mitigation hierarchy, which prioritises avoiding harm before trying to mitigate it. This hierarchy is mandatory under the Environment Act 2021. The Mitigation Strategy itself states that mitigation cannot be assumed without clear evidence, as confirmed by the People Over Wind and Sweetman judgments. As no reasonable scientific certainty has been provided to demonstrate that impacts can be avoided or effectively mitigated, the inclusion of Exmo_20 in the Local Plan is unlawful. I reserve the right to comment further if, and when, a supporting Habitats Regulations Assessment and mitigation strategy are provided for the Local Plan, and I request to be notified at that time

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.: REMOVE EXMO_20 FROM LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraphs 16c, 32, 181, 185, 186b and 188 of the National Planning Policy Framework (December 2023). As a result, it is unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. The Exmo_20 site lies next to the Pebblebed Heaths SAC, SPA and SSSI. Because of this location, it would be very difficult to provide Suitable Alternative Natural Greenspace (SANGS) that is good enough, close enough, and attractive enough to stop new residents from using the Pebblebed Heaths for activities such as dog walking, cycling and walking. Increased use of the heathland would harm these highly protected habitats and species. Research shows that even a

single disturbance event can cause breeding failure for sensitive species such as the European Nightjar. In the absence of clear evidence showing how this harm would be avoided, the Local Planning Authority, as the Competent Authority, should apply a precautionary approach. The RSPB, in its response to the first Regulation 19 consultation, stated that mitigation measures for allocations closest to the designated heathlands, particularly Land at St John's (Exmo_20), are unlikely to be effective. They also raised concerns about additional nitrogen deposition from increased traffic linked to new development. The RSPB expressed serious concern that the St John's (Exmo_20) allocation would cause damaging impacts on the designated heathland SAC and SPA. These impacts include loss of potential foraging habitat, changes to farmland used as green infrastructure or public open space, increased cat predation on ground-nesting birds, and increased recreational pressure on the heathland, including dogs off leads. The RSPB considers there to be a significant risk that SANGS and on-site public open space would not be sufficient to prevent increased recreational use of the designated heathlands by new residents. Although policy SD01 states that development causing unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths, there is no practical way to prevent people or domestic cats from accessing the heathland. This risk increases the closer new housing is built, due to higher numbers of residents, dogs and cats. I reserve the right to comment further if, and when, a supporting Habitats Regulations Assessment and mitigation strategy are provided for the Local Plan, and I request that I be notified at that time.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with the National Planning Policy Framework (NPPF, December 2023), specifically paragraphs 16c, 32, 73b (including footnotes 38 and 7), 180d, 180e, 181, 185a, 186a, 186b, 188 and 191c. For these reasons, the allocation is unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum buffer of 400 metres next to the Pebblebed Heaths SAC, SPA and SSSI must be removed from the Exmo_20 site. This buffer is intended to reduce impacts such as cat predation and other urban pressures. Evidence shows that domestic cats can range well beyond 400 metres, and in rural areas can roam over 2 kilometres. Given that the European Nightjar, a ground-

nesting bird, is a qualifying feature of the SPA, the risk of predation is significant. Research confirms that a single predation event can cause a nesting attempt to fail. For this reason, a buffer significantly greater than 400 metres would be the precautionary and appropriate approach. The continued inclusion of Exmo_20 relies on a mitigation strategy and Habitats Regulations Assessment (HRA) that have not yet been demonstrated to be adequate. The current documents do not support the Plan. In the absence of a lawful and effective mitigation strategy, a precautionary approach is required. At the very least, this means removing the minimum 400 metres of land closest to the Pebblebed Heaths SAC/SPA/SSSI from the allocation. This land is functionally linked habitat, providing important foraging areas for the European Nightjar, which is both a key SPA qualifying species and a Section 41 Species of Principal Importance. In addition, a much wider buffer will be needed to address impacts from recreational pressure, including dogs off leads, cycling and walking. These impacts have not been assessed at a site level, so they must be addressed through a precautionary strategic approach. This position is supported by a number of ecological bodies, including Devon Wildlife Trust (DWT) and the RSPB. The East Devon National Landscape Partnership, in its response to the first Regulation 19 consultation, stated that a 400m buffer is not large enough to protect the designated sites from disturbance, increased visitor numbers, traffic and access pressures. They also highlighted that the allocation would further fragment surrounding habitats, making the protected sites more vulnerable to damage. As a result, they support non-adoption of the site, or if that is not possible, a significant reduction in the scale and boundary of the development, with fewer homes and development focused closer to the existing town to maintain a stronger rural buffer. The allocation of Exmo_20 is also difficult to justify because there were other suitable sites available that would have required less mitigation. In addition, the Plan includes an over-supply of housing allocations, resulting from the failure to use the latest mandatory ONS population data. Natural England has also raised concerns, noting that the policy is unclear about where employment uses would be located and gives developers too much flexibility. Natural England recommends a natural green buffer along the north-eastern boundary of the site, potentially secured through a Section 106 agreement, which would pull development further away from the SAC/SPA. They state that this would represent clear and sound planning and would better protect the East Devon Heaths SAC/SPA. I reserve the right to make further representations if and when a legally compliant HRA and mitigation strategy are produced in support of the Local Plan, and I request that I be formally notified when these documents are made available.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Barbara Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: it should not have been considered in the first place as it did not pass the initial HELAA stage in 2022, which meant it automatically failed site sifting and could not be considered for allocation.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
remove EXMO_20 from the plan

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.: The allocation of Exmo_20 conflicts with multiple paragraphs of the National Planning Policy Framework (NPPF, December 2023), specifically paragraphs 16c, 32, 73b (including footnotes 38 and 7), 180d, 180e, 181, 185a, 186b, 188 and 191c. As a result, the allocation is unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. The site lies adjacent to the Pebblebed Heaths SAC, SPA and SSSI. As such, the allocation depends on major mitigation for impacts on protected habitats and species. However, it has not been demonstrated that this mitigation is achievable or viable. The mitigation strategy itself

states that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA”, and the Plan’s HRA acknowledges that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” Despite this, the site was selected on 03.09.24, without any opportunity for reconsideration, and the Regulation 19 draft Local Plan was approved on 11.12.24. This was done on the assumption that a mitigation strategy would be produced later, even though an appropriate assessment was not completed until 30.01.25. This approach is contrary to the CJEU “People Over Wind” judgment and fails to apply the legally required precautionary approach, which is particularly important given the CJEU “Dutch N” ruling. Where sites are known to require mitigation, the NPPF (paragraph 32) requires clear justification through the Mitigation Hierarchy. The Local Planning Authority has not undertaken this assessment stage. The allocation of Exmo_20 is therefore difficult to justify, especially as there were multiple alternative sites that were both viable and less reliant on mitigation. In addition, the Plan includes an over-supply of housing allocations, resulting from the failure to use the latest mandatory ONS population data. In its first Regulation 19 response, Devon Wildlife Trust stated that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries.” Taken together, this demonstrates a dismissive approach and widespread failures by the Local Planning Authority in carrying out its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to make further comments if and when a compliant HRA and mitigation strategy are produced in support of the Local Plan, and I request that I be formally notified should these documents become available.

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.: Remove EXMO_20 from local plan

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

IAN HOWICK

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: PROPER LEGAL PROCESS NOT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
DRASTICALLY REDUCE SIZE OF EXMO_20 AWAY FROM PEBBLEBED HEATHS AND B3179

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.: The proposed allocation of Exmo_20 is inconsistent with paragraphs 92 and 109 of the National Planning Policy Framework (NPPF), December 2023, which require development to support sustainable communities and promote sustainable transport modes. As such, the allocation fails to meet the tests of soundness. Conflict with Local Plan Transport Policies: The allocation is contrary to Local Plan Policies TR01 and TR03, which prioritise sustainable transport, accessibility, and the reduction of reliance on the private car. Non-compliance with Local Plan Strategy: The allocation conflicts with

paragraphs 3.6, 11.2, and 11.6 of the Local Plan, which set out the spatial strategy, settlement hierarchy, and sustainable distribution of development. Unsustainable Accessibility and Increased Car Dependency: Exmo_20 has limited access and would necessitate a significant increase in private car travel, with the principal access proposed via the B3179. The site is located approximately 2.3 miles by road from the centre of Budleigh Salterton and 4.0 miles by road from the centre of Exmouth, placing it at an unsustainable distance from key services and facilities. Failure to Accord with the Settlement Hierarchy: The scale and location of the allocation would place undue pressure on Budleigh Salterton, contrary to the established settlement hierarchy. Budleigh Salterton has not been adequately considered by the Local Planning Authority in assessing the implications of the Exmo_20 allocation. Incompatibility with Policy TR01 (Active Travel): Policy TR01 requires walking and cycling to be the natural first choice for everyday journeys; this requirement cannot realistically be met in respect of Exmo_20. Topographical Constraints: The site and surrounding area are subject to topographical constraints that materially limit the feasibility of walking and cycling. These constraints are not clearly or accurately reflected on the relevant policy maps, thereby underestimating their impact on deliverability and sustainability.

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.: DRASTICALLY REDUCE SIZE OF DEVELOPMENT AWAY FROM B3179 AND PEBBLEBED HEATHS - FOOTPATHS / CYCLEWAYS CANNOT GO ONTO A LETHAL ROAD

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

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 ENSURE LEGAL AND CORRECT PROCESS IS FOLLOWED

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: PROPER LEGAL PROCESS NOT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
DRASTICALLY REDUCE THE SIZE OF EXMO20 - AWAY FROM VULNERABLE SITES - B3179 & PEBBLEBED HEATHS

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.:

Conflict with National Planning Policy Framework (NPPF): Allocation of Exmo_20 is inconsistent with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188, and 191 of the NPPF (December 2023). As such, the allocation is unsound in principle and fails to meet the requirements of national planning policy. Conflict with Local Plan Policies: Allocation of Exmo_20 conflicts with Policies PB01, PB02, PB03, and PB04. It is also inconsistent with paragraphs 3.6, 13.10, 13.11, and 13.24 of the Local Plan. Impact on Strategic Nature Area (SNA): Exmo_20 forms part of Strategic Nature Area 368, which functions as a critical buffer between Exmouth and the Pebblebed Heath SPA/SAC/SSSI. The site provides foraging habitat for Nightjar, a key qualifying species for

the SPA and a Section 41 Priority Species. It serves as a wildlife corridor connecting the Pebblebed Heaths and the coast, essential for ecological connectivity. Threats to Conservation Objectives: Development of Exmo_20 would undermine the conservation objectives of the SPA, compromising the integrity of protected habitats. The site contains veteran trees, ancient woodland, and hedgerows, which are at risk of fragmentation and ecological degradation. Alignment with Emerging Nature Recovery Strategy: Devon County Council is in the final stages of designating Exmo_20 as a Local Nature Recovery Area under its Local Nature Recovery Strategy (to be published March 2026). The strategy aims to connect existing wildlife sites and extend habitats, which would be jeopardized by development on Exmo_20.

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.: DRASTICALLY REDUCE THE SIZE OF EXMO20 - AWAY FROM VUNERABLE SITES - B3179 & PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION WITH LOCAL RESIDENTS OR RELEVANT BODIES

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 ENSURE CORRECT PROCESS IS FOLLOWED

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: INCORRECT LEGAL FORMAT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
DRASTICALLY REDUCE SITE AWAY FROM B3179 AND PEBBLEBED HEATHS

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.:

Allocation of Exmo_20 conflicts with paragraphs 16c, 92, 114b, 114d, 180e, and 181 of the NPPF (Dec 2023), rendering the allocation unsound and non-compliant with national planning policy. The allocation also conflicts with Paragraph 3.6 and Policies TR01, PL09, PB04, and Paragraph 11.2 of the Local Plan. The current proposal relies on primary access to Exmo_20 from the B3179, which would require major, uncertain, and uncosted highway works, yet Devon County Council has not confirmed their feasibility. Cumulative and in-combination impacts on the B3179 must be fully considered, particularly regarding traffic congestion and air pollution affecting the Pebblebed Heath. The Habitats Regulations Assessment (18.11.25) confirms that there is insufficient certainty to rule out adverse effects on integrity in relation to air quality, due

to the location of the primary access along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 contravenes the precautionary approach and the Mitigation Hierarchy, which prioritizes avoidance over mitigation. The allocation is unlawful because there is no reasonable scientific certainty presented regarding mitigation measures.

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.: DRASTICALLY REDUCE SITE AWAY FROM B3179 AND PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

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 ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
DREASTICALLY REDUCE SITE AWAY FROM B3179 & PEBBLEBED HEATHS

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.: The allocation of Exmo_20 conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (including footnotes 38 & 7), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c), rendering it unsound and non-compliant with the law. It also conflicts with Local Plan paragraph 3.6 and policies PB01–PB04 and OL02. A minimum 400 m buffer from the SAC/SPA/SSSI should be excluded from Exmo_20. Given that cats can range over 2 km in rural areas (HRA 4.10) and the ground-nesting Nightjar is a qualifying feature of the SPA, this buffer is insufficient to mitigate predation risk. Even a single predation event can disrupt a nesting attempt; therefore, a significantly larger precautionary buffer is necessary than the 400 m currently proposed (Underhill-Day, 2005). Furthermore, Exmo_20 provides functionally linked supporting foraging habitat for Nightjar. Additional buffer distance is required to mitigate recreational impacts, including dogs off-lead, cycling, and walking, which have not yet been assessed at the site level. A precautionary approach at the strategic level is therefore warranted.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

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 ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The allocation of Exmo_20 is inconsistent with paragraph 32 of the National Planning Policy Framework (NPPF) December 2023 and is therefore unsound. The Local Planning Authority (LPA) attempted to retrospectively amend the Site Selection Methodology (SSM) to provide justification for the inclusion of Exmo_20. The SSM dated May 2022, which underpinned the Regulation 18 consultation process, is the authoritative version; the amended December 2024 version, submitted in the first Regulation 19 evidence library, was incorrectly presented as the operative SSM. This conduct may be in potential conflict with the Nolan Principles of public life. The original May 2022 SSM, used during the Regulation 18 stage, contains provisions that do not permit the selection of Exmo_20.

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.: DRASTICALLY REDUCE SIZE OF EXMO_20 - MOVE TOWARDS EXMOUTH AWAY FROM B3179 VULNERABLE ROAD AND VULNERABLE PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION

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 ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
DRASTICALLY REDUCE SIZE - MOVE TOWARDS EXMOUTH AWAYT FROM B3179 & PEBBLEBED HEATHS

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.: The allocation of site Exmo_20 is in conflict with paragraph 165 of the National Planning Policy Framework (NPPF), December 2023. The allocation also conflicts with paragraph 3.6 and Policy AR01(b) of the Local Plan, and is therefore unsound. Exmouth is identified as having numerous and significant flood risk pathways, including recorded fluvial flooding events in 1960, 1983, and 2012. Withycombe Brook currently contains significant flood risk areas, even before accounting for current and future climate change impacts. The Exmo_20 greenfield site is located above the town and has tributaries and surface runoff that flow directly into Withycombe Brook, which passes through the most populous wards in East Devon. The Local Planning Authority (LPA) has not applied the required sequential, risk-based approach to site selection aimed at avoiding flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION SHOWN

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 ENSURE CORRECT LEGAL PROCESS

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: INCORRECT LEGAL PROCESS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
DRASTICALLY REDUCE THE SIZE OF EXMO_20 TOWARDS EXMOUTH AND AWAY FROM PEBBLEBED HEATHS AND

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: CORECT LEGAL PROCESS NOT FOLLOWED

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REDUCE SIZE OF EXMO_20 AWAY FROM B3179 AND PEBBLEBED HEATHS

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.: The allocation of Exmo_20 is inconsistent with paragraphs 16(c), 32, 181, 185, 186(b), and 188 of the NPPF (December 2023) and is therefore unsound and non-compliant with national policy. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. Given Exmo_20's proximity to the Pebblebed Heath SAC/SPA/SSSI, it is unlikely that any proposed SANGs could provide sufficient ecological or recreational capacity to prevent substantial disturbance from recreational activities—such as dog walking, cycling, and general foot traffic—which would harm the designated habitats and species. It must be noted that a single predation event can terminate a nesting attempt. In the absence of evidence demonstrating adequate

mitigation, the Competent Authority, the LPA, should adopt a precautionary approach in accordance with relevant environmental safeguards.

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.: DRASTICALLY REDUCE EXMO_20 AND MOVE AWAY FROM PEBBLEBED HEATHS AND B3179 TOWARDS EXMOUTH

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION SHOWN

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 ENSURE CORECT LEGAL PROCESS

Full name: IAN HOWICK

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: MANY LEGAL CONCERNS IN THE PROCESS

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.:

NPPF Non-Compliance: Allocation of Exmo_20 conflicts with NPPF Dec 2023: paras 16c, 32, 73b (footnotes 38 & 7), 180d, 180e, 181, 185, 186b, 188, 191c. Allocation is unsound and legally non-compliant. Local Plan Conflict: Contravenes paragraph 3.6 and policies PB01, PB02, PB03, PB04, OL02. Environmental Constraints: Adjacent to Pebblebed Heaths SAC/SPA/SSSI. Reliance on significant habitat and species mitigation which has not been demonstrated as achievable or viable. Mitigation strategy: “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA.” Plan HRA: “Growth proposed exceeds threshold levels; no means to mitigate or address the risks exists.” Procedural Breach: Site selected 03.09.24; draft Local Plan approved 11.12.24, before an appropriate assessment in HRA (30.01.25), contrary to CJEU People over Wind. Mitigation Hierarchy: Allocation of sites with known mitigation requirements lacks clear justification, contrary to NPPF paragraph 32. Conclusion: Exmo_20 allocation is unsound, legally non-compliant, environmentally risky, and procedurally flawed.

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.: DRASTICALLY REDUCE SIZE OF EXMO_20 TOWARDS EXMOUTH AND AWAY FROM VUNERABLE B3179 & THE PEBBLEBED HEATHS

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: THER HAS BEEN NO CO-OPERATION

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 ENSURE CORRECT LEGAL PROCEDURE IS FOLLOWED

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: CORECT LEGAL PROCESS NOT ADHERED TO

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.:

Exmo_20's proposed allocation is inconsistent with paragraph 32 of the NPPF (Dec 2023) and is therefore unsound. The Local Planning Authority (LPA) has attempted to retrospectively amend the Site Selection Methodology (SSM) in order to justify the inclusion of Exmo_20. However, the SSM relied upon for the Regulation 18 process is the May 2022 version, not the December 2024 version cited in the first Regulation 19 evidence library, which was presented misleadingly as the operative methodology. This conduct may raise concerns under the Nolan Principles of public life, particularly with respect to integrity and transparency. Critically, the original May 2022 SSM—utilized during the Regulation 18 consultation—contains wording that precludes the selection of Exmo_20.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO COOPERATION HAS BEEN SHOWN

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 ENSURE LEGAL AND CORRECT PROTOCOL ARE FOLLOWED:

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: INCORRECT LEGAL PROCESS

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: The proposed allocation of Exmo_20 conflicts with paragraph 165 of the National Planning Policy Framework (December 2023). It is also contrary to paragraph 3.6 and Policy AR01(b) of the Local Plan and is therefore unsound. Exmouth is recognised as having multiple and significant flood-risk pathways, with recorded fluvial flooding events in 1960, 1983 and 2012. Withycombe Brook already contains areas of substantial flood risk, even before the consideration of current and future impacts arising from climate change. The greenfield Exmo_20 site is located upslope of the town and contains tributaries and surface water runoff that drain directly into Withycombe Brook, which flows through the most densely populated wards in East Devon. The Local Planning Authority has failed to apply the required sequential, risk-based approach to site

selection, contrary to national and local policy, thereby increasing the potential flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION SHOWN

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 ENSURE PROTOCOL AND LEGAL PROCESS IS FOLLOWED

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraphs 16(c), 25, 180(d), 181, 185(a), 186(a), 186(c), 188 and 191 of the National Planning Policy Framework (December 2023) and is therefore unsound. It is also inconsistent with Policies PB01, PB02, PB03 and PB04, and with paragraphs 3.6, 13.10, 13.11 and 13.24 of the Local Plan. The Exmo_20 site lies within Strategic Nature Area 368, which functions as a critical buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI. The area provides essential foraging habitat for nightjar—a key qualifying species of the SPA and a Section 41 species of principal importance—and forms an important wildlife corridor linking the Pebblebed Heaths with the coast. Development of Exmo_20 would therefore undermine the conservation objectives of the SPA. Devon County Council is in the final stages of designating this land as a Local Nature Recovery Area as part of its Local Nature Recovery Strategy (scheduled for publication in March 2026), which seeks to connect existing wildlife sites and expand habitat networks. The site contains numerous veteran trees, areas of

ancient woodland and established hedgerows, all of which would be at risk of fragmentation and ecological degradation as a result of development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE ITS LEGALLY COMPLIANT

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
REMOVE EXMO_20 FROM THE LOCAL PLAN

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.: The allocation of Exmo_20 conflicts with paragraph 206 of the National Planning Policy Framework (December 2023) and is therefore unsound. It also conflicts with Local Plan Policies HE02 and OL01(D). A development of the scale proposed at Exmo_20 would result in significant and unacceptable harm to the setting of St John in the Wilderness Church, a Grade II* listed building. The church and its churchyard derive substantial heritage significance from their remote, tranquil and undeveloped surroundings. The area is characterised by dark skies, openness and a strong sense of isolation, consistent with the church's historic 'wilderness' setting. The encircling of this heritage asset by a large housing development would fundamentally alter its setting, eroding its rural character and sense of remoteness, and causing irreversible harm to its significance. Such harm is neither justified nor outweighed by public benefits, and the allocation therefore fails to meet national and local policy requirements for the conservation and enhancement of heritage assets and their settings.

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.: REMOVE EXMO_20 FROM THE OCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: NO CO-OPERATION HAS BEEN SHOWN WITH RESIDENTS OR RELEVANT BODIES

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 ENSURE CORRECT LEGAL PROCESS AND PROTOCOL

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The proposed allocation of site EXMO_20 is contrary to national planning policy and is therefore unsound and not legally compliant. In particular, the allocation conflicts with paragraphs 16(c), 32, 181, 185, 186(b) and 188 of the National Planning Policy Framework (December 2023), which collectively require plans to be positively prepared, justified, effective, consistent with national policy, and to protect and enhance sites of international and national biodiversity importance. The allocation also fails to accord with the adopted Local Plan, specifically paragraph 3.6 and Policies PB01, PB02, PB03, PB04 and OL02, which seek to safeguard the natural environment, protect designated sites, and ensure development does not result in unacceptable environmental harm. The EXMO_20 site is immediately adjacent to the Pebblebed Heaths SAC/SPA/SSSI, a highly sensitive European and nationally designated site. Given this proximity, it is not demonstrated that Suitable Alternative Natural Greenspace (SANGS) of sufficient size, quality, functionality, and geographical convenience could be delivered to effectively divert recreational pressure away from the Pebblebed Heaths. In particular, there is no evidence that future residents would be dissuaded from undertaking recreational activities such as dog walking, walking, and cycling within the designated site. Increased recreational pressure poses a clear risk of adverse effects on the integrity of the SAC/SPA, including disturbance to protected habitats and species. It is well-established that even a single disturbance or predation event can be sufficient to cause the failure of a nesting attempt, resulting in significant ecological harm. In the absence of adequate and legally robust evidence demonstrating that the proposed allocation would not result in adverse effects on the integrity of the Pebblebed Heaths SAC/SPA/SSSI, the allocation fails to meet the requirements of the Habitats

Regulations. Accordingly, the Competent Authority, namely the Local Planning Authority, is required to apply the precautionary principle. Without such certainty, the allocation cannot lawfully proceed.

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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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 ENSURE LEGAL PROCESS AND CORRECT PROCEDURE IS FOLLOWED

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Correct regulations have not been adhered to

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Remove Exmo_20

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.: The allocation of Exmo_20 conflicts with paragraphs 16(c), 32, 73(b) (including footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188 and 191(c) of the NPPF (December 2023) and is therefore unsound and not legally compliant. It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum buffer of 400 metres adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. This buffer is required as mitigation for potential impacts arising from domestic cat predation and other urban effects. Evidence within the HRA (para. 4.10) confirms that in rural environments cats may roam in excess of 2 kilometres. Given that the Nightjar is a qualifying ground-nesting feature of the SPA, there is a clear and significant risk of predation, noting that a single predation event can result in nesting

failure. In these circumstances, a buffer substantially greater than the pragmatic 400 metres proposed (Underhill-Day, 2005) is required in accordance with the precautionary principle. The land also constitutes functionally linked supporting foraging habitat for Nightjar. Furthermore, a significantly greater buffer is necessary to mitigate recreational impacts, including dog walking (particularly off-lead), cycling and walking. As these impacts have not been assessed at the site level, a precautionary approach must be applied at the strategic plan-making stage.

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.: Remove EXMO_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: residents were not informed -

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 ensure legal process and correct protocol are followed:

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The proposed allocation of site EXMO_20 is neither sound nor legally compliant. It is inconsistent with several provisions of the National Planning Policy Framework (December 2023), notably paragraphs 16(c), 32, 73(b) (including footnotes 7 and 38), 180(d) and (e), 181, 185, 186(b), 188, and 191(c). It also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. The site is located adjacent to the Pebblebed Heaths SAC, SPA, and SSSI, meaning its allocation is wholly dependent on substantial mitigation to avoid adverse effects on internationally and nationally protected habitats and species. However, there is no robust evidence demonstrating that the required mitigation is deliverable, effective, or viable. On the contrary, the mitigation strategy itself concedes that a Likely Significant Effect could not be ruled out for other units within the EDPH SAC and SPA. This is reinforced by the Plan-level Habitats Regulations Assessment (HRA), which explicitly states that there is an inherent conflict, as the scale of growth proposed exceeds established thresholds and no confirmed mechanism exists to mitigate or resolve the resulting risks. Despite these acknowledged deficiencies, the site was selected on 03 September 2024 without any meaningful opportunity for review or reassessment, and the draft Local Plan was approved on 11 December 2024 on the speculative assumption that a mitigation strategy would be produced at a later date. An Appropriate Assessment was only undertaken subsequently, as part of the HRA dated 30 January 2025. This approach is inconsistent with established legal principles, including the People Over Wind judgment, which makes clear that mitigation measures must not be relied upon at the

screening stage and must be fully assessed prior to plan adoption. In addition, where sites with known and significant environmental constraints are proposed for allocation, the NPPF requires a clear, transparent, and evidenced justification through the application of the Mitigation Hierarchy (paragraph 32). No such justification has been provided for EXMO_20, nor has any explanation been offered as to why less harmful or less constrained alternatives were not selected instead. For these reasons, the allocation of EXMO_20 fails the tests of soundness and legal compliance. The site should therefore be removed from the Plan unless and until a fully evidenced, deliverable, and legally compliant mitigation solution is clearly demonstrated.

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.: Remove EXMO_20 from the local plan - or reduce the size of the plan so it is less houses and in Exmouth

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 see that the correct guidelines and legal requirements are adhered to

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Incorrect mapping / residents not informed

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Restart the process with correct consultation process and informing local residents

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.: The allocation of site EXMO_20 is unsound and not legally compliant, as it conflicts with multiple provisions of the National Planning Policy Framework (NPPF, December 2023), specifically paragraphs 16(c), 32, 73(b) (including footnotes 7 and 38), 180(d) and (e), 181, 185, 186(b), 188, and 191(c). The allocation also conflicts with paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. The site lies adjacent to the Pebblebed Heaths SAC, SPA, and SSSI, and its allocation is therefore dependent upon significant mitigation for impacts on protected habitats and species. However, the deliverability, effectiveness, and viability of the required mitigation have not been demonstrated. The mitigation strategy itself confirms that “it was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA,” while the

Plan-level Habitats Regulations Assessment (HRA) explicitly acknowledges that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” Despite this acknowledged uncertainty, the site was selected on 03.09.24, without any opportunity for reconsideration, and the draft Local Plan was approved on 11.12.24 on the assumption that a mitigation strategy would be produced. An Appropriate Assessment was only undertaken subsequently as part of the HRA dated 30.01.25. This approach is contrary to established case law, including the CJEU judgment in *People Over Wind*, which requires that mitigation measures must not be taken into account at the screening stage and must be assessed before plan adoption. Furthermore, where sites with known and significant mitigation requirements are proposed for allocation, the NPPF requires clear and transparent justification through the application of the Mitigation Hierarchy (paragraph 32). No such justification has been provided in this case, nor has it been demonstrated why less harmful or unconstrained alternatives were not preferred. For these reasons, allocation EXMO_20 fails the tests of soundness and legal compliance and should be removed from the Plan unless and until a fully evidenced, deliverable, and legally compliant mitigation solution is demonstrated.

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.: Remove Exmo_20 from the plan

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.: Allocation so far has been inaccurate - parts of the plan changed after they should have been - I would like to make sure correct legal and functional process has been followed

Full name: Chrissy Howick

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Alison Humphrey

Full name: Alison Humphrey

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: EDDC needs to improve their Community Involvement to ensure that they deliver a Draft Local Plan for East Devon that is not only needed but also wanted, and not just to appease the government and to meet targets. The current Draft Local Plan processes including the consultation stages are divisive and are destroying the public's confidence not only in this council but the whole planning process itself. The public, parishes, councils, committee members and councillors are effectively pitted against each other, not only in defence of their town/village but also down to site/area level. This seems to be deliberate and is clearly demonstrated by the new community of Marlcumbe. This Second Reg 19 Consultation was specifically arranged because details about Marlcumbe were still being finalised. All of this detail is now available and described within the Draft Local Plan under Chapter 4. However, as I write this comment on Sunday 25th January 2026 with less than one day to go before this consultation closes, there are only 6 comments against this new community for over 10,000 homes. The Planning Officers may say that it is because they have done a great job, everyone is happy etc.... Unfortunately the more likely reasons are to do with "apathy", along the lines of "it is going to happen in anyway", "why bother commenting", "it is a foregone conclusion", "what new community?", "where?", "better there than in our town/village, so hurry up and do it". No thought about the impacts of these 10,000 homes and its residents on the already straining infrastructure, or thoughts about how the roads especially around junctions 29 and 30 of the M5 are going to cope, or how this will impact the routes into towns/villages and beaches, etc...

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The council have a Duty to cooperate-operate with the public. Paragraph 1.14 is the “Duty to co-operate and joint working with neighbouring authorities”. Where is the “Duty to Co-operate and communicate with the Public”? Whilst EDDC may have consulted with neighbouring authorities, there is little evidence of this with regards to the public and where there is evidence of this (e.g. the First and Second Reg 19 consultations), the EDDC’s consultation with the public has been one way with no real evidence provided that any notice/attention has been taken of the public’s and key organisations, comments, suggestions, and valid concerns. This is particularly evident with regards to the 1110 comments for Exmo_20, including those from Natural England, DWT, the RSPB and East Devon National Landscapes. Since we were made aware of this process back in September 2024, it has been evident that EDDC strategic planning officers were predetermined on what they wanted to happen, and have guided through a result and process that suited them without focussing on East Devons future needs nor the National Governments desire for sustainable development. SITE Exmo_20 IS A PRIME EXAMPLE OF THIS, YOU JUST HAVE TO LOOK AT THE VIDEOS OF THE STRATEGIC PLANNING COMMITTEE MEETINGS REGARDING THIS SITE STARTING WITH THE ONE ON THE 3RD SEPTEMBER 2024.....

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No, I do not wish to participate in hearing session(s)

Martin Humphrey

Full name: Martin Humphrey

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The duty to cooperate with the public is an important part of this process. EDDC needs to improve their Community Involvement to ensure that they deliver a Draft Local Plan for East Devon that is not only needed but also wanted, and not just to appease the government and to meet targets. The current Draft Local Plan processes including the consultation stages are divisive and are destroying the public's confidence not only in this council but the whole planning process itself. The public, parishes, councils, committee members and councillors are effectively pitted against each other, not only in defence of their town/village but also down to site/area level. This seems to be deliberate and is clearly demonstrated by the new community of Marlcumbe. This Second Reg 19 Consultation was specifically arranged because details about Marlcumbe were still being finalised. All of this detail is now available and described within the Draft Local Plan under Chapter 4. However, as I write this comment on Sunday 25th January 2026 with less than one day to go before this consultation closes, there are only 6 comments against this new community for over 10,000 homes. The Planning Officers may say that it is because they have done a great job, everyone is happy etc.... Unfortunately the more likely reasons are to do with "apathy", along the lines of "it is going to happen in anyway", "why bother commenting", "it is a foregone conclusion", "what new community?", "where?", "better there than in our town/village, so hurry up and do it". No thought about the impacts of these 10,000 homes and its residents on the already straining infrastructure, or thoughts about how the roads

especially around junctions 29 and 30 of the M5 are going to cope, or how this will impact the routes into towns/villages and beaches, etc...

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Paragraph 1.14 is the “Duty to co-operate and joint working with neighbouring authorities”. Where is the “Duty to Co-operate and communicate with the Public”? Are we not an important part of this process? Whilst EDDC may have consulted with neighbouring authorities, there is little evidence of this with regards to the public and where there is evidence of this (e.g. the First and Second Reg 19 consultations), the EDDC’s consultation with the public has been one way with no real evidence provided that any notice/attention has been taken of the public’s and key organisations, comments, suggestions, and valid concerns. This is particularly evident with regards to the 1110 comments for Exmo_20, including those from Natural England, DWT, the RSPB and East Devon National Landscapes. Since we were made aware of this process back in September 2024, it has been evident that EDDC strategic planning officers were predetermined on what they wanted to happen, and have guided through a result and process that suited them without focussing on East Devons future needs nor the National Governments desire for sustainable development. SITE Exmo_20 IS A PRIME EXAMPLE OF THIS, YOU JUST HAVE TO LOOK AT THE VIDEOS OF THE STRATEGIC PLANNING COMMITTEE MEETINGS REGARDING THIS SITE STARTING WITH THE ONE ON THE 3RD SEPTEMBER 2024.....

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No, I do not wish to participate in hearing session(s)

Nigel Humphrey

Full name: Nigel Humphrey

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: EDDC needs to improve their Community Involvement to ensure that they deliver a Draft Local Plan for East Devon that is not only needed but also wanted, and not just to appease the government and to meet targets. The current Draft Local Plan processes including the consultation stages are divisive and are destroying the public's confidence not only in this council but the whole planning process itself. The public, parishes, councils, committee members and councillors are effectively pitted against each other, not only in defence of their town/village but also down to site/area level. This seems to be deliberate and is clearly demonstrated by the new community of Marlcumbe. This Second Reg 19 Consultation was specifically arranged because details about Marlcumbe were still being finalised. All of this detail is now available and described within the Draft Local Plan under Chapter 4. However, as I write this comment on Sunday 25th January 2026 with less than one day to go before this consultation closes, there are only 6 comments against this new community for over 10,000 homes. The Planning Officers may say that it is because they have done a great job, everyone is happy etc.... Unfortunately the more likely reasons are to do with "apathy", along the lines of "it is going to happen in anyway", "why bother commenting", "it is a foregone conclusion", "what new community?", "where?", "better there than in our town/village, so hurry up and do it". No thought about the impacts of these 10,000 homes and its residents on the already straining infrastructure, or thoughts about how the roads especially around junctions 29 and 30 of the M5 are going to cope, or how this will impact the routes into towns/villages and beaches, etc...

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 ensure that the issues/concerns identified are taken seriously and not just ignored.

Full name: Nigel Humphrey

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.14

1(b). Does your comment relate to one of the changes listed above?: Yes

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Paragraph 1.14 is the “Duty to co-operate and joint working with neighbouring authorities”. Where is the “Duty to Co-operate and communicate with the Public”??? Whilst EDDC may have consulted with neighbouring authorities, there is little evidence of this with regards to the public and where there is evidence of this (e.g. the First and Second Reg 19 consultations), the EDDC’s consultation with the public has been one way with no real evidence provided that any notice/attention has been taken of the public’s and key organisations, comments, suggestions, and valid concerns. This is particularly evident with regards to the 1110 comments for Exmo_20, including those from Natural England, DWT, the RSPB and East Devon National Landscapes. Since we were made aware of this process back in September 2024, it has been evident that EDDC strategic planning officers were predetermined on what they wanted to happen, and have guided through a result and process that suited them without focussing on East Devons future needs nor the National Governments desire for sustainable development. SITE Exmo_20 IS A PRIME EXAMPLE OF THIS, YOU JUST HAVE TO LOOK AT THE VIDEOS OF THE STRATEGIC PLANNING COMMITTEE MEETINGS REGARDING THIS SITE STARTING WITH THE ONE ON THE 3RD SEPTEMBER 2024.....

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.: The public need to be seen as relevant and an important part of this process. More needs to be done to ensure that this happens.

Full name: Martin Humphrey

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Paragraph

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

3.1, 3.4

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Paragraph 3.1 and 3.4 need to be changed. Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level. It is time to stand up and take notice and to push back. This Spatial Strategy needs to be changed and the whole Tier system needs reviewing.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Take note of the community and their needs not just to fulfil a government target. Exmouth cannot continue to take this level of development just because we are the only Tier 1 town within the county. Revise the Tier system.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Paragraph

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

3.1, 3.4

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: With regards to paragraphs 3.1b and 3.4b of the Spatial Strategy within the EDDC Draft Local Plan. Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level. It is time to stand up, take notice, and to push back. Exmouth cannot, and must not be made to, develop new homes in the numbers proposed just because we are seen as the largest town in the County.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Put the necessary infrastructure in place before proposing new developments that are not suitable, sustainable or viable. Seriously reconsider the tier system and realise that this continued push year after year is not sustainable. Stand up for East Devon. Push back against this governments plans.

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 ensure that our voices are heard.

Full name: Alison Humphrey

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology).

Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Reduce allocation numbers for Exmouth especially in relation to the unsustainable sites (e.g. Exmo_20 and Exmo_17).

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This policy relies on the soundness of “the spatial strategy and the site allocations set out in this plan”. The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and notable average wage growth. Secondly many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Remove the unsustainable sites in Exmouth. Sites should be allocated for the right reasons, not just because the town or village is expected to contribute. If sites are not suitable then they should be removed.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP07

1(b). Does your comment relate to one of the changes listed in the table above?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the 10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.: Remove the unsuitable Exmouth sites from the plan (e.g. Exmo_20 and Exmo_17)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, specifically 33a. I submitted numerous comments within the First Reg 19 Consultation which have either been ignored or not actioned upon. I raised concerns regarding the use of incorrect maps relating to Exmo_20 within the SAL-022 document and errors in the information within the document TRI-023. These map errors and information errors have not been corrected, and the old versions of these documents are being put forward as the ONLY versions within the Reg 19 evidence library. This gives the impression that either my comments have been ignored, or not even considered. Either way I should have been informed. The EDDC will say that we cannot respond to all of your comments, but a feedback report will be available in the lead up to the submission the Draft Local Plan. THIS IS TOO LATE. Where is our right to respond? We will not know if we agree or have even received a response before it is too late. THIS NEEDS TO BE CHANGED.

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.: Amend the incorrect maps and information in the identified documents before submission to the inspector.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, specifically 33a. I submitted numerous comments within the First Reg 19 Consultation which have either been ignored or not actioned upon. I raised concerns regarding the use of incorrect maps relating to Exmo_20 within the SAL-022 document and errors in the information within the document TRI-023. These map errors and information errors have not been corrected, and the old versions of these documents are being put forward as the ONLY versions within the Reg 19 evidence library. This gives the impression that either my comments have been ignored, or not even considered. Either way I should have been informed. The EDDC will say that we cannot respond to all of your comments, but a feedback report will be available in the lead up to the submission the Draft Local Plan. THIS IS TOO LATE. Where is our right to respond? We will not know if we agree or have even received a response before it is too late. THIS NEEDS TO BE CHANGED.

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 ensure that my comments are taken note of and that the failings in relation to the EDDC's duty to co-operated are highlighted and acted upon.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, specifically 33a. I submitted numerous comments within the First Reg 19 Consultation which have either not been responded to or in the case of the Sustainability Appraisal Report, I have not been informed that a response has been provided. This is a failure in EDDC's duty to co-operate. I found the responses provided by the council on the Sustainability Appraisal Report by accident. I have reviewed these and must admit that I do not agree with the majority of the responses. Of particular note are the following: The justification for Exmo_20 being still within the plan The response to my flood risk comment. The response to the 400m buffer zone issue. The fact that they justify site Exmo_20 being included by stating the Site Selection Methodology document, yet the version of this document that was applicable when this site was being discussed/allocated within Reg 18 and 19 did not have this justification clause in, and Exmo_20 should not have been progressed. The responses regarding services/facilities within 800m is incorrect. Please note that I have not listed all of my issues with these responses.

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.: I wish to highlight the complete lack of co-operation that the public has received throughout the lifespan of this Draft Local Plan especially in

relation to site Exmo_20. I also wish to have the opportunity to get answers to questions that have been ignored.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20 is in conflict with policy HE02. There is a new addendum document SAL-022a which details the Historic Site Assessment that has been carried out by EDDC. Within this document there are several statements that are misleading, specifically paragraphs 7.32 and 7.34. 7.32 states that the site assessment was carried out in August 2025 when trees and hedgerows were in full bloom and it states "The extent and density of planting means that in the summer months there are limited views and intervisibility with surrounding fields. In the winter, with the falling of leaves, this will increase but even then the evergreens and mass of branches on the deciduous trees will result in a retained degree of screening." The winter views of the surrounding fields are VERY different and any future assessment needs to be carried out in the Winter months NOT IN THE SUMMER!!! What exactly is the point of this addendum? As there has been quite a bit of work carried out and the map on page 38 and the tabular information on page 42 are taking into account the August 2025 site assessment with regards to visual connectivity and identifies areas not to build on. Yet paragraph 7.38 then states the following: 7.38 It is stressed that this work is not a formal detailed assessment and in no sense is it intended to form policy or establish any specific set of proposals or patterns for development. Rather it is illustrative and approximate of comparative areas of sensitivity and is set out as a means to illustrate the scale or level of development that could potentially be achieved by directing development to the less or nil sensitive locations only. It is worth highlighting, however, that development when well designed and implemented can frame and enhance heritage assets and as such 'sensitive areas' can in some cases be appropriate and positive for development and built uses. The above statement basically deletes all of the work detailed in this addendum. Why

bother doing this work, oncluding it as evidence then effectively saying that it is not worth the paper it is written on????? This SHOULD form policy, establish a set of proposals and patterns for development. Otherwise why carry out the work???? In addition to the above I would like it noted that it states in the Draft Local Plan that "Support will be given for expansion of the churchyard, to provide more burial/interment of ashes space at St John in the Wilderness". This land needs to be identified and included in any Heritage assessment, as this would in effect alter the views of the surrounding area from the Church. One final point is that the NEW wording for Exmo_20 states "An extensive area must be established around the church in master planning work within which built development will not be allowed, though, subject to not having adverse heritage impacts, open space non-sports pitch uses will be permitted". This is an ambiguous statement and leaves things open to interpretation, and the words after "development will not be allowed" need to be removed.

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.:

Any heritage assessment MUST be carried out during the Winter and NOT the summer. Reword paragraph 7.38, so that the details identified within this document are not just ignored.... Wording needs to be added to the plan stating that the additional land to be provided to the Church needs to be identified and agreed before any heritage assessment is carried out. The ambiguous wording identified regarding the use of land around the church needs to be amended as requested. with a

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.: The Church setting is important and needs to be protected. The Draft Local Plan and the new addendum SAL-022a need to be more specific.

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The Sustainability Appraisal Report has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that] they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The sites that failed HELAA including Exmo_20 are now being justified based on the Site Selection Methodology that was NOT applicable when they were allocated, therefore the inclusion of these sites in the Draft Local Plan, and specifically Exmo_20, CANNOT be justified and is UNSOUND. The Site Selection Methodology document dated May 2022 was applicable for the entire Reg 18 process and also when Exmo_20 was allocated in the Strategic Planning Committee meeting on the 3rd September 2024 in Reg 19. Exmo_20 failed HELAA and therefore should not have been available for Reg 18 nor to be allocated for Reg 19. I attach the applicable document as evidence below.

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.: Exmo_20 should not

have been considered for Reg 18 or Reg 19 as per the EDDC's own policies and procedure. Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The Sustainability Appraisal Report has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that] they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The sites that failed HELAA including Exmo_20 are now being justified based on the Site Selection Methodology that was NOT applicable when they were allocated, therefore the inclusion of these sites in the Draft Local Plan, and specifically Exmo_20, CANNOT be justified and is UNSOUND. I have included the Site Selection Methodology document from May 2022. This is the document that was applicable during the entire Reg 18 process and also still applicable when site Exmo_20 was incorrectly allocated at the Strategic Planning Committee meeting on the 3rd September 2024 (see attached).

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement. Yet there has been very little evidence of this since I have been involved in the Reg 19 process.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. As a group, myself and my colleagues have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meetings on the 25th November 2025 and the 6th January 2026. At these meetings and others throughout 2025 we have highlighted our concerns regarding the lack of communications and information being provided to the public and have had to “fight tooth and nail” to get the level of information that we have managed to gather so far. These shortcomings have been highlighted and we are still encountering resistance with regards to publicity and communications, despite EDDC stating that they are committed to public engagement.

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 ensure that our voices are heard and that the Draft Local Plan process can be improved.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. I have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meeting on Tuesday the 6th September 2026. At this meeting I specifically raised my concerns regarding the fact that the Sustainability Appraisal Report (SAR) has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This document now includes changes as a result of the comments made in the First Reg 19 Consultation. Pages 76 to 113 of the SAR detail the comments and the councils responses and the document has been changed significantly to accommodate these responses. However, this has not been communicated to ANY of the organisations or members of the public that made them. The organisations and members of the public that raised these comments are not aware of them, and may disagree with the Councils response, I KNOW I DO. However, if these changes are not communicated, then the chances are high that no-one will check them (especially as this is a 686 page document, nearly double the size of the Draft Local Plan). IF THERE ARE NO COMMENTS/OBJECTIONS TO THESE CHANGES THE COUNCIL WILL TAKE THIS AS APPROVAL --- THIS IS NOT ACCEPTABLE. There is also no "Schedule of Changes" listed for the Sustainability Appraisal Report, which is inconsistent with the rest of the chapters of the Draft Local Plan detailed within Commonplace. Again highlighting the lack of communication by the EDDC. I attach an email that I sent to the Strategic Planning Committee chair person and the other members of the committee regarding

the SAR and other concerns (including my speaker notes from the 6th January 2026). I sent this email on the 13th January 2026, and as I submit this comment on Sunday 25th January 2026, I have still to receive a response, which is too late for this consultation.

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.: Remove Exmo_20 from the plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004, nor the NPPF. I have raised concerns with EDDC on several occasions regarding publicity and communications to the public in relation to the Consultations process, with the most recent being at the Strategic Planning Committee meeting on Tuesday the 6th September 2026. At this meeting I specifically raised my concerns regarding the fact that the Sustainability Appraisal Report (SAR) has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This document now includes changes as a result of the comments made in the First Reg 19 Consultation. Pages 76 to 113 of the SAR detail the comments and the councils responses and the document has been changed significantly to accommodate these responses. However, this has not been communicated to ANY of the organisations or members of the public that made them. The organisations and members of the public that raised these comments are not aware of them, and may disagree with the Councils response, I KNOW I DO. However, if these changes are not communicated, then the chances are high that no-one will check them (especially as this is a 686 page document, nearly double the size of the Draft Local Plan). IF THERE ARE NO COMMENTS/OBJECTIONS TO THESE CHANGES THE COUNCIL WILL TAKE THIS AS APPROVAL --- THIS IS NOT ACCEPTABLE. There is also no "Schedule of Changes" listed for the Sustainability Appraisal Report, which is inconsistent with the rest of the chapters of the Draft Local Plan detailed within Commonplace. Again highlighting the lack of communication by the EDDC. I attach an email that I sent to the Strategic Planning Committee chair person and the other members of the committee regarding the SAR and other concerns (including my speaker notes from the 6th January 2026). I sent this email on the 13th January 2026, and as I submit this comment on

Sunday 25th January 2026, I have still to receive a response, which is too late for this consultation.

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 highlight the fact that the EDDC have failed in their duty to co-operate not only with the public but with organisations.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. I raised several comments in the First Reg 19 Consultation regarding the EDDC's failure to adhere to their own processes and procedures in relation to site Exmo_20. These have been ignored not only through this process but also despite me bringing these issues to the attention of the Strategic Planning Committee and the Planning Officers. I have followed this up by raising a Freedom of Information request in July 2025 asking 5 questions (see evidence). I received a response to my FOI request in August 2025 (see evidence). The FOI responses provide the data as evidence so I could not refute the findings. However, the fact remains that the responses effectively confirm what I have been saying in relation to sites Exmo_20, Exmo_20a, Exmo_20b and Exmo_46, and also confirms that EDDC have not followed their own policies and procedures. It also raises the point that I have been asking the Planning Officers for some time, and that is - are documents and decisions being "approved by default" if they are not discussed at the Strategic Planning Committee meetings (see evidence)? I include my comments against the FOI responses for clarity (see evidence, and also the point made below regarding the fact that sites Exmo_20a and Exmo_20b are never discussed at the meeting on the 1st November 2022, despite these sites never being visible until this meeting). In brief, Exmo_20 failed HELAA. Exmo_46 was the only site that should have gone forward into Reg 18. Sites Exmo_20a and Exmo_20b were suddenly created as NEW sites, and appear in maps for the first time at the Strategic Planning Committee meeting on the 1st November 2022, but are never mentioned or discussed at this meeting. Also to be noted is the fact that the Draft Local Plan that was presented at this meeting did not include Exmo_20a or Exmo_20b, yet Exmo_20b is

included in the Draft Local Plan for Reg 18 6 days later as part of the consultation, but Exmo_20a is NOT. These sites are then classed as consulted on at Reg 18 even though Exmo_20a is identified as a REJECTED site (why would you consult or comment on a rejected site that is not even described in the Draft Local Plan?). It should be noted that the three main supporting documents for Reg 18, the HELAA report, the Sustainability Appraisal Report and the Exmouth Site Selection Document ONLY mention Exmo_20 and Exmo_46. With HELAA rejecting Exmo_20 but letting Exmo_46 progress. The Sustainability Appraisal Report highlighting that Exmo_20 is not to be progressed and that Exmo_46 is to be progressed. The Exmouth Site Selection document highlighting again that Exmo_20 is NOT to be progressed but that Exmo_46 is to be progressed. IT IS TO BE NOTED THAT NONE OF THESE DOCUMENTS MENTION EXMO_20a OR Exmo_20b.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Remove Exmo_20 from the plan.

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.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. I raised several comments in the First Reg 19 Consultation regarding the EDDC's failure to adhere to their own processes and procedures in relation to site Exmo_20. These have been ignored not only through this process but also despite me bringing these issues to the attention of the Strategic Planning Committee and the Planning Officers. I have followed this up by raising a Freedom of Information request in July 2025 asking 5 questions (see evidence). I received a response to my FOI request in August 2025 (see evidence). The FOI responses provide the data as evidence so I could not refute the findings. However, the fact remains that the responses effectively confirm what I have been saying in relation to sites Exmo_20, Exmo_20a, Exmo_20b and Exmo_46, and also confirms that EDDC have not followed their own policies and procedures. It also raises the point that I have been asking the Planning Officers for some time, and that is - are documents and decisions being "approved by default" if they are not discussed at the Strategic Planning Committee meetings (see evidence)? I include my comments against the FOI responses for clarity (see evidence, and also the point made below regarding the fact that sites Exmo_20a and Exmo_20b are never discussed at the meeting on the

1st November 2022, despite these sites never being visible until this meeting). In brief, Exmo_20 failed HELAA. Exmo_46 was the only site that should have gone forward into Reg 18. Sites Exmo_20a and Exmo_20b were suddenly created as NEW sites, and appear in maps for the first time at the Strategic Planning Committee meeting on the 1st November 2022, but are never mentioned or discussed at this meeting. Also to be noted is the fact that the Draft Local Plan that was presented at this meeting did not include Exmo_20a or Exmo_20b, yet Exmo_20b is included in the Draft Local Plan for Reg 18 6 days later as part of the consultation, but Exmo_20a is NOT. These sites are then classed as consulted on at Reg 18 even though Exmo_20a is identified as a REJECTED site (why would you consult or comment on a rejected site that is not even described in the Draft Local Plan?). It should be noted that the three main supporting documents for Reg 18, the HELAA report, the Sustainability Appraisal Report and the Exmouth Site Selection Document ONLY mention Exmo_20 and Exmo_46. With HELAA rejecting Exmo_20 but letting Exmo_46 progress. The Sustainability Appraisal Report highlighting that Exmo_20 is not to be progressed and that Exmo_46 is to be progressed. The Exmouth Site Selection document highlighting again that Exmo_20 is NOT to be progressed but that Exmo_46 is to be progressed. IT IS TO BE NOTED THAT NONE OF THESE DOCUMENTS MENTION EXMO_20a OR Exmo_20b.

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.: Remove Exmo_20 from the plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. I raised several comments in the First Reg 19 Consultation regarding the EDDC's failure to adhere to their own processes and procedures in relation to site Exmo_20. These have been ignored not only through this process but also despite me bringing these issues to the attention of the Strategic Planning Committee and the Planning Officers. I have followed this up by raising a Freedom of Information request in July 2025 asking 5 questions (see evidence). I received a response to my FOI request in August 2025 (see evidence). The FOI responses provide the data as evidence so I could not refute the findings. However, the fact remains that the responses effectively confirm what I have been saying in relation

to sites Exmo_20, Exmo_20a, Exmo_20b and Exmo_46, and also confirms that EDDC have not followed their own policies and procedures. It also raises the point that I have been asking the Planning Officers for some time, and that is - are documents and decisions being "approved by default" if they are not discussed at the Strategic Planning Committee meetings (see evidence)? I include my comments against the FOI responses for clarity (see evidence, and also the point made below regarding the fact that sites Exmo_20a and Exmo_20b are never discussed at the meeting on the 1st November 2022, despite these sites never being visible until this meeting). In brief, Exmo_20 failed HELAA. Exmo_46 was the only site that should have gone forward into Reg 18. Sites Exmo_20a and Exmo_20b were suddenly created as NEW sites, and appear in maps for the first time at the Strategic Planning Committee meeting on the 1st November 2022, but are never mentioned or discussed at this meeting. Also to be noted is the fact that the Draft Local Plan that was presented at this meeting did not include Exmo_20a or Exmo_20b, yet Exmo_20b is included in the Draft Local Plan for Reg 18 6 days later as part of the consultation, but Exmo_20a is NOT. These sites are then classed as consulted on at Reg 18 even though Exmo_20a is identified as a REJECTED site (why would you consult or comment on a rejected site that is not even described in the Draft Local Plan?). It should be noted that the three main supporting documents for Reg 18, the HELAA report, the Sustainability Appraisal Report and the Exmouth Site Selection Document ONLY mention Exmo_20 and Exmo_46. With HELAA rejecting Exmo_20 but letting Exmo_46 progress. The Sustainability Appraisal Report highlighting that Exmo_20 is not to be progressed and that Exmo_46 is to be progressed. The Exmouth Site Selection document highlighting again that Exmo_20 is NOT to be progressed but that Exmo_46 is to be progressed. IT IS TO BE NOTED THAT NONE OF THESE DOCUMENTS MENTION EXMO_20a OR Exmo_20b.

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.: I have raised my concerns detailed above with EDDC, the Strategic Planning Committee, EDDC Planning Officers etc.. but no one seems to listen or be concerned that policies and procedures have been ignored.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: I submitted a comment within the First Reg 19 Consultation identifying the fact that the site maps for Exmo_20 were conflicting with NPPF chapter 3 'Plan Making' where it states that plans should be 'up to date'. The EDDC have been contacted on numerous times to update the map for Exmo_20 to stop promoting the site with land that is not available (i.e. existing homes, listed buildings and the grade II * church and its lands). This was confirmed and the settlement boundaries identified. However, there were still instances where the incorrect maps were still being used. I identified the Sustainability Appraisal Report and the Site Allocations 'SAL' document for Exmouth (SAL-022), as documents that needed to be corrected. The Sustainability Appraisal Report has been updated and a new version published. However, the SAL-022 document has not, and the incorrect map is still visible in two sections of this document. This is unacceptable and again highlights the fact that our comments are being ignored. To make matters worse, a new addendum SAL-022a has been added as part of the Second Reg 19 Consultation. This document was made available on the EDDC website on the 26th November 2025. I highlighted this to EDDC along with issues around tabular data that was incorrect (See attached emails as evidence). My comments were supposedly acted upon. However, I bring pages 26, 27 42 and 43 of this document to your attention (SAL-022a is attached). The change regarding the map has been completed on page 26, but "red" text has been added which tries to explain the reason for the change and contains a link to the original SAL-022 document (no new version of this since February 2025) telling you that the old map can be seen here. THIS AGAIN SHOWS THAT MY FIRST REG 19 COMMENTS HAVE BEEN IGNORED. AS STATED ABOVE I HIGHLIGHTED THAT THE MAP IN SAL-022 WAS INCORRECT AND SHOULD BE CORRECTED, YET THIS RED TEXT

REFERS YOU TO AN INCORRECT MAP. EVEN THE WORDING USED IN THE RED TEXT IS WRONG AS IT STATES "To avoid any potential confusion in respect of land allocated for development in the 2nd Regulation 19 Local Plan.....". THE LAND ALLOCATED FOR DEVELOPMENT RELATING TO EXMO_20 HAS NOT CHANGED FROM THAT IDENTIFIED IN THE FIRST REG 19 LOCAL PLAN. THE FACT THAT OUR COMMENTS CONTINUE TO BE IGNORED CANNOT AND SHOULD NOT BE ALLOWED. For further proof of this, I bring to your attention the red text on pages 42 and 43, as this text does not belong in this document. The data should have been changed to be correct, not left as it is with an additional CONFUSING bit of text. This highlights a total lack of document version control within EDDC.

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.: Correct SAL-022 and SAL-022a as requested. Provide evidence that our comments raised in the First Reg 19 Consultation and this Second Consultation are being noted and actioned upon.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I submitted a comment within the First Reg 19 Consultation identifying the fact that the site maps for Exmo_20 were conflicting with NPPF chapter 3 'Plan Making' where it states that plans should be 'up to date'. The EDDC have been contacted on numerous times to update the map for Exmo_20 to stop promoting the site with land that is not available (i.e. existing homes, listed buildings and the grade II * church and its lands). This was confirmed and the settlement boundaries identified. However, there were still instances where the incorrect maps were still being used. I identified the Sustainability Appraisal Report and the Site Allocations 'SAL' document for Exmouth (SAL-022), as documents that needed to be corrected. The Sustainability Appraisal Report has been updated and a new version published. However, the SAL-022 document has not, and the incorrect map is still visible in two sections of this document. This is unacceptable and again highlights the fact that our comments are being ignored. To make matters worse, a new addendum SAL-022a has been added as part of the Second Reg 19 Consultation. This document was made available on the EDDC website on the 26th November 2025. I highlighted this to EDDC along with issues around tabular data that was incorrect (See attached emails as evidence). My comments were supposedly acted upon. However, I bring pages 26, 27 42 and 43 of this

document to your attention (SAL-022a is attached). The change regarding the map has been completed on page 26, but "red" text has been added which tries to explain the reason for the change and contains a link to the original SAL-022 document (no new version of this since February 2025) telling you that the old map can be seen here. THIS AGAIN SHOWS THAT MY FIRST REG 19 COMMENTS HAVE BEEN IGNORED. AS STATED ABOVE I HIGHLIGHTED THAT THE MAP IN SAL-022 WAS INCORRECT AND SHOULD BE CORRECTED, YET THIS RED TEXT REFERS YOU TO AN INCORRECT MAP. EVEN THE WORDING USED IN THE RED TEXT IS WRONG AS IT STATES "To avoid any potential confusion in respect of land allocated for development in the 2nd Regulation 19 Local Plan.....". THE LAND ALLOCATED FOR DEVELOPMENT RELATING TO EXMO_20 HAS NOT CHANGED FROM THAT IDENTIFIED IN THE FIRST REG 19 LOCAL PLAN. THE FACT THAT OUR COMMENTS CONTINUE TO BE IGNORED CANNOT AND SHOULD NOT BE ALLOWED. For further proof of this, I bring to your attention the red text on pages 42 and 43, as this text does not belong in this document. The data should have been changed to be correct, not left as it is with an additional CONFUSING bit of text. This highlights a total lack of document version control within EDDC.

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 ensure that the Planning Inspector and EDDC are aware of the publics views and concerns.

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF December 2023. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, and still applicable when this site was allocated on the 3rd September 2024, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Exmo_20 should never have been included, so remove it from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023. It also conflicts with policies TR01 and TR03 along with paragraphs 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking, and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation, as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location, topography (a steep sloping site from North to South), and Exmo_20's B3179 access arrangements, would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan. In the Strategic Flood Risk Assessment Level 1, Withycombe Brook is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. It is clear that the LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to the First Regulation 19 consultation that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to

development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". PLEASE NOTE; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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

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1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the First regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified".

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.: Remove Exmo_20 from the Draft Local Plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncoded highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt. What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and it is to be noted that in more rural areas (which Exmo_20 is) cats can roam over 2km, and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased

visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." PLEASE NOTE : I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Martin Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable. The mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plans HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without any opportunity being given for it to be reconsidered), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select. It should also be noted that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA

demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. PLEASE NOTE ; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove this site from the plan.

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 ensure that the public are listened to with regards to this site, instead of being ignored.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and over 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove this site from the plan.

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.: This site is unsuitable, unsustainable and not viable. This needs to be recognised.

Full name: Nigel Humphrey

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.: SD01

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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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF December 2023. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, and still applicable when this site was allocated on the 3rd September 2024, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the Draft Local Plan.

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 ensure that this site is removed from the Draft Local Plan.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023. It also conflicts with policies TR01 and TR03 along with paragraphs 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking, and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation, as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location, topography (a steep sloping site from North to South), and Exmo_20's B3179 access arrangements, would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20 from the plan.

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.: So that my voice is heard and finally listened to.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan. In the Strategic Flood Risk Assessment Level 1, Withycombe Brook is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. It is clear that the LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: Remove Exmo_20 from the plan.

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 ensure that our voices are heard, and to get answers to questions that have not been provided by EDDC.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to the First Regulation 19 consultation that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to

development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". PLEASE NOTE; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove the site from the plan.

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 get this site removed from the plan and to ensure that our voices are finally heard.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the First regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove this site from the Draft Local Plan

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 get someone to finally listen and that can get the EDDC to realise that this site should be removed from the plan.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: This site is not suitable, sustainable or viable. Remove from the plan.

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 get someone to finally realise that this site is not suitable, sustainable or viable, and to get it removed from the plan for good.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt. What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Take Exmo_20 out of the Draft Local Plan.

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 ensure that the public are taken note of.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and it is to be noted that in more rural areas (which Exmo_20 is) cats can roam over 2km, and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased

visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." PLEASE NOTE : I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the plan

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 ensure that my comments are finally listened to.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable. The mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plans HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without any opportunity being given for it to be reconsidered), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select. It should also be noted that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA

demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. PLEASE NOTE ; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the plan.

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 ensure that my voice is heard.

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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.: Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and over 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF December 2023. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, and still applicable when this site was allocated on the 3rd September 2024, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: This site should never have got this far, remove it now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023. It also conflicts with policies TR01 and TR03 along with paragraphs 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking, and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation, as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location, topography (a steep sloping site from North to South), and Exmo_20's B3179 access arrangements, would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b) of the Local Plan. In the Strategic Flood Risk Assessment Level 1, Withycombe Brook is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. It is clear that the LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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.: This site is not suitable, sustainable or viable. Remove it from the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to the First Regulation 19 consultation that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to

development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". PLEASE NOTE; I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the First regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo_20 from this plan for good.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncostered highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to...air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: This site is not, suitable, sustainable or viable. Please take it out of the plan now.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt. What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to

use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." PLEASE NOTE: I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: The council need to finally take account of not only the public's views but also those of key organisations such as DWT, the RSPB, East Devon Natural Landscapes etc. Remove Exmo_20 from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and it is to be noted that in more rural areas (which Exmo_20 is) cats can roam over 2km, and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased

visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." PLEASE NOTE : I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Alison Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Do the right thing and remove this site from the plan.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: No, I do not wish to participate in hearing session(s)

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1 st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. PLEASE NOTE THAT I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Exmo_20 is not suitable, sustainable or viable, and this Council knows it. Yet they continue to promote it because it can help them meet their housing quota.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The proposal of site Exmo_20 is in conflict with paragraph 11.6. This is a large development of between 700 to 1000 homes. The majority (if not all) of this site is NOT within 800m (approx 10 mins walk) of any existing key services and facilities. There are no plans to provide significant key services on site so residents will likely need to drive over two miles (via the B3179) just to access them within Exmouth or neighbouring settlements. They will also need to travel over 4 miles to access Exmouth town centre and its railway station. The topography of the site does not promote walking or cycling, especially not for main shopping, doctors, dentists, school, etc.

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.: Remove site Exmo_20 from the plan now.

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.: This site is remote from the town centre and is not suitable, sustainable or viable and needs to be removed from the plan now.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocating Exmo_20 is in conflict with policy TR01. No matter what the developers say, walking and/or cycling will not be the first choice of transport from this site for people to do their shopping/ work/ school run etc. because the distances are too far. The studies cited in the Local Plan show that most people prefer to walk if their destination is within 0.5 miles, however, beyond the distance of 1 mile cars are the dominant mode of travel and that beyond 2 miles trips on foot are few. If people live at the Northern part of this site, they will have to walk nearly 0.5 miles to get to the bottom of the site. Exmo_20 is by its position remote, and people will have to travel significantly further than 0.5 miles or even 1 mile to get to essential infrastructure and services. Based on this, walking or cycling as first choice of transport is unviable. Providing walking routes, cycle paths or public transport will not alleviate the amount of car journeys this development would generate, especially taking into account the steep local topography and the distance people will have to travel to access essential infrastructure and services.

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.: This site needs to be removed from the plan now.

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.: This site is on the edge of Exmouth and will not promote walking and cycling no matter what the developer says. You need to see this proposed site to understand this.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 is in conflict with paragraph 11.2. There are two proposed access points for this site. One to be created at the South of the site via the existing Southern Wood cul-de-sac but only to accommodate 'modest' development, with the other access point being at the North of the site for the 'majority/bulk' of the development via the B3179. This will increase travel needs and necessitate cars to take longer routes for the majority (if not all) of the site. The main vehicular access point (B3179) is at the very northern edge of the site, adjacent to the Pebblebed Heath (SAC/SPA/SSSI). Due to the mandatory 400m buffer zone to SAC/SPA/SSSI no housing is permitted within the top 400m, resulting in approximately 0.3 of a mile drive just to get from the site entrance to the housing. This would result in upwards of over 0.5 miles of 'on site' driving for most people every time they went out anywhere and returned home. In addition to this, from the B3179 site entrance you need to drive between 4.0-4.3 miles to get into Exmouth centre. Exmo_20 is a large site and its positioning does not promote less travel, nor will it do anything to reduce traffic congestion in and out of Exmouth. This site is not sustainable.

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.: This site is not suitable, sustainable or viable and needs to be removed from the plan now.

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.: This site is not suitable, sustainable or viable and will only increase car journeys onto already congested local routes.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Exmo_20 is in conflict with paragraph 3.34: Although Exmouth is classed as a tier 1 settlement, it does not have sufficient infrastructure and services for the existing population. Even if the proposed development brings financial contributions towards infrastructure etc., it will not add another Doctors surgery or Dentists surgery - both of which are already insufficient for the current population of Exmouth. Neither will it provide another secondary school - numerous children already have had to travel to Cranbrook for secondary school provision due to there being no capacity at Exmouth Community College. The existing sewerage system in Exmouth cannot handle the current population, with sewage being discharged into the sea on a very regular basis, with 'closed for swimming' notices becoming a regular feature on our beach. Not a very good advertisement for a seaside tourist spot! Exmouth's sewerage problems have already been highlighted on national news several times.

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.: Remove this site from the plan.

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.: Just because Exmouth is classed as tier 1 does not mean that it can continue to expand to meet the government numbers. Exmouth has already reached its limits and this continued push to expand when it cannot cope will destroy our town.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The proposal to allocate site Exmo_20 is in conflict with paragraph 2.6; The land proposed for development under Exmo_20 is currently open countryside, with a grade II * listed Church and churchyard at the middle of it. This is not a 'modest' development. It is a 'very large' development within a rural part of East Devon.

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.: Remove this site from the plan.

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.: This site is not suitable, sustainable or viable and needs to be stopped now. It also does not fit into the "vision".

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: Site Exmo_20 is in conflict with policy PB04. The Habitats Regulations Assessment (dated 30.01.25) confirms that there is “currently not sufficient certainty to rule out advert effects in integrity in relation to...air quality (East Devon Pebblebed Heaths SAC/SPA).” This site sits on the edge of the East Devon Pebblebed Heaths SAC/SPA, and with the proposed ‘majority/bulk’ of the traffic from this site going onto the B3179, the air quality will not be improved.

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.: Remove this site from the plan.

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.: The air quality will deteriorate significantly with the development of this site and needs to be stopped now before it is too late.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: Site Exmo_20 is in conflict with paragraph 2.10, objective 8. It will adversely affect the natural environment and result in the loss of a considerable amount of land that provides an abundance of biodiversity, both on site and on the adjacent SAC/SPA/SSSI.

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.: Remove the site from the plan.

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.: If this site goes ahead it will destroy a large area of land that provides an abundance of biodiversity, and we will never be able to get this back. It will be another area of natural beauty that is gone forever.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The proposed site Exmo_20 is in conflict with paragraph 13.23. The whole of this site lies within an identified 'Strategic Nature Area' (SNA 368) on the Nature Recovery Network. It is part of the Local Nature Recovery Strategy aimed at combining existing wildlife sites and extending habitats. It provides connecting habitats and wildlife corridors between the Pebblebed Heaths at the north of the site through to the woodland at the south and beyond, all of which would be adversely impacted by the development of this site. The amount of wildlife that utilises this land and the nearby SSSI Pebblebed Heaths is diverse. Of particular note is the Nightjar, a qualifying feature of the East Devon Heaths SPA, and studies show that these fly up to 7km from nesting sites to feed at night. Loss of foraging habitat or disruption of routes to feeding areas could undermine the conservation objectives of this SPA. A 20% BNG WILL NOT REPLACE THE DESTRUCTION THAT THIS SITE WILL CAUSE!!

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.: Remove Exmo_20 from the plan.

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.: This site is not suitable, sustainable or viable. It will also destroy the wildlife habitat and the area itself.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.: The proposal for Exmo_20 is in conflict with paragraph 13.9. The NATIONAL PLANNING POLICY FRAMEWORK defines 'irreplaceable habitat' as "habitats which would be technically very difficult (or take a significant time) to restore, recreate or replace once destroyed". Exmo_20 will cause loss of irreplaceable habitats. It has a great number of mature trees, which provide unique micro habitats and their loss cannot simply be mitigated by planting new trees. This site also contains many long-established hedgerows across the site, the lengths of which are considerable. The trees and hedgerows have high intrinsic biodiversity value providing habitats and wildlife corridors, and even if the developers promise that space can be left around them, degradation and fragmentation of habitat is unavoidable. The variety of wildlife that abound in these fields, trees and hedgerows will undoubtedly be affected by this development. Of particular note is the Nightjar, a qualifying feature of the East Devon Heaths SPA, and studies show that these fly up to 7km from nesting sites to feed at night. Loss of foraging habitat or disruption of routes to feeding areas could undermine the conservation objectives of the SPA. The whole of the Exmo_20 site lies within an identified 'Strategic Nature Area' (SNA 368) on the Nature Recovery Network, part of the Local Nature Recovery Strategy aimed at combining existing wildlife sites and extending habitats. It provides connecting habitats and wildlife corridors between the SSSI Pebblebed Heaths at the north of the site through to the woodland at the south and beyond, all of which would be adversely impacted by this development.

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.: Remove Exmo_20 from the plan now.

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.: This site is not suitable, sustainable or viable. This development will destroy the “irreplaceable habitats” that abound on this site.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Proposed site Exmo_20 is in conflict with policy OL01. The site is distinctive for its dark skies, tranquillity and wildness. In addition to light from the proposed housing development itself, with the 'majority/bulk' of this sites access being at the B3179, directly opposite the SPA/SAC/SSSI, would cause a significant flow of car headlights destroying the darkness across the entire length of the site and all shining directly onto the Pebblebed Heaths as vehicles exit the site. The area around St John in the Wilderness church is characterised by its remoteness, tranquillity, and the dark skies (especially when within the churchyard itself). This provides a 'wilderness' setting integral to the grade II* listed church which would be lost forever by having a housing development encircling it, regardless of any buffer zone being provided.

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.: This site is not suitable, sustainable or viable, and should be removed from the plan now.

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.: This site is already not suitable, sustainable or viable.

However, the amount of buffering that would be needed to retain the setting of the Church is substantial and just compounds the issues on this site.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Proposed site Exmo_20 is in conflict with policy HE02 - this proposed site is a 'very large' development of between 700 to 1000 homes. The majority of these homes will surround the Grade II* listed St. John in the Wilderness Church and will have significant adverse effects on the remoteness and tranquillity that is so unique to this church, its surroundings and the churchyard. This development will drastically alter this peaceful and tranquil setting, not only for the congregation, but also the numerous visitors that come to pay their respect's to their relatives in the churchyard and to see the church and its setting.

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.: This site is not suitable, sustainable or viable and needs to be removed from the plan.

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.: The council and the developer state that the views from the church will not be impacted. Yet they carried out site visits in the Summer and

state that there will be limited change of views in the winter. This is not correct. This impacts the suitability and viability of this site.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Proposed site Exmo_20 is in conflict with policy OL05. The main access point for this site (via the B3179) is between 4 and 4.3 miles from the centre of Exmouth and only 2.2 miles from the centre of Budleigh Salterton, making Budleigh significantly more accessible to the residents of this development. The access arrangement for the site leads naturally down the B3179 into Budleigh Salterton High Street, but to get into Exmouth will mean travelling twice the distance and having to go around the edge of Exmouth to get back down into it. The High Street, Doctor's surgery, Dentists, schools, beach etc in Budleigh would be the most accessible and obvious choices for residents of this site. Currently Exmouth and Budleigh are separated in terms of functionality but this development would effectively merge the two, with residents living in one town whilst relying on day-to-day services and infrastructure of the other.

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.: Remove Exmo_20 from the plan.

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.: This site is not suitable, sustainable or viable and need to be removed from the plan now.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Proposed site Exmo_20 is in conflict with paragraph 3.30. The settlement boundary around Exmouth has been extended to include not only the land which housing will be built on but also to include the 400m buffer zone adjoining the Pebblebed Heaths, effectively defining this land as acceptable for development. Although housing cannot be built on the buffer zone, by including it within the settlement boundary indicates that it may be available for other kinds of development. Therefore, the plan fails to robustly protect against adverse effects of recreational use etc, in relation to the SSSI Pebblebed Heaths.

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.: The 400m buffer zone needs to be removed from the settlement boundary and the policy map.

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.: There are multiple concerns regarding the 400m buffer zone and these need to be heard and addressed.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Proposed site Exmo_20 is in conflict with policy AR01(B). The proposed site sits upstream of Exmouth on the main rainwater catchment area of Withycombe Brook. The subsoil is heavy clay, the impermeable nature of which makes soakaways ineffective, with the land often being waterlogged. Development on this steep site would significantly exacerbate the already identified flood risk through the lower lying land at the bottom of the site and down through Withycombe village.

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.: This site is not suitable, sustainable or viable and should be removed from the plan now.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: The plan making process for site Exmo_20 has not been in accordance with NPPF Chapter 3. Exmo_20 was deemed "not suitable or achievable" within the HELAA Report November 2022. This site has never been either preferred or 2nd choice and was therefore NOT put forward for the Regulation 18 consultations. At the Strategic Planning Committee meeting on the 3rd September 2024, the site was 'recreated' as a result of sites Exmo_20a and Exmo_20b being put forward as allocated. The site Exmo_20 has NEVER been consulted on or put forward as a 'whole site', since it was deemed 'not suitable or achievable' in the HELAA report back in November 2022, and as of the 3rd September 2024 there has been no further consideration or representation permitted by the public or the strategic planning committee, despite numerous requests to do so.

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.: This site has been incorrectly handled throughout Reg 18 and Reg 19 and it needs to be removed from the plan.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The plan making process for site Exmo_20 has not been in accordance with the PCPA 2004. Exmo_20 was deemed "not suitable or achievable" within the HELAA Report November 2022. This site has never been either preferred or 2nd choice and was therefore NOT put forward for the Regulation 18 consultations. At the Strategic Planning Committee meeting on the 3rd September 2024, the site was 'recreated' as a result of sites Exmo_20a and Exmo_20b being put forward as allocated. The site Exmo_20 has NEVER been consulted on or put forward as a 'whole site', since it was deemed 'not suitable or achievable' in the HELAA report back in November 2022, and as of the 3rd September 2024 there has been no further consideration or representation permitted by the public or the strategic planning committee, despite numerous requests to do so.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Remove Exmo_20 from the plan.

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.: I have provided a "main evidence" file to support other

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

issues that I have identified and it also covers this comment. Site Exmo_20 has been mishandled from the Reg 18 stage in 2022, and continues to be within the Reg 19 stage. This site should not be part of the plan, remove now.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The plan has not been in accordance with the PCPA 2004 Section 33A. Exmo_20 was deemed 'not suitable or achievable' within the HELAA Report November 2022. It has never been either preferred or 2nd choice, therefore the site was NOT put forward for the Regulation 18 consultations. Therefore, the public and relevant stakeholders including Statutory Bodies (e.g. Natural England, Devon County Council, etc.) have not had a chance to consult on site Exmo_20 before the Reg 19 stage.

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.: I have provided a "main evidence" file to support other issues that I have identified and it also covers this comment. Site Exmo_20 has been mishandled from the Reg 18 stage in 2022, and continues to be within the Reg 19 stage. This site should not be part of the plan, remove now.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: Site Exmo_20 is in conflict with policies SP01, TR03, OL09 and OL05, along with paragraphs 11.2 and 3.34. The description in the Draft Local Plan for Exmo_20 in relation to the vehicular access is ambiguous and open to interpretation. It states that 'Vehicular access to accommodate modest levels of development, will be allowed for southern site parts from the road Southern Wood.... Primary vehicle access to the site, serving the large majority/large bulk of development, will be from the B3179 to the North'. So 'modest' can be anything from 0% to 49% of development (0 to 343 homes), and 'bulk' can be anything from 51% to 100% of development (357 to 700 homes). I have asked for clarity with regards to the vehicular access for Exmo_20 on numerous occasions without any further clarification forthcoming (see attached evidence for an example of this). Due to this uncertainty I have been pushed to raise numerous submissions to cover all possibilities. This submission relates to the 0% and 100% option. This means that ALL vehicular access will be from the North of the site via the B3179. This will result in ALL of the residents having to travel over half a mile just to get out of the site, then another 4.3 miles to get to Exmouth town centre , or 2.2 miles to Budleigh Salterton town centre.

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.: Remove Exmo_20 from the plan.

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.: Exmo_20 is not suitable, sustainable or viable and needs to be removed from the plan now.

Full name: Nigel Humphrey

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.: Site Exmo_20 is in conflict with policies SP01, TR03, OL09 and OL05, along with paragraphs 11.2 and 3.34. The description in the Draft Local Plan for Exmo_20 in relation to the vehicular access is ambiguous and open to interpretation. It states that 'Vehicular access to accommodate modest levels of development, will be allowed for southern site parts from the road Southern Wood.... Primary vehicle access to the site, serving the large majority/large bulk of development, will be from the B3179 to the North'. So 'modest' can be anything from 0% to 49% of development (0 to 343 homes), and 'bulk' can be anything from 51% to 100% of development (357 to 700 homes). I have asked for clarity with regards to the vehicular access for Exmo_20 on numerous occasions without any further clarification forthcoming (see attached evidence for an example of this). Due to this uncertainty I have been pushed to raise numerous submissions to cover all possibilities. This submission relates to the 49% and 51% option. This means that the site will effectively be split into two, as access to the North and South of the sites will have to be restricted to stop residents utilising both access points. This highlights new 'major' concerns for the Southern Wood access point, as this means that a development the same size as currently accessing Dinan Way from Meadowview Road, will be coming through Southern Wood (currently a cul-de-sac), onto Meadowview Road then onto Dinan Way. So, 'doubling' the amount of traffic currently using these routes which are already congested. This will still result in the majority of residents having to travel over half a mile just to get out of the site, then another 4.3 miles to get to Exmouth town centre, or 2.2 miles to Budleigh Salterton town centre.

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.: Remove Exmo_20 from the plan

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.: Site Exmo_20 is not suitable, sustainable or viable and needs to be stopped now.

Full name: Alison Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 399 the Sustainability Appraisal Report (SAR) states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SAR, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SAR’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on the 3rd of September 2024.

Full name: Alison Humphrey

Proposal: Sustainability Appraisal

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Full name: Alison Humphrey

Proposal: Sustainability Appraisal

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Full name: Alison Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: On page 392 of the Sustainability Appraisal Report, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: Alison Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the Sustainability Appraisal Report (SAR) states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. The Exmo_20 site should have also been included within this description. On page 391 of the SAR, Exmo_20 is considered, but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SAR of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Alison Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed “available, but not suitable or achievable” in HELAA, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the ‘People over Wind’ CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site’s current inclusion in the draft Local Plan is not legally compliant, CANNOT be justified and is UNSOUND.

Full name: Alison Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed “available, but not suitable or achievable” in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan CANNOT be justified and is UNSOUND. I have attached the Site Selection Methodology document below as evidence.

Full name: Alison Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: The Sustainability Appraisal Report has not been treated in the same manner as the chapters within the Draft Local Plan. This report has been changed significantly yet there is no Schedule of Changes and no tracked changes version. The size of this document has made it nearly impossible to identify what has changed and to make comments as the Original and New versions are over 600 pages each. I am also unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available so that this report can be consulted upon. I attach a screenshot of the consultation page as evidence.

Full name: Martin Humphrey

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Full name: Martin Humphrey

Proposal: Sustainability Appraisal

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Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed “available, but not suitable or achievable” in HELAA, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the ‘People over Wind’ CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site’s current inclusion in the draft Local Plan is not legally compliant, CANNOT be justified and is UNSOUND.

Full name: Martin Humphrey

Proposal: Sustainability Appraisal

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Full name: Martin Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: The Sustainability Appraisal Report has not been treated in the same manner as the chapters within the Draft Local Plan. This report has been changed significantly yet there is no Schedule of Changes and no tracked changes version. The size of this document has made it nearly impossible to identify what has changed and to make comments as the Original and New versions are over 600 pages each. I am also unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available so that this report can be consulted upon. I attach a screenshot of the consultation page as evidence.

Full name: Nigel Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: The Sustainability Appraisal Report has been changed significantly and is fundamentally a different document, providing very different justification to the previous First Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that] they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The sites that failed HELAA including Exmo_20 are now being justified based on the Site Selection Methodology that was NOT applicable when they were allocated (I have provided this Site Selection Methodology document as evidence against other comments I have made), therefore the inclusion of these sites in the Draft Local Plan, and specifically Exmo_20, CANNOT be justified and is UNSOUND.

Full name: Nigel Humphrey

Proposal: Sustainability Appraisal

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Proposal: Sustainability Appraisal

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Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

On page 390 the Sustainability Appraisal Report (SAR) states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. The Exmo_20 site should have also been included within this description. On page 391 of the SAR, Exmo_20 is considered, but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SAR of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Nigel Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.:

Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed “available, but not suitable or achievable” in HELAA, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the ‘People over Wind’ CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site’s current inclusion in the draft Local Plan is not legally compliant, CANNOT be justified and is UNSOUND.

Full name: Nigel Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed “available, but not suitable or achievable” in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan CANNOT be justified and is UNSOUND. I have attached the Site Selection Methodology document below as evidence.

Full name: Nigel Humphrey

Proposal: Sustainability Appraisal

If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.: The Sustainability Appraisal Report has not been treated in the same manner as the chapters within the Draft Local Plan. This report has been changed significantly yet there is no Schedule of Changes and no tracked changes version. The size of this document has made it nearly impossible to identify what has changed and to make comments as the Original and New versions are over 600 pages each. I am also unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available so that this report can be consulted upon. I attach a screenshot of the consultation page as evidence.

Chrissie Hunn

Full name: Chrissie Hunn

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS02

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
EXMO_17

2. Do you consider that this part of the High Quality Design chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the High Quality Design chapter is not legally compliant. Please be as precise as possible.: National Landscapes are protected pieces of land, due to their beauty and location. They are protected by Law, which has not been mentioned and should not be developed on, unless exceptional circumstances, which has sites like Exmo_17 are not. The local plan is coming across, that it is ok to develop in National Landscapes, when in fact it is not. Brownfield sites, should be developed first and the right housing be built, such as for low social rent and first time buyers, that can then only sell onto other first time buyers. Too much housing is bought by people moving to the area, which pushes prices up. No matter how many houses built, the cost will never decrease, unless you stop second homes and cap private rental prices.

2(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the High Quality Design chapter legally compliant. 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.: Housing should not be built in the National Landscape. It is protected by law, which the plan goes against. Only affordable housing to local needs and families should be built on brownfield sites.

3. Do you consider that this part of the High Quality Design chapter is sound?: No

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: National Landscapes are protected landscapes for many reasons, which have various laws

regarding this as well as at Government level, where there is a push to conserve and enhance our current National Landscapes and to further enhance them, not through housing developments, but through improving wildlife habitats and planting of trees.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.:

Build only housing that meets local need, such as low cost social housing, first time starter homes, thst can only be sold to other first time buyers and homes for families that are affordable. This housing to be built on brownfield sites, preventing the destruction of National Landscapes. There is no need to build expensive housing. Those who xa afford these, can afford the open market stock of housing. It only profits the developer and adds further constraints on the current infrastructure such as sewage network, roads and health care. Support the idea of a cap on private rental so that those who cannot get into social housing, are not paying a fortune on private rent. Have restrictions on second homes, many homes are second homes, which impacts on the housing market.

Full name: Chrissie Hunn

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 12.11

1(b). Does your comment relate to one of the changes listed above?: Yes

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not legally compliant. Please be as precise as possible.: Very minimal information is on the National Landscape and Coastal Preservation Areas. Exmo_17 was part of the CPA which was removed against the community wishes.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Landscape chapter legally compliant. 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.: Give Exmo_17 CPA status. Exmo_17 is a very large precious protected area of National Landscape farmland that is legally protected from large scale development. EDDC duty is to conserve and enhance it, not build over 400 houses and industrial units on it. The proposed vehicle access across the current cycle path and walkway, would make it very unsafe for children, families, walkers, runners, cyclists, people in wheelchairs and mobility scooters, dogs and wildlife. It is a dangerous prospect and a loss of a peaceful amenity within the National Landscape. There is also the potential domino affect of opening the doors to further development in the National Landscape, as the landowner has recently terminated the lease of pasture fields to a local farm.

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.: As per previous answer

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Our Outstanding Landscape 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.: Protect Exmo_17 from development by following legislation that is against large scale development of more than 10 houses in the National Landscape. Give Exmo_17 CPA status again.

4. Do you consider that this part of the Our Outstanding Landscape chapter complies with the duty to cooperate?: Yes

Full name: Chrissie Hunn

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
EXMO_17

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: No

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter legally compliant. 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.: The proposed development of EXMO_17 would be close to Littleham grade 2* church and other heritage assests. Exmo_17 site is in plain view from the heritage coast path that runs along the World Heritage Jurassic Coast.

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

Full name: Chrissie Hunn

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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.: ///
Continued from 69933b4cd22e167662e672f0 ///

Over the years the Village has grown and changed. The only area that has relatively unchanged (apart from some former buildings and railway line) is the area that borders Littleham including site Exmo_17 with its long agricultural history. On the proposed plan, very little detail is given regarding the local listed church compared to other sites that have been rejected. St Margaret's and St Andrews Church, which borders the site is grade 2* which carries much more of a historical significance. The plan states is that there is a listed Church to west of site and is of prominence in views and setting for southerly parts of the site as much of the site is remote from church. The site is not remote from the church. The church forms part of the special distinctive village and rural country feel of the whole site and is a significant heritage asset and has a direct impact on potential scope for accommodating residential development. To have an intensification of urban activity and vehicle movements, could adversely impact on heritage value as could other aspects of urbanisation. One example would be the potential over use of the public access through the churchyard, from the site to Littleham Road, south of the site.

On the proposed plan it also states that there are no other identified designated heritage features that would impact on site. However, when looking the Historic Environment Records (HERS) there are multiple HER Monuments. The first being that Littleham is the bounds of the original Saxon Manor (MDV41872). The current parish boundaries are unchanged since *** Personal details have been removed *** the Confessor or possibly earlier and the site has always been rural. Others include the 19th Century churchyard (MDV112441); the Exmouth to Budleigh Salterton Branch line Railway (MDV22498); Pond to the East of Capel Lane shown on previous maps including the Littleham Tithe Map of 1844 and is on current OS and Google maps (MDV111969); Extraction Pits on northern part of the site, of probable Post Medieval to Modern Earthwork Pit on aerial photos of 1950 onwards and LiDAR 1998-2012 (MDV106427 and MDV106428); Extraction Pit to the South East of probable Post Medieval to Modern and is visible as an earthwork pit on aerial photos 1946 onwards and on digital LiDAR images 1998-2012 (MDV196331); Pond to the South of Salterton Road on Tithe Map of 1844 and OS Maps (MDV111967); Extraction Pit to the Northwest (MDV106423); possible field boundary to south of Liverton Business Park. Potential Medieval to Post Medieval and visible as a two Cropmark Bank on aerial photos in 1969 (MDV106429); possible Early Medieval to Post Medieval field boundary to the south. Visible as a cropmark ditch on aerial photos in 1969; Orchard Banks to the North of St Margaret's and St Andrew's Church, Littleham. Orchard is likely Post Medieval to Modern. Linear earthwork banks on aerial photos 1946 onwards and digital images taken in 2010 (MDV106422); Earthwork Pit to the north of St Margaret and St Andrews Church, Littleham. Probable Medieval to Post Medieval in origin and is visible on aerial photographs 1950 onwards and LiDAR images 1998-2012. This could possibly be the former Manor House built in the 15th Century and known as The Lords House; and Buildings to the East of Capel Lane (MDV111334). Local to the site are several other listed buildings. These are the Lichfield Gate to the churchyard (grade 2) near the bottom of Littleham road and 1-5 Castle Cottages (grade 2 and HER Monument (MDV51057) which are visible from the site and near potential access to the site. Further away in the village are, Littleham Tithe Barn (grade 2), Mundy's Farm and cottage (grade 2), Green Farm (grade 2) Prattshayes Farm (grade 2) and 2 sets of Gate piers and iron gates at Prattshayes. The churchyard which borders the site contains several prominent resting places including the tomb of Lady *** Personal details have been removed *** as well as war graves. Littleham Village on the current neighbourhood plan is a potential site for a new conservation area, which it deserves to be. Ecological In the NPPF paragraph 174, planning polices, and decisions should contribute to and enhance natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity; recognise intrinsic character and beauty of the countryside and its wider benefits. The site is seen as being favourable from an ecological perspective on the proposed plan. However, many ecological considerations have not been considered.

National Landscapes positively enhance their beneficial use, provide access and opportunities for recreation, as well as retain and enhance the landscapes visual amenity and biodiversity. The site may not be part of the Pebblebed Heaths on Woodbury Common, but the site does act as a wildlife corridor towards this and is in the National Landscape. From site Exmo_17, you can access Woodbury Common, which is not far away for wildlife. Site Exmo_17 is also near World of Country life, that promotes the local habitat for bees and other insects. Also at night site Exmo_17 does not suffer from artificial light pollution, which helps to support our nocturnal wildlife. Paragraph 176 in the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest level of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and are given great weight to avoid or minimise adverse impacts on designated areas. There are many local features of interest, notably mature hedgerows, and trees, including Oak trees, which help support the local wildlife. The site is near local woodland and the bordering churchyard offers a biodiversity of local flora and fauna including a habitat for butterflies, birds, bats, and other insects. In certain parts of the churchyard, the grass is not cut to help provide biodiversity. The churchyard also contains a natural burial ground which backs onto site Exmo_17.

On first looks of site Exmo_17, agricultural fields are seen, but on further inspection, the site offers a well-known wildlife habitat for various species including bats, various birds including Green Woodpeckers, badgers, deer, dormice, adders, rare wood crickets, butterflies, dragonflies, and plants. This is signposted on the information boards along the cycle path and walkway that runs through the site. To develop this site would have a vast detrimental affect on the local wildlife that would permanently destroy their habitats. NPPF paragraph 180 when determining planning applications consider if significant harm to a biodiversity resulting from development cannot be avoided, adequately mitigated, or compensated for it should be refused. This is further supported by the Governments 25-year Environment Plan which sets out goals for improving the environment within a generation and leaving it in a better state. Also, the current landowner of site Exmo_17 Devon Clinton Estates on their website states the following: “Doing today what is right for tomorrow”; “By handing on the land to future generations in a better condition”; “By investing in the local community” and “Everything we do is with tomorrow in Mind”. To continue these principles, site 17 should not be developed. The site should be protected from development and the local wildlife habitats and landscape saved for future generations. It is also important to recognise that (P35 paragraph 120b of the NPPF) when making effective use of land,

some undeveloped land can perform many functions such as wildlife, recreation, flood risk mitigation, carbon storage and food production.

The East Devon National Landscape Support farming in the National Landscape to help protect habitats, species and support local communities in sustainable farming. Over 90 percent of the UK population live in areas where local government has declared a climate emergency. With native species and habitats in decline like never before, National Landscape partnerships have made a formal commitment of their own to increase scale and pace of delivery of nature in form of the Colchester declaration. Therefore, how can Exmo_17 be considered for development. It is used for farming and wildlife is abundant there.

Accessibility on the proposed plan it is stated that parts of site fall within 1600m of facilities; parts of the site are close to a frequent bus service and that Littleham village is to the south of the site with an industrial estate to the north, though it is across a busy main road. There is no mention that site Exmo_17 is outside the town boundary and is one of the furthest sites away from the town centre. The closest bus service predominantly only covers Exmouth. Buses to Sidmouth are infrequent and to go to Exeter, the best option is to catch the 57 buses from Littleham Cross, which is at least a 25-minute walk away from the closest part of the site. The closest supermarket would more than 1600 metres from the mid to furthest part of the site. There are no shops in Littleham Village and the only amenities are the pub and tearoom. The local primary school on the furthest part of the site would unlikely be in walking distance. The only secondary school is most definitely not in walking distance and the local bus does not go near the secondary school. The secondary school is in cycle distance along the cycle path after Littleham Cross but may not be suitable after dark due to it backing onto gardens from both sides with limited street lighting. The local train station is in the town centre, which is a lot further than 1600 metres from the closest site and would be at least a 60-minute walk. There is no pathway along Castle Lane and no pathway directly outside the site on Salterton Road. The main accessibility along the site is from the cycle path and walkway. Traffic through Littleham can be busy when Devon Cliffs and World of Country life are open. Most employment opportunities are in Exeter, and there are only 2 main roads out of Exmouth due to its location, which are already struggling with excess traffic and will only worsen with more development.

Site Constraints on the proposed plan it states that there are no significant site constraints, but there would be expected local constraining within the site due to its size. I disagree with this. This site does have significant site constraints. Firstly, the sites

ecological value to the local habitat and wildlife which would be permanently destroyed if development was to go ahead. Secondly the green infrastructure of the former railway line which is now part of the well-established cycle path and walkway. It forms part of the National Cycle Network (Sustrans) NCN2 from Dover to St Austell and the international Tour de Manche between Plymouth and Poole. This is a valued form of green infrastructure valued by not only the local community, but further afield as well. There are 9 design principles to be on the Sustrans including its attraction and enhanced ecological features as well as being safe and accessible traffic free paths. Its currently a free to use and safe path for cyclists and walkers of all ages and accessibility needs, with no risk of potential harm from vehicles. It also helps to support both health and wellbeing of the community, deliver wider benefits for nature and support efforts to address climate change (an issue raised in the NPPF, p27 paragraph 92c and p28 paragraph 98). This could easily be lost through development due to having to meet set criteria. Paragraph 100 p29 of the NPPF, discusses that planning policies and decisions should protect and enhance public rights of way including current access links to national trails. It is proposed to have a road go straight through this network, which will severely impact on the safety of children, dogs, wildlife, families, walkers, runners, cyclists and those who use mobility scooters who use the cycle path and walkway. Are cars really going to stop to let people pass? The site is boarded by both a busy road and 2 lanes, which would struggle to cope with increased traffic as well as adding to increase both environment and noise pollution. There are very limited foot pathways with none on Castle Lane (and unlikely to be) and none outside the site on the busy B3178 (Salterton Road). The only lane that has footpaths is Capel Lane, although not along its full length. Within site Exmo_17 there are mature hedgerows and trees including Oak, with 2 trees having a TPO. North of the site is the SWW underground reservoir with evidence of possible private piping near this on the site. Devon Air Ambulance are also known to use part of the site to land the helicopter in an emergency for this side of Exmouth. The site also contains multiple HERs and borders the local grade 2* church and its surrounding 12-acre churchyard.

Inappropriate development in green belt land including National Landscapes is treated as being harmful and in paragraph 144 of the National Planning Policy Framework (NPPF) paragraph 172, is a reason for refusal in general development control in National Landscapes. The Exmouth Neighbourhood Plan argues against any development outside the current BUAB due to the amount of housing development within Exmouth without any provision to improve local infrastructure and does not support any development outside of the BUAB.

According to the National Flood and Coastal Erosion Risk Management strategy for England and the South West River Basin Direct Flood Risk Management Plan 2021 to 2027 (December 2022 by the Environment Agency), Littleham is in a flood risk area (FRA). Due to its location, Littleham and parts of site Exmo_17 are at risk of fluvial flooding from the Littleham Brook, surface water flooding from runoff and flooding from the drainage network due to the inability of the sewage network to cope during high rainfall and tidal locking. All forms of flooding impact on the local area including the environment, listed buildings, homes and businesses. Littleham, as per the government website, is currently a high-risk area of surface water flooding. Littleham and part of site Exmo_17 is in a high-risk fluvial flood zone, which is greater than 3.3% Annual Exceedance Probability (AEP) and not flood zone 2 which is 0.1% AEP on the current draft plan. Within Littleham village there is a history of flooding from the Littleham Brook and surface water runoff from Castle Lane and the Devon Cliffs access road to the south. Replacement of the road culvert has alleviated much of this flooding, but there is still surface flooding in Maer Lane. Due to the area becoming more urbanised, resulting in more surface water runoff and the aging drainage infrastructure there is an increase in risk level. This will only worsen with more development and climate change. Rainfall intensity is expected to increase in the future and cause higher river flows and levels with rapid run off from upper catchments and more flooding. The middle part of Littleham Brook flows through an urban area which will see an increase in flood frequency and impacts. This is also partly due to the limited scope to increase the capacity of the structures that cross through Littleham Brook which may further constrict flow. Tide locking of the outfall of Littleham Brook into the sea will also occur more frequently due to sea level rise. It is also expected to frequently overload the aging sewage network, placing a greater reliance on pumped systems to disperse the drainage and an increase in pollution. Flooding is also discussed in the NPPF chapter 14 that inappropriate development in areas at risk of flooding should be avoided by directing development from higher risk areas, so as not to increase flood risk elsewhere. All plans should apply a sequential risk-based approach to location of development and consider all sources of flood risk both now and in the future and to safeguard land from development that may be required for future flood management.

Site Opportunities Site Exmo_17 on the proposed plan is stated as being a large-scale site, that if it is allocated for development as a whole or just parts, it would be expected that a mixed-use development could deliver a range of positive outcomes. I disagree with this. The site is currently used for farming, which is vital if we are to become sustainable. Also, with the closer proximity to Exeter, most employment opportunities are in Exeter, which has better links to other areas of the country compared to Exmouth. The site sits outside of the BUAP and is further away from the town centre. Site Exmo_18 in Exmouth, which is land directly to east of Liverton Business Park and is close to site

Exmo_17, is for employment allocation. Liverton business park tends to have smaller businesses that have lower employment numbers of staff required locally except for 3 businesses. There is currently no need for the site Exmo_17 to be developed for other employment uses and would be far better to be kept for farming, where there is a need.

Paragraph 177 in the NPPF states when considering applications for development within National Parks, the Broads and National Landscape 1permissions should be refused for major development, other than in exceptional circumstances where it can be demonstrated that the development is in the best public interest. Consideration of the following (a) need for development including in terms of any national considerations and the impact of permitting it or refunding it upon local economy; (b) cost of and scope for developing outside designated area, or meeting need for it in some other way; (c) any detrimental effect on environment, landscape and recreational opportunities and extent to which it could be mandated. Footnote 60 p51. For the purposes of paragraphs 176 and 177, whether a proposal is a ‘major development’ is a matter for the decision maker, considering its natural scale and setting and whether it could have a significant adverse impact in the purposes for which the areas has been designates or defined. There is no clear definition of a major development, but in the NPPF glossary, it is described as a site of more then 10 houses or a site bigger then 0.5 hectares. For site Exmo_17, I would consider this as being a major development in the National Landscape.

The housing that is needed in Exmouth is affordable housing for the local community, rather than new houses on the open market (this is supported by NPPF paragraph 78 p21). Brown field sites not allocated for housing, could be used as Entry level exception sites for first time buyers and those looking to rent their first home. Entry level exception sites are not permitted in the National Landscape and green belt areas (p19 paragraph 72b of the National Planning Policy Framework, 2021). As large-scale developments tend to have very little affordable housing, I can only imagine developers using this to their advantage and limiting the number of affordable homes and instead build unwanted expensive houses that the community does not need and cause a major destruction of the National Landscape. Paragraph 73 p20 of the NPPF, describes larger scale development as significant extensions to existing villages and towns, that need to be well allocated and designed and supported by necessary infrastructure and facilities including a genuine choice of transport modes, economic potential, and scope for net environmental gains. Also, when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre (NPPF paragraph 88 p25). Site Exmo_17 sits outside of the BUAB with poor road infrastructure both locally and outside of Exmouth. Public transport is poor in

this area and the site is not well served by local amenities. In the healthcare sector, emergency health care and Gp practices are struggling and there are long waiting lists to join an NHS dentist. There is only 1 local Acute Hospital in Exeter.

Due to location of site Exmo_17 in the National Landscape, the opportunity is there for further environmental net gains, provided it is kept free of development such as building on the current biodiversity and habitat protection the site offers. An economic potential is to retain the cycle path and walkway, which also supports green tourism and maintain the rest of the site for agricultural use. This helps to support sustainability and the health and wellbeing of the community.

I agree that the whole, the site would be a poor choice for allocation of development, even if only a part of it was developed considering major development within the National Landscape in appendix 2 in the NPPF a development of more than 10 houses or the site is 0.5 hectares, or more is seen as a major development. Also, the chances are high that any potential housing would be unaffordable for the local community. The site sits within open countryside inside the National Landscape and is outside of the BUAB. The site offers far reaching views and feels separate from the urban sprawl of Exmouth. The site has a local intrinsic value that is enjoyed by both the local community and those from further afield. The site has an already established green infrastructure that is enjoyed by those of all ages and abilities and is part of the well-known National Cycle Network and is a viable habitat for the various local wildlife and not of low ecological value as stated in the proposed plan. This would be permanently destroyed with development. The site also borders the grade 2* village church, which is a significant heritage asset and development of the site could have a significant detrimental effect on both the church and the surrounding graveyard and its biodiversity. There are also other grade 2 listed buildings near by as well as HERs.

For employment reasons, the site is currently used as agricultural land, which it has been for many years. To be sustainable, we need our farmland, so we can try to be more carbon neutral and support local farm businesses. If this site was developed, this would be lost forever. The site if developed, would raise significant issues about suitability and desirability of accommodating a major large-scale development in the National Landscape. The NPPF discusses sustainable development for plan making, and the application of policies in this framework seek to protect areas or assets of particular importance and provides strong reason for restricting overall scale or type of development or destruction of landscape in the National Landscape. The effects of pollution on health, living conditions, natural environment as well as the potential

sensitivity of the site that could occur from development should be identified. This includes both air quality, light pollution, and excess noise from traffic. Rejecting site Exmo_17 for development will help to protect this tranquil area which has remained relatively undisturbed by noise and pollution. The site is currently prized for its recreational and amenity value including the current habitat and biodiversity; the dark landscape at night, which can aid nature conservation and the cycle path and walkway. To develop site Exmo_17 would only lead to increase in noise, pollution and destruction of the local wildlife habitats and amenity value including the health and wellbeing of the community. Also, the site prevents the urban sprawl of Exmouth encroaching further into the much-needed countryside. In November 2022 Historic England and National Landscapes signed joint statement to manage, conserve and celebrate our iconic historic environment. This helps set a precedent on the value that National Landscapes can offer not only the local community, but nationally as well. Too much land designated in the National Landscapes has been lost to development nationally and now the government would like to increase the number of National Landscapes. Site Exmo_17 location carries a significantly high amenity value compared to sites that are not in the National Landscapes or near conservation areas. It is a both wildlife corridor for this side of Exmouth and a link to the proposed Mear Valley Park.

With the policies regarding the National Landscape and the NPPF, development should not be considered if in conflict with neighbourhood plans. Site 17 being outside of the BUAB is not supported on the neighbourhood plan.

Many sites with similar characteristics to site 17 have been rejected, with the issues raised considered significant enough to reject other sites given less weighting for site Exmouth 17. The reasons for rejection include:

- Grassland fields that are open and exposed in landscape terms and large parts have a rural rather than urban fringe character. There are some hedgerow boundaries with some mature trees. The views from the site are open and exposed, including long distance views. Easterly parts of site are remote from services and facilities and if developed would form a quite large ‘tongue of development’ projecting into open countryside with visual impacts on areas of open countryside and designated National Landscape. Exmo_17 which is in the National Landscape has far reaching views and quality land, and can be seen from the South West Coast Path. The site is also exposed and can be remote from public services.
- Proximity to a Grade 2 listed building. This reasoning has not been applied to Exmo_17 which borders the more significant higher graded Grade 2* Church in Littleham.

- High landscape value as it lies within the AONB, and impact on local listed buildings. Reasons which are also true for Exmo_17.
- Existing field forms being an attractive feature and development could affect the setting of designated and non-designated heritage assets. These reasons equally apply to Exmo_17, but have not been included in the plan.
- Being in a National Landscape and having high landscape sensitivity. Both reasons apply to Exmo_17.
- The site is bordered by agricultural fields despite local residential development providing some context of built form. Whereas this reasoning is turned upside down for Exmo_17, where the local residential development providing some context for development is used as a benefit for development. The argument cannot be used both ways.
- Development would affect the special character of local listed heritage assets. A reason which holds true for Exmo_17.
- High landscape sensitivity to new development, a reason which holds true for Exmo_17.
- Location of the site within the National Landscape and the effect of development on local heritage assets. Reasons which are also true for Exmo_17.
- Open and exposed nature of the site in terms of landscape and its rural rather than urban fringe character. These characteristics apply equally to Exmo_17, therefore should be rejected since in addition to its open landscape and rural character, also lies within the National Landscape.
- Development would have a high landscape impact and the site being within the AONB. Both being reasons against development within Exmo_17.
- Site falling within the National Landscape and having a high impact on the landscape. Despite the site being located next to a major junction and sandwiched between two main roads. Surely the landscape impact of development within Exmo_17, must be greater.
- Impact of development on landscape and heritage due its location within the AONB and the adjoining grade 2* church. This is the same situation as Exmo_17. Therefore, surely it must be rejected for the same reason. There are many other examples of this inconsistent approach to assessing the development potential of Exmo_17, which are too numerous to detail here. It is apparent that only the benefits of the development of Exmo_17 have been considered any negative impacts glossed over by the plan as it stands. Prior to adoption of the plan, a full assessment of the benefits

and negative impacts of development within Exmo_17 could only conclude that the site be rejected for development within the East Devon Local Plan.

This is an area the size of 4 football fields that stretches from opposite McDonalds right down to Castle Lane with industrial units next to Salterton Road plus 410-450 houses. There would be one access road with one exit onto Salterton Road. The access road would go straight across the old railway line which is now a well-used wide cycle and footpath.

I believe, alongside many in our community, that the natural beauty of Exmo_17 should be preserved. EDDC has a legal duty to 'conserve and enhance' National Landscape and I want to stop the loss of our precious space and natural beauty. Until very recently it had two protections to prevent building: National Landscape and Coastal Preservation Area. EDDC consulted on whether the CPA protection should be removed. Hundreds of Exmouth residents said no, but despite this, EDDC voted to remove that protection. National Landscape is of equal importance to National Parks and should not have large scale building on it. If house building and light industry on Exmo_17 were allowed, it would take away the beauty that attracts visitors to the area: tourism that the town depends upon. It would also create a precedent that could destroy areas of National Landscape that surround East Devon's coastal towns. Based on local building projects in recent times, we cannot be certain either that the 'affordable' homes will be in the reach of people on low incomes or that the number of such homes promised by the developer will actually materialise. The proposal to build industrial units next to the main road, the entranceway to the town from the East, is incongruous. It would make much more sense to add them to the trading estate on the opposite side of the road, which is owned by the same landowner.

A further fault with this location is the fact the proposed access road has only one exit (onto the main road) and would go straight across the old railway line which is now a well-used wide cycle and footpath. It would also result in the felling of mature trees and bushes and a biodiversity loss, that has not been fully considered. It would be too much of a biodiversity loss.

I believe that to destroy this beautiful landscape would be sheer folly, depriving both present and future generations of enjoyment and wellbeing. It would not be in the public interest of Exmouth to allow building on Exmo_17. EDDC are expected to be clearly demonstrate that they have considered the purposes of the National Landscape

designation in their decision which I feel they have not as why would this proposed development to get this far? This site as previously stated is protected land and not for the profit of development. Let the site continue to be protected as per the statutory laws there to protect land within National Landscapes now and for future generations.

Full name: Chrissie Hunn

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: ///
Continued from 6980b6177faabad74e38a226 ///

National Landscapes are afforded the highest standards of protection in relation to landscape and scenic beauty, reflecting their importance under long established legislation. In practice permission for development can only be granted by the local planning authority national park authority or the planning inspectorate on behalf of the Secretary of State, and only in exceptional circumstances. David Reed believes that delivering homes the community needs, without sacrificing the very landscapes that make places like East Devon special.

*** Personal details have been removed ***, on behalf of the Housing Minister, ***
Personal details have been removed ***, has confirmed this in a letter to our local MP David Reed in August 2025, regarding protection of land in the National Landscape .

The Rt hon *** Personal details have been removed *** 16th December 2024, spoke about protected landscapes to be strengthened with new legislation and guidance to protect nature. This move comes amid the Government's push to promote access to nature, as part of the wider Plan for Change. New powers are to be granted to the

country's iconic National Parks and National Landscapes to boost nature's recovery and access to the outdoors. New legislation and guidance will give National Parks and National Landscapes a clear mandate to widen the public's access to nature through strengthened purposes and make changes to improve their governance that will allow for greater innovation and collaboration to prepare them for the future. The changes announced will see more trees planted, more peat restored and more habitat created, supporting Protected Landscapes to play a leading role in meeting Net Zero, Environment Act targets and the commitment to protect 30% of land for nature by 2030 as part of our Plan for Change. Covering a quarter of England's land area, improving the state of nature in our National Parks and Landscapes is vital to the health of our ecosystems. Our Protected Landscapes are home to nationally important habitats and our most iconic species – yet many are in a poor condition with the wildlife that lives within their boundaries in steep decline and the waterways that give many of these landscapes their magic now sadly polluted. The measures will include a general power of competence for National Park Authorities, which will clarify their legal framework, removing restrictions which prevent an entrepreneurial approach, and cutting through bureaucracy to remove barriers to achieving more for people and nature. The package will also strengthen the role that public bodies, including water companies, must play in delivering better outcomes for nature, water, climate and access to nature in these special places, through new regulation that will support public bodies and Protected Landscape organisations to work more closely together. Refining the purpose and powers of National Parks and National Landscapes will promote access to nature for the millions of people who visit these iconic landscapes each year, helping them to support a thriving rural economy and enable people to reap the benefits of spending time in greener and wilder places. These changes will empower Protected Landscapes to deliver more for nature and tackle climate change over the next 75 years and beyond. This reflects their vital importance to the nation – from protecting us from flooding, to celebrating our heritage and restoring our health and wellbeing. It's seventy-five years since our National Parks and National Landscapes were created, and they have done incredible work protecting some of our most treasured and beautiful landscapes. But so much of our countryside and wildlife is in decline so we must do more to protect it. To mark this anniversary the Government will introduce new laws to boost protections for the natural world, strengthen our National Parks and National Landscapes and increase opportunities for millions of people to enjoy the great outdoors. As an immediate step, the new guidance will help public bodies work together to make these special places greener, wilder and more accessible.

Natural England Chair *** Personal details have been removed *** said The 1949 National Parks Act laid the foundations for modern nature conservation, enshrining in law the means to protect dozens of exceptional landscapes and thousands of our best

wild places while bringing joy to millions of people across multiple generations. Despite the achievements, however, these legal protections have not been sufficient to prevent Nature's continuing decline. And whereas in decades past the challenge was about conservation, today we must not only hang on to what is left, but to also invest in Nature's recovery. Our countryside and green spaces are a source of great national pride, and government's commitment to delivering on nature, increasing access, planting three new National Forests, creating nine new National River Walks and empowering communities to create new parks and green spaces in their communities with a new Community Right to Buy.

The Government states that it is committed to restoring nature across the country, and announced a rapid review of the Environmental Improvement Plan, which thriving Protected Landscapes will be essential in delivering. This will set out pathways to clean up our waterways, reduce waste across the economy, plant millions more trees, improve air quality and halt the decline in species by 2030. A healthy natural environment is crucial to the nation's health and prosperity, which is why nature recovery is an integral part of the Government's Plan for Change to create a decade of national renewal. Protected Landscapes – the collective term for National Parks and National Landscapes – range from lowland landscapes, such as the Cotswolds and the Norfolk Coast, to uplands such as the North Pennines and the Lake District. Protected Landscapes contain half of England's priority habitats and Sites of Special Scientific Interest, 60% of deep peat and around 88% of heather and acid grassland habitats. Restoring our Protected Landscapes will be essential to protecting 30% of the UK's land and sea by 2030. Protected Landscapes' refers to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England. National Landscapes' is the rebranded name for areas of outstanding natural beauty (AONBs). This name change is not statutory. The Protected Landscapes duty guidance sets out how the Protected Landscapes duty is intended to operate and provides broad principles to guide relevant authorities in complying with it. Relevant authorities must now 'seek to further' the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to 'have regard to' their statutory purposes. The duty is intended to facilitate better outcomes for England's Protected Landscapes, which are in line with their statutory purposes. The duty does not prevent relevant authorities from undertaking their statutory functions and discharging their legal duties and other responsibilities. The duty is intended to complement these requirements by ensuring that the purposes for which Protected Landscapes are designated for are recognised in reaching decisions and undertaking activities that impact these areas. Exmo_17 needs to be recognised as a site of protection from development.

As previously mentioned, National Landscapes have equivalent protection to National Parks. Duty of EDDC is to ‘conserve and enhance’ the National Landscapes in our area. Despite this, they have allocated National Landscapes on the edge of Exmouth, for building a huge estate and industrial buildings. These fields serve 2 farms and their sale would make millions for both Clinton Devon Estates and Bloor Homes, opened by a billionaire. Clinton Devon Estates could have offered land on the opposite site of Salterton Road, which is outside the National Landscape. Maintaining the National Landscape protection for the community and wildlife, is more important than making money.

Consideration of what is reasonable and proportionate in the context of fulfilling the duty is decided by the relevant authority and should take account of the context of the specific function being exercised. Relevant authorities will need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape. This may include the preparation of Development Plans and associated assessments and documents and decision making in respect of development management, planning applications and nationally significant infrastructure projects, functions outside of a Protected Landscape which may have an effect on land in a Protected Landscape. When seeking to further the purposes, relevant authorities should consider the information contained in a Protected Landscape’s Management Plan. Management Plans describe the natural beauty, special qualities and key characteristics of and targets and objectives for the designation. Relevant authorities should make efforts to understand the Management Plan and relate their functions to it. Dialogue with the Protected Landscape team (National Park Authority, Conservation Board, National Landscape Partnership, or Joint Advisory Committee) can assist the relevant authority. A relevant authority should take appropriate, reasonable, and proportionate steps to explore measures which further the statutory purposes of Protected Landscapes. As far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes. A relevant authority should be able to demonstrate with proportionate, reasoned, and documented evidence the measures to which consideration has been given when seeking to further the statutory purposes of Protected Landscapes - for example, policies, strategies, operational procedures, estate management plans, investment plans, contracts, works instructions, assessments and reports which should be able to evidence the proper discharge of the duty by the relevant authority. For development plan making and development management decisions affecting a Protected Landscape, a relevant authority should seek to further the purposes of the Protected Landscape - in so doing, the relevant authority should consider whether such measures can be embedded in the design of plans and proposals, where reasonably practical and operationally feasible.

For the development and management of land, water and estates, relevant authorities should seek to further the purposes of the Protected Landscape when designing and undertaking these activities, where reasonably practical and operationally feasible. Public authorities must also comply with the strengthened Biodiversity that the Environment Act 2021 introduced.

The statutory purposes of National Landscapes (areas of outstanding natural beauty) with Conservation Boards are conserving and enhancing the natural beauty of the area of outstanding natural beauty and increasing the understanding and enjoyment by the public of the special qualities of the area of outstanding natural beauty.

The Management Plan describes the natural beauty, special qualities and key characteristics of a Protected Landscape. This will articulate the features of the landscape which warrant its nationally designated and protected status.

The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape. Natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a Protected Landscape. Aspects such as tranquillity, dark skies, a sense of remoteness, wildness, cultural heritage or long views from and into the Protected Landscape may draw upon the landscape character and quality of the setting. Functional connectivity is also important where there are flows or close interconnection between the Protected Landscape and its setting, for example a shared water catchment and management of water resources; ecological connectivity where species are able to move across and between the designated and non-designated area; Rights of Way, Open Access Land and other recreational links joining the designated area to the wider countryside.

Development and the management of land, water and estates located in the setting have the potential to adversely affect the natural beauty, special qualities, and key characteristics of a Protected Landscape.

On 21st March 2025 it was published a meeting of major landowners to boost nature's recovery to discuss land management plans to meet the country's legal Environmental Act targets (Department for Environment Food and Rural Affairs and The Rt Hon Steve Reed OBE MP). It is part of Government's commitment to transform how we use land in

this country to protect the environment, support economic growth and deliver on our Plan for Change. It will play a pivotal role in supporting the Government's ambitious environmental goals, including statutory targets in the Environment Act and the commitment to protect 30% of land by 2030. With the natural world facing species decline and a biodiversity crisis, Reed called on the group for action to collectively protect and restore nature on their estates across England. Landowners must go further and faster to restore our natural world. The 'National Estate for Nature', who manage a tenth of the land in this country, have a responsibility to future generations to leave the environment in a better state. We have a unique opportunity to work together on common sense changes that create a win-win for nature, the economy, and make the best use of the land around us. Tony Juniper, Chair of Natural England talked of if we are to reverse the historic declines in nature, we must take urgent action at every level to restore nature on the ground. This group is an important first step in securing a strong commitments from landowners across the country to collaborate on managing land in a more sustainable way, for the benefit of both people and nature. We need work together to find the long-term solutions for key challenges, such as the demand for new homes and infrastructure, and the need to halt long-term biodiversity loss and recover nature.

*** Personal details have been removed ***, Director of Land and Nature at the National Trust said as the Government's Land Use Framework makes clear, a transformation in the use of land is needed if we are to meet our nature and climate targets. Only by working together will be able to restore our landscapes at the scale needed to put nature in recovery by 2030, lock up enough carbon in the English countryside to reduce greenhouse gas emissions to required levels, and prepare for the worsening impacts of climate change. We are committed to playing our part.

It represents institutions with significant holdings across the country, and associated significant potential to drive nature's recovery, a vital part of the government's national conversation about land use ahead of publishing a Land Use Framework in 2025. The broad representation also ensures that the group can draw on a wealth of expertise and experience in land management, conservation, and sustainable development, enabling them to develop and implement effective strategies for nature recovery, sustainable land use, and environmental protection. Defra will actively participate as a member, leading by example and supporting the group with guidance, resources, and coordination as they work toward meeting the Government's environmental targets. Further quarterly meetings will focus on developing and implementing agreed on-the-ground plans to drive nature's recovery. This comes following the introduction of new measures to strengthen our protected areas and meet 30by30 that show this government is committed to delivering for nature. As part of the government's

Environmental Improvement Plan (EIP), everyone, from land managers to homeowners, has a crucial role to play in restoring the natural environment.

‘Protected Landscapes’ refers to National Parks, the Norfolk and Suffolk Broads and National Landscapes in England. ‘National Landscapes’ is the rebranded name for areas of outstanding natural beauty (AONBs). The Protected Landscapes duty is intended to operate and provides broad principles to guide relevant authorities in complying with it. Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) amends the duty on relevant authorities in respect of their functions which affect land such as in National Landscapes in England. Relevant authorities must now ‘seek to further’ the statutory purposes of Protected Landscapes. This replaces the previous duty on relevant authorities to ‘have regard to’ their statutory purposes. The duty is intended to facilitate better outcomes for England’s Protected Landscapes, which are in line with their statutory purposes. The duty does not prevent relevant authorities from undertaking their statutory functions and discharging their legal duties and other responsibilities. The duty is intended to complement these requirements by ensuring that the purposes for which Protected Landscapes are designated for are recognised in reaching decisions and undertaking activities that impact these areas. Consideration of what is reasonable and proportionate in the context of fulfilling the duty is decided by the relevant authority and should take account of the context of the specific function being exercised. Relevant authorities will need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape. The preparation of Development Plans and associated assessments and documents; decision making in respect of development management, planning applications and nationally significant infrastructure projects; functions outside of a Protected Landscape which may have an effect on land in a Protected Landscape; the drafting of Protected Landscape Management Plans; planning appeals and public inquiries; the drafting of Local Nature Recovery Strategies; other plans such as Neighbourhood Plans.

When seeking to further the purposes, relevant authorities should consider the information contained in a Protected Landscape’s Management Plan. Management Plans describe the natural beauty, special qualities and key characteristics of and targets and objectives for the designation.

Relevant authorities should make efforts to understand the Management Plan and relate their functions to it. They should also refer to the Protected Landscapes Targets and Outcomes Framework. A relevant authority should take appropriate, reasonable,

and proportionate steps to explore measures which further the statutory purposes of Protected Landscapes. As far as is reasonably practical, relevant authorities should seek to avoid harm and contribute to the conservation and enhancement of the natural beauty, special qualities, and key characteristics of Protected Landscapes. The statutory purposes of National Landscapes are:

- conserving and enhancing the natural beauty of the area of outstanding natural beauty. The Management Plan describes the natural beauty, special qualities and key characteristics of a Protected Landscape. This will articulate the features of the landscape which warrant its nationally designated and protected status. The duty also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape. Natural beauty, special qualities, and key characteristics can be highly dependent on the contribution provided by the setting of a Protected Landscape. Aspects such as tranquillity, dark skies, a sense of remoteness, wildness, cultural heritage or long views from and into the Protected Landscape may draw upon the landscape character and quality of the setting. Functional connectivity is also important where there are flows or close interconnection between the Protected Landscape and its setting, for example, access for wildlife and rights of way, open access land and other recreational links joining the designated area to the wider countryside. Exmo_17 already offers this, and to build on the site, would have a detrimental affect to the area. Development can the have the potential to adversely affect the natural beauty, special qualities, and key characteristics of a protected landscape. The National Landscapes Association (NLA) is a registered charity that supports the mission to conserve and enhance natural beauty in National Landscapes and other protected areas. One of our key aims is to support and develop a network of ambitious National Landscape teams and partnerships that have a strong collective voice and a positive impact on the places for which they care. This consultation response has been developed by the National Landscapes Association in collaboration with the Planning and Place making specialist panel of representatives from across the National Landscapes network.

National Landscapes are areas whose natural beauty is so outstanding that it is in the nation's interest to safeguard them. They are also living and working environments that need to help mitigate and adapt to the impacts of climate change. However, the proposed reforms would set an expectation for a quantum of housing development, in local authority areas that overlap with National Landscapes, that is likely to result in significant harm to the natural beauty of our National Landscapes. As such, the reforms would conflict with the statutory purpose of conserving and enhancing this natural beauty. The reforms would also conflict with the statutory duty to seek to further this

purpose. Therefore, they consider that the proposed reforms would not be legally compliant in this regard.

The NLA believe that the Government's aspiration to build 1.5 million homes over the next five years can be delivered in a way that would be less harmful to the natural beauty of our National Landscapes than would be the case with the proposed reforms. In particular, the NPPF should make more explicit reference, including in paragraphs 35(a) and 61, to the fact that there may be circumstances where the protection afforded to areas or assets of particular importance, including National Landscapes, may mean that objectively assessed needs for housing development cannot be met in full.

Exmo_17 was agreed for allocating despite being a poor choice for development but in context of plan strategy directing large scale development to Exmouth on balance despite site limitation considerations allocation is seen as appropriate. Sensitive in landscape terms with extensive views south, more tranquil and more stark north, but the report fails to mention the wide views you get from the top of the site. Fields of low ecological value do still provide a habitat for wildlife. Deer have been seen in the fields. There is not a frequent bus service. Littleham village has a pub, a seasonal café but no shops.

The neighbourhood plan talks of the built up area boundary (BUAB) to cater for and contain the town and future planned development needs to protect the open countryside. There is a presumption against development in the National Landscape outside of the defined boundary. This is particularly relevant to Exmouth given the very special environment that surrounds it. However, the amount of housing development in Exmouth without the provision of adequate infrastructure argues against any development outside the boundary. The neighbourhood plan will not be allocating sites for housing outside the BUAB.

Exmouth should not be a tier 1 site as does not offer potential for accommodating growth and development. Even the EDDC are not based in Exmouth, and instead are based at Honiton. Site Exmo_17 is a large, sloped site area of open space that is to the east of the historic Village of Littleham. The entire site is within the National Landscape and sits outside of the built-up area boundary (BUAB). It contains a network of agricultural fields that are currently farmed and a well-established walkway and cycle path, as well as the Littleham Brook and multiple Historic Environment Records (HERS). In the current neighbourhood plan the National Landscape is a designation that

recognises the protection of its special landscape as being of national importance, equal to landscapes of our national parks. It also states that development outside of BUAB will not be supported.

According to the draft plan there is no direct infrastructure concerns, but if developed there would be large scale infrastructure needs. For example, exit from site Exmo_17 would create traffic chaos and the access road would go straight across the much used Exmouth to Budleigh cycle path and walkway, endangering children, families, elderly, walkers, cyclists and both dogs and wildlife. South of the site is Castle Lane, a single narrow country lane with no pavement which is in a high flood zone area (as per the current Environment Agency Flooding Plan) due to proximity to Littleham Brook and surface water run-off. West of the site is Capel Lane, a narrow road, which is sealed off to traffic 1/3 of the way up and is busy already with traffic accessing Littleham Village and the surrounding housing estate. Site 15 would have its access from Capel Lane, and this currently has a tall hedgerow across and is on one of the narrowest parts of the Lane, close to another road junction. Both Capel Lane and Castle Lane join Littleham Road which can busy with traffic especially when Devon cliffs and World of Country life is open. Access through Littleham Village can be busy due to the bridge access near the Clinton Arms being for single traffic despite being widened in the 1930s. North of the site is B3178 (Salterton Road), a busy main road. The site access that would need to be created is opposite a very busy junction off Liverton Business Park. It is also where the local Ambulance and Fire Station is based. Recently the junction was extended to help ease traffic but has not been effective. Further down (Salterton Road are traffic lights, but traffic lights here would be ineffective due to the increase in stationary traffic it would cause. There are no public pathways along the site's boundary with Salterton Road and it would be difficult to create a public crossing as Salterton road slopes downwards and vision would be poor for oncoming traffic. North of the site is next to a very large underground water reservoir and there is evidence of underground piping going southwards through the site, possibly a private network. There is also Littleham ponds which are evidenced on the current OS maps. Littleham Brook runs east to west, south of the site with a pumping station further up. Running east to west through the middle of the site is the former historic Exmouth to Budleigh railway line which is now a well valued cycle path and walkway. It forms part of the National Cycle Network (Sustrans) NCN2 from Dover to St Austell and the international Tour de Manche between Plymouth and Poole. This is a valued form of green infrastructure valued by not only the local community, but further afield as well. There are 9 design principles to be on the Sustrans including its attraction and enhanced ecological features as well as being safe and accessible traffic free paths. Its currently a free to use and safe path for cyclists and walkers of all ages and accessibility needs, with no risk of potential harm from vehicles. It also helps to support both health and wellbeing of the community,

deliver wider benefits for nature and support efforts to address climate change (an issue raised in the NPPF, p27 paragraph 92c and p28 paragraph 98).

The site sits outside of the BUAB and is further away from local amenities and the town centre. The local historic Littleham village contains a pub, 2 community halls and a seasonal tearoom, but no shops. The closest supermarket and post office from the furthest part of the site would be more than 1600 metres. There is a small Primary School in Littleham but would be some distance from the furthest part of the site. Other primary schools and the only secondary school would not be within walking distance. The bus service is unreliable and the only bus directly to Exeter is now mainly from the town centre (a good hours walk from the closest area of the site). The closest train station is on the outskirts of Exmouth town centre and therefore not local to the site. These issues alone would add to more burdening traffic and an increase in pollution and carbon emission.

Site Exmo_17 is protected by the Countryside and Rights Of Way Act 2000 (CROW). It protects the land to conserve and enhance its natural beauty. AONB require good quality scenic landscape that is relative wild due to distance from housing or having few roads, where natural sounds is predominant. It can also include natural heritage features such as habitats and cultural heritage. I agree that the site is very sensitive in landscape terms due to its location and visual prominence. The whole site sits within the National Landscape and sits above the local built-up area. The fields are currently used for agricultural use by the local farms and is rated as good to moderate. The site slopes north to south which offers extensive views into and out of site including from looking into and out of the National Landscape the Southwest Coast Path. The whole site which was part of the Coastal Preservation Area, but now borders onto the Jurassic Coastline which is part of the UNESCO World Heritage Site. I disagree that the higher northerly parts are starker, as further north of the site offers some of the best views in Exmouth of the far-reaching views of the AONB, Maer Valley and coastline. The whole site has a particular tranquillity of peace away from traffic and the built-up areas of Exmouth and a distinctive rural countryside feel, that over the years, other areas of Exmouth has lost to development. The site is also intimate in nature with mature hedgerows and trees, including 2 trees with a TPO. Littleham Brook south of the site, also supports the local natural habitat. The site boarder's local woodland areas, private gardens, and the local churchyard. Currently the churchyard west of the site is an established biodiversity for the local flora and fauna. The whole site offers a habitat as well as a wildlife corridor for local wildlife including Bats, Birds, Hedgehogs, Deer, and Badgers. Looking at the Valley Parks and working draft plan for Exmouth, Exmo_17 is a suggested area of land of local amenity importance due to being outside of the BUAP

and in the National Landscape and could easily join up to the Maer Valley Park, a supposed greenspace for the community to access and enjoy. The site would also make a wonderful Dark Night at Skies protected area due to having very little light pollution facing eastwards and the only light comes from the odd farmhouse. The dark skies also help to support the local nocturnal wildlife. Paragraph 84 of the NPPF supports the need of open space. Exmo_17, being in the National Landscape offers the open space for free and for anyone to access.

Historic Littleham has a long significant history and is older than Exmouth. It was a Saxon subdivision with its own court and was retained by the Kings of Wessex until the 11th Century when it was given by *** Personal details have been removed *** the Confessor to his Master *** Personal details have been removed ***, who then passed it onto the Monastery (Horton in Dorset 970 AD) who held it until the Dissolution of the Monasteries, before descending into the *** Personal details have been removed *** Family and *** Personal details have been removed ***. The area has historically been forested and agricultural and used by local Farms including Liverton and Woodlands, once part of the Manor of the Wade in the 1300s. The *** Personal details have been removed *** family are also well linked to the area, having lived at the now Prattshayes in the village, funded the Drake Aisle in the church and being buried there. It's mentioned in the Domesday record of 1086.

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Full name: Chrissie Hunn

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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.: I am greatly concerned about the proposed local plan of building over 400 houses and industrial units on the fields, that are on a protected area of the National Landscape on the eastern edge of Exmouth (Exmo_17). This site is outside the Exmouth Town Build Up Area Boundary (BUAB), that was agreed in the Neighbourhood plan in 2015. The Plan was to provide the community's vision for the future until 2031 and set out clear planning policies, to realise the vision and to sit alongside the East Devon Local Plan (EDLP) at the same time, carrying equal legal weight. The Neighbourhood Plan appears to of been ignored in the new draft version of the EDLP. As required by the Localism Act, the Neighbourhood Plan is accorded with higher level planning policies. The Plan is concerned with land use and its policies to help inform future planning applications. Site Exmo_17 would never have been considered for development in the Neighbourhood plan and the idea of a large-scale housing development, goes against the views of the local community. Both East Devon County Council (EDDC) councillors and Clinton Devon Estates (the landowner) have not listened to the views of the community and appear to be pushing this development through. To have Bloor Homes, the potential house builder holding public consultations, when the new Local Plan has not been finalised and planning requests for screening opinion and EIA scoping request for the proposed development of up to 450 houses (was initially for 410 houses) on the planning portal demonstrates that the community views are not being listened to. It would also have a negative impact on Littleham Village and Exmouth in many ways. The area is one of the major attractions of Exmouth, with its far reaching views, near to the

coast, cycling and running events and tourist attractions. National Landscapes are also regional and national assets.

Another concern is that Clinton Devon Estates, has ended the lease to Woodlands Farm, of fields around Quentance Farm, some 84 acres. There is a rumour that Clinton Devon Estates, is selling this land to Bloor Homes. If this is true, it indicates that Clinton and Bloor are confident that EDDC will allow them to build on another large area of protected National Landscape. This domino-effect could happen if Blood Homes are allowed to build a big estate on Exmo_17. This land is too precious to present and future generations for it to be destroyed. It appears that Clinton Devon Estates environmental focus on protecting the environment and wildlife and working with the local community is fraud.

According to the Council for Protection of Rural England, there are 27 brownfield sites in East Devon, contributing to over 16,700 potential homes across Devon. Some may have already been allocated in the local plan. Prioritising greenfield countryside development over available brownfield land, is inconstant with sustainable planning principles and the National Policy emphasis on brownfield-first development. Brownfield sites and land outside the National Landscape should be the ones to build on, and a site like Exmo_17 should not be considered for development.

When I attended the Bloor Homes event, the plan was to enhance the public open space, as well as the housing, employment land and a community hub. We already have an amazing space to walk, cycle and enjoy the open countryside. What is planned, will not enhance, but permanently destroy the National Landscape. Formally known as the Area of Outstanding Natural Beauty (AONB), it really is a beautiful area. The views are far reaching of the countryside, with its rural charm and is valued by the community as a place to get away for exercise and health and wellbeing. Exmo_17 is also near to and can be seen from the Southwest Coast Path, which is also part of the National Trail, called the King Charles III England Coast Path. It is part of a legacy to be enjoyed by walkers. However, the far- and wide-reaching views from the SW coast path, will be ruined by this potential housing development.

The National Planning Policy Framework (NPPF) talks of sustainable development which was agreed in the Neighbourhood plan. The BUAB for Exmouth was to contain the town's future planned development needs and to protect the open countryside outside the boundary from development. This is particularly relevant to Exmouth given the very

special environment surrounding the town such as the National Landscape, Jurassic coast and the Estuary.

East Devon District Council (EDDC) has a legal duty to ‘conserve and enhance’ National Landscapes in their area. Large developments can only happen in ‘exceptional circumstances’ and when in the public interest. As there is land outside the National Landscape that could be built on, there is no exceptional circumstances and just irreversible damage to local farms, farmland and the health and wellbeing on the community.

Site Exmo_17 provides a much-valued green space of local amenity value. The site has the combined footpath and cycleway with countryside views and tranquillity freely available to the public. By protecting the site, it would also continue to ensure a much-needed wildlife corridor. It is of great importance to protect existing open spaces. Planning authorities have a responsibility to minimise impacts and provide net gains in biodiversity. Green corridors provide for wildlife movement in turn enhancing biodiversity, in effect bringing the joys of the countryside into the town. Site Exmo_17 already provides this and can continue to do this in the future if not developed. National Landscapes are areas legally designated as areas of outstanding natural beauty under the National Parks and Access to the Countryside Act 1949 and Countryside and Rights of Way Act 2000. The site was also in the Coastal Preservation Area, and this status was unjustifiably removed by the East Devon County Council. This went against the views of the local community, which has been ignored. Considering the coastal views and location of the site near the Jurassic coast, the World Heritage Site and coastal path, Exmo_17 needs to have this status. In the National Landscapes briefing, Guidance for Local Planning Authorities (November 2024), there was discussion of Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act), which was amended by the Levelling-up and Regeneration Act in December 2023. It requires relevant authorities, in exercising or performing any function that affect AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.” This is a statutory duty, which has been in force since December 26, 2023. The use of the word ‘duty’ in the legislation means that it is something all relevant authorities must do. The duty is considered to be a strengthening of the previous ‘duty of regard’ and seeks positive outcomes for the natural beauty, such as with National Landscapes. Within the planning context, relevant authorities are the Local Planning Authorities, the Planning Inspectorate and the Secretary of State, along with Parish Councils producing Neighbourhood Plans. The duty applies to all aspects of the development management process and the plan-making process such as planning application decisions, enforcement, and decisions relating to planning policies and site

allocations in Local Plans. The duty is considered to require a pro-active approach by the decision-maker; relevant authorities are expected to be able to demonstrate that they have fulfilled the duty, and how compliance with the duty has been embedded in the plan-making and decision-making process. Natural England have advised that relevant authorities must take all reasonable steps to explore how the statutory purposes of the Protected Landscape can be furthered. The duty applies to plan-making and decision-making in relation to, or so as to affect, land in National Landscapes, not only in considering proposals within a National Landscape, but also for affecting its setting. It is important to ensure that 'to conserve and enhance' is a priority in every relevant decision. The statutory duty needs to be considered in tandem with the National Planning Policy Framework (NPPF), in particular paragraphs 11, 182 and 183. Paragraph 182 of the NPPF (2023) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in national Landscapes, whereas conservation and enhancement of wildlife and cultural heritage are important considerations. However, it is important to remember that natural beauty is not just the look of the landscape, but includes landform and geology, plants and animals, landscape features, and the rich history of human settlement over the centuries. It includes landscape and scenic quality and natural heritage such as species, habitats, geology and physical such as wildness, tranquillity and dark skies, and cultural heritage (including cultural traditions and the historic and other built environment that makes the area unique). (Levelling-up and Regeneration Act 2023 section 245; Countryside and Rights of Way Act 2000 section 85). Natural England (2023) states enhanced duty in relation to Protected Landscapes refers to National Landscapes (AONBs) and National Parks. Natural England's Planning policies and decisions must also reflect relevant international obligations and statutory requirements. It is very difficult to see how building over 400 houses and industrial units on National Landscape land, is in any way seeking to further conservation and enhancement of natural beauty of National Landscapes. In fact, it is clearly doing the opposite and seems EDDC would be failing in its statutory duty, if this allocation remains in the plan. The plan is also very weak regarding National Landscapes. Planning is very different for National Landscapes, compared to areas that are not, such as brownfield sites. Both seem to of been lumped together in calculations and projections for development in Devon. East Devon has a high proportion of National Landscape land and this has not been considered in targeted housing numbers. It is also illegal under the CRoW Act (2000) to keep increasing sewage load, when the sewage is already damaging the National Landscapes. Exmouth is having a detrimental impact with sewage overflow, that is impacting our local rivers and sea, including Littleham Brook, that runs through Exmo_17. Historic England make clear that the historic environment is fundamental to the distinctive character, sense of place and natural beauty of each National Landscape. It is the conservation and enhancement of all this natural beauty (usually defined in the specific statutory National Landscape Management Plan) that is the

primary purpose of designation, and that Local Planning Authorities must consider in discharging their duty under CROW Act (2000) s.85. LPAs are advised to ensure internal Local Authority legal teams are aware of the s.85 duty. Use of the relevant National Landscape Management Plan, which is a statutory document, which will have been adopted by the Local Authority and which formulates their policy for the management of the area and for the carrying out of their functions in relation to it. It is the key principle for ensuring that the statutory purposes of the National Landscapes are met, and is a material consideration in the planning process. This has not been done so far for Exmo_17. If it had been, this site would be excluded from development.

Conserving and enhancing the natural beauty of the specific National Landscape will mean conserving and enhancing the character components or special qualities identified in the management plan, and the reason why it became part of the National Landscape (AONB). To build on Exmo_17 would destroy the views from within and outside the National Landscape, as the views are far reaching towards the heritage coast and out towards Torbay. The site is also a historically important, with a grade 2* Church and churchyard, which would be detrimentally affected. There would also be a potential loss of Biodiversity from the National Landscape. This 3000% potential or more would not be off set by the 10% National Planning Policy Framework. Housing development results in the loss of 119 hectares of greenfield land within National Landscapes annually. These developments, however do appear smaller than what is proposed for Exmo_17.

To lose our irreplaceable areas of the National Landscape, there will be no where to visit, that is away from traffic, noise and pollution. You cannot add urban sprawl to areas of natural beauty. It is important that food production and recreation areas of community interests are protected. At the moment Exmo_17 is available for all to enjoy at any time. Many studies have shown that access to greenspaces is very beneficial for health and wellbeing. To remove these areas would cause real harm to farming, people and nature.

To build on Exmo_17, would potentially cause another 800 plus vehicles on local roads. The current roads, are not built for heavy traffic and never were designed to. The proposed exit onto Salterton Road, is already a bottle neck with queues of traffic. A proposed roundabout and 2 new pedestrian crossings, would only further add to this. Buses, are not regular and it takes 2 buses or 1 bus and train to Exeter, if sustainability has tried to be considered. Many will likely drive to Exeter, where most employment opportunities are.

Local Planning Authorities must be able to demonstrate that they have complied with the strengthened duty in any decision or action that impacts or could potentially impact on the National Landscape. To demonstrate that they have sought to further the purpose of designation in making decisions regarding planning policies, site allocations, and development management (including planning enforcement), it is considered LPAs will need to; establish the facts about the natural beauty of the area, especially with reference to the statutory Management Plan for the specific National Landscape; identify what comprises the natural beauty, using descriptions of natural beauty, including Statements of Significance, description of key characteristics and special qualities, as set out in National Landscape Management Plans; and the natural beauty criteria (Natural England (2017) Areas of outstanding natural beauty: designation and management; Natural England (2021) Guidance for assessing landscapes for designation as National Park or AONB in England). I feel this has not been done for Exmo_17 and feel that it is being pushed by Clinton Devon Estates and Bloor Homes to get the site quickly through planning and be developed.

The duty to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes applies to the full range of aspects of the plan-making process. An LPA will need to be able to demonstrate how it has, throughout all stages of the preparation of the Local Plan, sought to further the purpose of conserving and enhancing the natural beauty of the National Landscape. This includes at examination stage, addressing the s. 85 duty actively in responses to Inspector's Findings and in any proposed modifications to Local Plans including consideration of Neighbourhood Plans and to ensure the overall vision and development strategy would align with the objectives/principles/policies of the relevant National Landscape Management Plan. To identify how much of a district's objectively assessed need can be met without harming the natural beauty of the relevant National Landscape, particularly where meeting the need would require allocations that would not further the purposes of National Landscape designation which may involve setting a lower Local Plan housing requirement figure. If a draft planning policy would not align with the duty to seek to further the applicable legislative purpose (e.g. if it would conflict with any of the Management Plan's objectives/principles/policies), then consider amending the policy such that you could confidently say the decision does seek to further the relevant purpose. For decisions relating to site allocations assess what impact the proposed site allocation would have on the natural beauty of the National Landscape, considering its scale, location and landscape setting with reference to the character components/special qualities set out in the National Landscape Management Plan. (In this regard, consider including a specific criterion regarding 'natural beauty' within the

Strategic Housing Land Availability Assessment (SHLAA)/Housing and Economic Land Availability Assessment (HELAA), and within the Sustainability Appraisal). This does not appear to have been considered for Exmo_17. A large scale development is going to affect the local area for many reasons as discussed.

Regarding the objectives/principles/policies of the National Landscape Management Plan, Natural England have advised that the strengthened duty underlines the importance of avoiding harm to the statutory purposes of Protected Landscapes. If promoting a site allocation would not align with the duty to seek to further the conservation and enhancement of natural beauty, then consider amending or deleting a site allocation such that you could confidently say the decision does seek to further the statutory purpose. (For example, choosing not to allocate a particular site within or close to the National Landscape boundary could demonstrate compliance, where this results in avoiding harm.) Evidence how the LPA has sought to further the purpose of conserving and enhancing the National Landscape in its decision, with reference to aligning with National Landscape Management Plan objectives/principles/policies. Natural England (2023). This has not been done, as Exmo_17 is still being considered for site allocation for large scale development.

The duty to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes applies to the full range of development management decision-making, including considering applications for outline, full and reserved matters, listed building consent, applications for works to protected trees, and prior notifications, along with enforcement work on planning breaches. An LPA should also ensure that local validation checklists require the submission of sufficient, specific information to enable them to fulfil the s.85 duty in their decision-making. For decisions relating to planning applications, assess what impact the proposal would have on the purpose of designation; consider how the natural beauty of the area might be affected, were the proposal to go ahead how the proposal would align with the National Landscape. Natural England have advised that the strengthened duty underlines the importance of avoiding harm to the statutory purposes of Protected Landscapes. Where harm is identified, enhancements themselves, including biodiversity net gain (BNG) provision, are unlikely to be sufficient to align with the duty, which has the dual consideration of conserving and enhancing natural beauty. Also, ensure that any 'enhancements' within the proposal do genuinely align with, and help deliver, the objectives, principles and/or policies and resulting actions of the specific National Landscape Management Plan, by way of scope and location. Natural England have advised that the proposed measures should align with and help to deliver the aims and objectives of the designated landscape's statutory Management Plan. Ensure a clear differentiation between any

proposed measures that seek to mitigate or compensate for harm (e.g. like-for-like replacement), and those that further the conservation and enhancement of the natural beauty of the National Landscape. Natural England have advised that measures that further the purposes are required in addition to mitigation. This appears not to have been considered.

The s.85 duty by ensuring the impact on the natural beauty of the National Landscape forms part of the assessment of 'amenity' when considering when making decisions on applications for works to protected trees, ensure the impact on the natural beauty of the National Landscape forms part of the assessment of the amenity value of the tree or woodland and the likely impact of the proposal on the amenity of the area. The site does have TPOs and development would completely ruin all character and biodiversity that there currently is. The beauty Exmo_17 offers would be changed forever.

S.84 of the CROW Act (2000) sets out that LPAs have power "to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty, or so much of it as is included in their area". Assess if the planning harms the natural beauty of the National Landscape, with regard to the Management Plan Statement of Significance and objectives, principles and/or policies. Consider if any amendments could help further the purpose of conserving and enhancing the natural beauty. Ensure clear differentiation between any proposed measures that seek to mitigate or compensate for harm (e.g., like-for-like replacement), and those that further the purpose of conserving and enhancing the natural beauty of the National Landscape. Natural England have advised that measures that further the purposes are required in addition to mitigation. To build on Exmo_17 goes against your conserving and enhancing of the natural beauty of the area.

The housing and economic land availability assessment does not determine whether a site should be allocated for development, but it's up to the development plan itself to determine which of those sites are the most suitable to meet those requirements. It appears that the EDDC are using our National Landscape to meet housing targets when brownfield sites have been allowed by the planner to build inappropriate housing. Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall

scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas).

Neighbourhood planning bodies may use the method set out in this guidance to assess sites but any assessment needs to be proportionate to the nature of the plan.

Neighbourhood planning bodies may also make use of existing site assessments prepared by the local planning authority as a starting point when identifying sites to allocate. The East Devon planning guidance for National Landscapes states that they are Nationally designated protected landscapes. Receives the highest level of protection under the National Planning policy unique and special area. Development proposals in and affecting the national landscape must have a regard to the conservation and enhancement of its natural beauty. Give great weight to conserving and enhancing the landscape and scenic beauty of the area in order to be in conformity with the national planning policy framework. National landscapes are becoming attractive, profitable places for housing and development. Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas). Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas). Plan-making bodies should consider constraints when assessing the suitability, availability and achievability of sites and broad locations. For example, assessments should reflect the policies in footnote 6 of the National Planning Policy Framework, which sets out the areas where the Framework would provide strong reasons for restricting the overall scale, type or distribution of development in the plan area (such as the Green Belt and other protected areas). This has not been done for Exmo_17. If it had, major development would not be considered for Exmo_17 and it would be removed from the proposed plan.

National Planning Policy Framework Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to

its effects; strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless the application of policies in this framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. For decision-taking this means, not approving development proposals in protected areas of particular importance such as National Landscapes and provides a strong reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development such as housing to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. As established through statements of common ground (see paragraph 28) the policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park or defined as Heritage Coast; irreplaceable habitats; designated heritage assets and areas at risk of flooding or coastal change. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities. This has not been done for Exmo_17 as the legal protection of a National Landscape has been not fully considered and it feels that Exmo_17 is being proposed, to make up housing numbers, which is not a reason for major development this is not an exceptional circumstance. Due to the location, any development would affect the

sensitivity of the site and ignores the highest status of protection that National Landscapes have in law.

Clinton Devon Estates (CDE) on their website, talk of their wildlife vision to embed wildlife improvement into all business activities and hand onto future generations a countryside more diverse, resilient, functional and ecologically valuable than we have today. CDE Strategy 2030 doing today what is right for tomorrow. Development proactive approach will be taken to identifying appropriate opportunities to provide homes and business premises for local people with sustainability at the forefront of decision making. Net zero carbon emissions by 2030. Agriculture farming models should provide products customers want to buy, enhance our soils and natural environment and provide viable business models which wildlife can flourish. Increase woodland cover and enhance soils and natural environment. If this is their goal, then it's very hypocritical, as they are wanting major development within the National Landscape.

In the spring 2026 National Trust magazine, Director- General *** Personal details have been removed ***, interviewed Prime Minister Sir Keith Starmer. Key points in the interview included:

- Growing up in a rural area, surrounded by fields. "For me, it's been there from the very start, and I value it so highly now, both as an individual and as a Prime Minister".
- Regarding being one of the most nature-depleted countries and seeing nature decline. "Yes and it's a real cause for concern. We need to do everything we can to prevent that decline and to turn it around, because we're losing things we may never get back and children born today, may never know and see and enjoy the things that I enjoyed as a child".
- If the government is doing enough to meet long-standard targets such as protecting 30% of land and sea for nature by 2030, to support the global '30by30' target agreed at the UN Biodiversity Summit in 2022. We're only at 6% at the moment. "I am confident and I'm determined as well as confident. There are great things that many governments have done - Areas of Outstanding Natural Beauty, National Parks – these things matter hugely and we want to add to that... And one of my concerns is that in a number of urban areas, there's not enough access to greenery or nature".
- Building vs blockers and nature against growth. "I think we can have both... We want to preserve nature and the beauty of this country. We need to get the balance right between the two".

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

- Wildlife Corridors. “ Corridors for nature, but also physical and mental health is enhanced through nature. Physical health because there is a nice place to walk and fresh air is hugely important. But also mental health, just the ability to have bit of still time outside.
- Your legacy in nature and history. “In nature, we will add forests to National Parks and the Areas of Outstanding Natural Beauty”.

*** Personal details have been removed ***, the local MP, states that National Landscapes are irreplaceable part of our natural environment and local identity. He believes they should be protected long term. The need for homes must be balanced carefully against the protection of valued landscapes and protective agricultural land. The National Planning Policy Framework is clear that planning decisions should contribute to and enhance natural and local environment, including protecting and enhancing valued landscapes.

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Full name: Chrissie Hunn

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_17

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In the section discussing Exmo_17 there is very little emphasis on the site being in the National Landscape and what that entails. There is no mention of the laws that protect the National Landscape from large scale development. In fact in the draft plan, it is very blasé. The site sits outside the build up area boundary. To build here would completely destroy the landscape beyond recognition. There will be no biodiversity net gain. The views are dark reaching and are seen from the world heritage Jurassic Coast and coastal path. The sites location to this has not been mentioned nor three fact the fields are used by local farms. There is also every chance the fields next door to this site which back onto woodland, may be being sold for further development in the National Landscape. To build on Exmo_17 will most certainly open the doors to further large scale development in the area. Exmouth cannot cope with further development as it's infrastructure cannot cope with demand. This will only worsen. Think sewage, flooding as no land to soak up the water, worsen traffic as only 2 main roads out of the town. Exmouth cannot cope with further development. Also with Devon Cliffs, the population significantly increases, adding further strain, something which has not been considered. EDDC have a legal duty to 'conserve and enhance' National Landscapes in their area. Large developments can only happen in 'exceptional circumstances' and when in public interest. As there is land outside the National Landscape that can be built on, there is no exceptional circumstances and just irreversible damage to local farms, farmland and the health and wellbeing of the community. Exmo_17 provides a much valued greenspace for the local community. The site having the shared cycle path and footway, offers countryside views and tranquility freely available to the public. It also ensures a much needed wildlife corridor.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:

Remove Exmo_17 from the plan. Give the CPA protection back to this site, which is what many in the community objected to its removal. Protect the National Landscape from development, which clearly this is not being practiced, as otherwise this site would have not been considered. The site is already valued by the community, including children, families, walkers, cyclists those with wheelchairs and mobility scooters, as well as dogs and wildlife. To have a road go across the cycle path and walkway will make access unsafe and stop cycle and running events from occurring. Are cars really going to stop? Allow the site to be left as it is and enhance what is already there, rather than development. National Landscapes are areas legally designated as areas of Outstanding Natural Beauty under the National Parks and Access to the Countryside Act 1949 and Countryside Rights of Way Act 2000. The CROW Act was amended in December 2023 by the Levelling up and Regeneration Act. It requires relevant authorities in exercising or performing any function that affect AONB to "seek to further purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty". This statutory duty, which all relevant authorities must do and seek positive outcomes. In the NPPF paragraph 182 sets out that great weight should be given to conserve and enhancing landscape and scenic beauty in National Landscapes. To build over 400 houses and industrial units goes completely against legislation. EDDC would be completely failing in its statutory duty if Exmo_17 remains in the plan. It is also illegal under the CROW Act to keep increasing sewage load, when the sewage is already destroying the National Landscape. Exmouth is having a detrimental impact with sewage overflow, that is impacting our local rivers and sea, including Littleham Brook, that runs through the site. Historic England make clear that it is the enhancement and conservation of this natural beauty of the landscape and is fundamental to its distinctive character and sense of place. Legally this site is awarded the greatest protection from development, making Exmo_17 in the local plan illegal.

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.: As previously mentioned, Exmo_17 is protected by various laws, which has not been mentioned fully in the plan. There is no description of the site and its topography. The site is very exposed fields of farmland, hedges and trees with the cycle path and walkway running straight through, that links up with Budleigh and Woodbury Common

in one direction and towards Exmouth in another. It sits outside the BUAP, as agreed in the neighbourhood plan, that has been ignored. The site is rural with the Littleham Brook running through and is next to listed grade 2* parish church and church yard, which is one of the biggest in Devon. The area towards the bottom of the site is known to flood. Concerns about the site being developed have not been listened to by the council and the landowner. Prime Minister Sir Keir Starmer has stated the value of greenspaces and fields and corridors for nature and that physical and mental health is enhanced through nature. Areas of Outstanding Natural Beauty matter hugely and want to add to that. "In nature we will add forests to National Parks and the Areas of Outstanding Natural Beauty". There is no talk of development of housing, but rather enhancing the environment that is already there. Something that the plan goes against. The Local MP for Exmouth David Reed also states that National Landscapes are an irreplaceable part of our environment and local identity and be protected long term. There is no talk of housing developments in National Landscapes, but instead about improving nature and protection. How can Exmo_17 be sound, when it goes against this? The Rt hon Steve Reed, has stated that protected landscapes are to be strengthened with new legislation and guidance to protect nature, boost its recovery and access to the outdoors. More trees planted and more habitat created. It will also help to tackle climate change. The Government states that it is committed to restoring nature across the country. A healthy Natural environment is crucial to the National health and prosperity and create a decade of Natural renewal. They want to restore protected landscapes which site Exmo_17 would fall under. The Government is aiming to meet the long standing target of protecting 30% of land and sea for nature by 2030. Currently we are only at 6%. The government want to increase and enhance National Landscapes, so why is EDDC intent on going against this and potentially developing land at Exmo_17 in the National Landscape? If anything EDDC need to support statutory law and instead protect and enhance Exmo_17 and put pressure on Clinton Devon Estates (the landowner) to maintain and enhance the site, which CDE seem to talk about wildlife protection etc on their website. Clinton Devon Estates (CDE) are also on the East Devon National Landscape committee, which is very hypocritical, considering they are on a board wanting to protect and enhance the National Landscape, but yet Site Exmo_17, any large chunk of land within the East Devon National Landscape, they clearly want to sell for profit and large scale development, considering they have drawn up plans with Bloor Homes. This fully goes against the legislation governing protected landscapes and damages CDE goals of protecting the environment. Building over 400 houses and industrial units is not conserving and enhancing the landscape. It goes against the 30by30 target agreed by the Government on protecting land and sea for Nature at the UN Biodiversity Summit in 2022, and the updated legislation by the Government wanting to protect and expand National Landscapes and wildlife corridors.

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.: To have greater emphasis on the Exmo_17 site being in the National Landscape and the law that protects the site from development, due to statutory reasons of conserving and enhancing the landscape. To add details about the site and the impact developing in National Landscape can have.

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 stand up for Exmo_17 and protect the National Landscape site from major development, so that it can be nature enhanced and conserved for now and in the future. The Government are wanting to protect, improve and grow National Landscapes, so I want to know why EDDC are against this and would rather development the site for housing and industrial units that would stand out hugely on the landscape and irreversibly damage biodiversity and nature that is already there and impact on the community who access the site, as well as tourism, due to its location near to and seen by holiday accommodation and tourist attractions, as well as cycling and running events. When this site was first discussed by the council, some councillors did not know Exmo_17 location was within the National Park, but when voted, still voted for it to be considered. That to me feels that there is lack of understanding regarding the law and legislation that governed National Landscapes and it was just put through to make up numbers. The landowner, who is also part of the East Devon National Landscape, is intent on having this site developed for housing. This is very hypocritical.

Full name: Chrissie Hunn

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_17

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

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: To develop on land within the National Landscape, goes against all the protective legislation that governs National Landscapes. If this was legally compliant, EXMO_17 would be rejected for development.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, 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 legally compliant. 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.:
Remove from the site allocation plan, sites like Exmo_17 that are in the National Landscape.

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.:
Allocation of Exmo_17 is in conflict with the National Planning Framework December 2023 and is unsound and not legally compliant. It also conflicts with protecting the National Landscape as outlined in another chapter of the proposed local plan.

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.: Remove Exmo_17 from the local plan

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.: I want to help protect the National Landscape and feel that EDDC and Clinton Devon Estates have not listened to the local community and ignored the protective status of National Landscapes. Even the Prime Minister *** Personal details have been removed *** recognises the importance of protecting National Landscapes now and for future generations. Once lost, it is gone forever.

Caroline Hunt

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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 part of important discussions around the towns future

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

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 part of important discussions concerning the towns future planning

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

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 part of such important discussions around the towns future

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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 part of such an important discussions about the towns future and ensure the people of the town are listened to

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus*? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

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.: This is too important to miss and not be part of

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here::
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar *Caprimulgus europaeus* ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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.: It is necessary as this is such an important plan for our town and would like to hear the reason this is happening

Full name: Caroline Hunt

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.: SD01

1(b). Does your comment relate to one of the changes listed above?: Yes

1(c). If the comment is related to a site, please state the site reference here.:
Exmo_20

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.:

Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, - Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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.: Would want to Listen to the councils reasons why this wants to go ahead and that the publics reasons /objections are listened to/ this is an extremely important to the town

James Hutchings

Full name: James Hutchings

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.: SD06

1(b). Does your comment relate to one of the changes listed above?: No

1(c). If the comment is related to a site, please state the site reference here::
Sidm_06a

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.: I wish to lodge my objections to the two proposed housing developments East Devon Local Plan Sidm 06a and Sidm 06b. I consider that these plans would irreversibly destroy an area of outstanding national beauty (National Landscape) and have devastating impact on the wildlife and nature therein. A poor legacy to leave the next generation and also destroying the very thing which attracts people to the area either as visitors or to re-settle. I also believe that the development would erode the Green Wedge Policy and that the distinctive districts of Sidford and Sidbury would be lost within a larger urban sprawl of housing. The picturesque nature of East Devon and it's rural villages would be lost. I do not consider that the local infrastructure within the northern Sid Valley could cope with the dramatic increase in housing and population that the development would create. I feel that all local brown field sites should be prioritised before any reversion to building development in open countryside. Also I cannot accept that the Sid Valley needs large housing developments when there are numerous large new town projects in planning for East Devon (Farringdon and Budleigh Salterton) not to mention on-going development at Cranbrook. Please make note of my objection as a matter of urgency.

Yours

Second Regulation 19 Consultation – East Devon Local Plan – Responses by Name

*** Personal details have been removed ***