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Sara Davies

Full name: Sara Davies

Organisation (where relevant): Lymptstone Water Quality Group

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 land allocations have been based on a flawed decision-making process, specifically: (1) an inaccurate sustainability appraisal (it does not include up to date information on risks to the water environment, and the impact of climate change, (2) an inaccurate Habitats Regulations assessment (e.g. for the Exe Estuary, there is only consideration of the impact of recreation, not water quality), (3) a very weak evidence base on the impacts of climate change (beyond flood risk), and the specific risks to the water environment, (4) no or limited consideration of the existing evidence, including the findings and recommendations of the Water Cycle Study regarding the Exe Estuary, and the latest information from catchment-based projects in East Devon, (5) an overall poor understanding of the impacts of climate change, particularly on the water environment, and (6) inadequate consultation with the community and other stakeholders. Our focus is particularly on the development around the Exe Estuary (Lymptstone, Exmouth, and Woodbury), and we have clear evidence to show that the allocation of large numbers of houses in these areas is not sustainable and does not comply with the Habitats Regulations designed to protect the Exe Estuary (a European wildlife site/ SPA).

Dan Trundle

Full name: Dan Trundle

Organisation (where relevant): Black Box planning

Other party name (if relevant): Greendale Group (FWS Carter & Sons Ltd) and Crealy Farms

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.: This chapter of the representation sets out the previous comments made by Greenhayes in response to the Sustainability Appraisal (SA) in the First Consultation. It also sets out the Council's response and any actions from the revised SA (ref CSD-003) in the Second Consultation. Any further responses from Greenhayes are set out accordingly.

4.2 Original Greenhayes comment: NPPF Paragraph 33 requires that local plans 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 (including opportunities for net gains). 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). Council response: Noted

4.3 The Planning Practice Guidance (PPG) further explains that a sustainability appraisal is a systematic process that must be carried out during the preparation of local plans. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives. Council response: Noted

4.4 Original Greenhayes comment: At the time of writing (First Consultation), it is understood that Sustainability Appraisal (SA) (ref CSD-003) – Appendix Six and pages 265 through 280 represents the full extent of the Council SA work in respect of consideration of the Second New Community. Council response: Disagree – the new community is also considered in the SA of the Spatial Strategy and Strategic Housing Growth Options. Greenhayes response: It is recognised that proportionate SA work would have been undertaken at other earlier stages of Local Plan production. However, on the premise that the First Consultation complied with Regulation 19 by supposedly comprising a plan which the Council intended to submit to the Secretary of State and contained those supporting documents which are relevant in the opinion of the Council,

then the Greenhayes comment was evidently a strong criticism that the SA work on such a critical component of the Regulation 19 plan extended to only 15 pages.

4.5 Original Greenhayes comment: Firstly, it is somewhat surprising for such a critical component of the Council's Plan and overall spatial strategy, that the SA work extends to only 15 pages of a 614-page document. This point is especially pertinent in consideration of the reasonable alternatives, the complexity of these and their requisite assessment in order to arrive at an evidenced and methodical conclusion. Council response: Disagree – the new community is also considered in the SA of the Spatial Strategy and Strategic Housing Growth Options. Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 17 Greenhayes response: Same as above.

4.6 Original Greenhayes comment: Secondly, whilst it is understood that the SA is required to assess reasonable alternatives, and that the Options from the October 2022 CBRE report were chosen as the basis for undertaking that assessment, there is little in the way of discussion around alternative options or sub-options for assessment. Council response: Disagree – the SA report contains discussion on various potential options. The SA report explains that smaller scale development of 2-3 new villages, rather than a single larger new settlement, offers less potential to accommodate a mix of uses and consequently poorer access to jobs and services, and greater carbon emissions. An option for a new town and a new village is not considered to be a reasonable alternative as it would deliver even more housing in the West End and therefore limit the potential to meet housing needs and support the economy in the rest of the district, not consistent with the Local Plan Vision, and due to deliverability concerns regarding multiple new settlements being under construction at the same time. Greenhayes response: This is an irrational position to take. It is the position of Greenhayes that the Council should identify where the additional 2,000 dwellings and associated land uses may be located. The only logical expansion location for Marlcombe would be at Greenhayes. It evidences that the Council are using the 80% threshold of the Transitional Arrangements as a target. A supply of deliverable homes, which would meet their stated objectives for strategic development generally and the New Town specifically, is being defied without any rationale. It is considered that Option 2, and particularly the Greenhayes component of it, has suffered to an extent because of the finite way in which the options have been defined by the October 2022 CBRE report – with Option 1 being focused between the A30 and A3052 corridors, Option 2 being focused on only the A3052 corridor and Option 3 being focused between the A376 and A3052 corridors. For example, Option 1 and Option 2 overlap, so do not represent truly distinct alternatives to each other. Essentially, the Greenhayes promotion suffers by not being included within Option 1. Whilst the Greenhayes promotion is conceptualised on self-containment, building on the success of pre-existing services, facilities, infrastructure and employment base, given its relative smaller size, it certainly

does not need to be in lieu of the Council's objective of delivering a Second New Community. Indeed, it is the position of Greenhayes that it should instead be added to an expanded Marcombe, given its location can deliver a number of wide ranging significant benefits, extending to early delivery of infrastructure in the form of a 'ready made' local centre, enabling of connections to Greendale Business Park and delivery of the southern extent of the proposed Clyst Valley Regional Park extension.

4.7 Original Greenhayes comment: By way of example, despite Greenhayes submitting a representation in January 2023 definitively confirming the extent of their land control and the basis on which a strategic promotion could be brought forward and contribute towards the Council spatial strategy and objective to deliver a Second New Community, the reasonable alternative assessed by the SA in February remains as per the broad Option 2 set out in the October 2022 CBRE report. Council response: The SA report explains that smaller scale development of 2-3 new villages, rather than a single larger new settlement, offers less potential to accommodate a mix of uses and consequently poorer access to jobs and services, and greater carbon emissions. Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 18 Therefore, the three new community options that were appraised are all around 500 hectares to accommodate 8,000 dwellings plus employment land, and a range of services and facilities. Greenhayes response: As above, but additionally the basis of Option 2 was essentially constructed on the premise of the 2017 HELAA submissions and the various options have not necessarily been refined or adapted over time to reflect the 2021 HELAA submissions and representations to the Local Plan process – remaining as per the options set out in the October 2022 CBRE report. This is particularly the case in respect of the Greenhayes promotion which is not comprehensively covered by any of the assessed options. In taking this approach, the Council have been closed to the information before them.

4.8 Original Greenhayes comment: Option 2 is not consistent with the Greenhayes promotion land control as set out in the January 2023 Regulation 18 representation, instead it is based upon more outdated 2017 and 2021 Call for site submissions. Indeed, the very western extent of the Greenhayes promotion straddles into Option 3. The SA itself acknowledges on page 266 that land not being submitted to a Call for sites exercise would not necessarily prevent it from being considered. Council response: The three new community options that were appraised are all around 500 hectares in size, with the western extent of the Greenhayes promotion being in Option 3 rather than Option 2. Greenhayes response: As above, the Greenhayes promotion should be covered comprehensively by at least one of the assessed SA options for the Second New Community. Irrespective, it is the position of Greenhayes that it should be added to the preferred Option 1 as part of an expanded Marcombe.

4.9 Original Greenhayes comment: The SA sets out on page 265 that:

- The Local Plan 2020-2042 will allocate land for 8,000 homes and accompanying employment, services and facilities etc, but there is a longer term vision for 10,000 homes at the new community;
- Long lead-in times and build-out rates for a new settlement mean that 3,300 dwellings are proposed in the plan period up to the year 2032;
- The remaining 4,700 dwellings would be delivered after 2042 on the remainder of the allocated land;
- The land required for the additional 2,000 dwellings and associated land uses will be allocated in a future Local Plan. Council response: Noted Greenhayes response: It is the position of Greenhayes that the Council should identify where the additional 2,000 dwellings and associated land uses may be located. The only logical expansion location for Marlcombe would be at Greenhayes. The absence of any response to this issue undermines the comments raised by the Council in respect of Paragraph 4.6 above. This is an irrational position to take. It evidences that the Council are using the 80% threshold of the Transitional Arrangements as a target. A supply of deliverable homes, which would meet their stated objectives for strategic development generally and the New Town specifically, is being defined without any rationale. Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 19

4.10 Original Greenhayes comment: The SA recognises that the location of the three options recognise existing land uses that are not likely to relocate, such as Greendale Business Park and Crealy Theme Park and Resort. Nevertheless, Option 2 appears to wash over both land uses. The Greenhayes promotion demonstrates how the co-location of residential uses with these employment hubs and ensuring strong links between them, could contribute significantly to meeting wider sustainability objectives, including reducing the necessity to commute by private vehicle and to encourage active travel as part of the daily commute. Council response: Noted Greenhayes response: Greenhayes welcome the Council acknowledging the benefits of the Greenhayes promotion in this regard, but this has not been incorporated into the plan in any material way. For example, even without development at Greenhayes, the Marlcombe masterplan fails to make appropriate provision for connections to the established facilities at Greendale Farm Shop and businesses at Greendale Business Park. It appears that the proposed location of the “sports hub” in the Marlcombe masterplan prevents an active travel route from making an important connection to the Greendale Farm Shop complex, instead terminating in the approximate location of the Farringdon Cross bus stops, with seemingly no onward destination to the south of the A3052.

4.11 Original Greenhayes comment: The assessment in SA Objective 4 and 13 and also the conclusion that Option 2 is isolated from existing cycle infrastructure, fails to

recognise that the Clyst Valley & New Communities Local Cycling and Walking Infrastructure Plan (LCWIP) January 2025 (ref TRI-018) identifies the A3052 Sidmouth Road as a critical active travel route that all new settlement options will further increase demand upon. It is stated that ‘a high-quality protected route, separated from the carriageway by a buffer should be delivered between Clyst St Mary and Greendale. To include crossing points (e.g. signalised crossings) for the Clyst Valley Trail, Cat & Fiddle, Crealy, and Greendale. This would required engagement and negotiation with landowners’. Council response: The SA of the three new community options contains mitigation measures to address adverse effects and maximise beneficial effects, which include the provision of “high quality, safe and direct cycle routes” and Options 1 and 3 should link with the proposed Clyst Valley Trail. Cycle route improvements from new settlement options identified in the Clyst Valley & New Communities LCWIP are referenced in Appendix Two. Nevertheless, it would be useful to specifically refer to the other LCWIP mitigation measures relevant to Option 2. Council action: add reference to Clyst Valley & New Communities LCWIP routes at ‘A3052 Sidmouth Road’ and ‘Woodbury Quiet Lanes’ as mitigation measures for Options 1, 2 and 3.

4.12 Original Greenhayes comment: Option 2 is the only option which would offer land control on both sides of the A3052 corridor to enable delivery of the critical active travel route as set out by the LCWIP. It would also be the only option which would enable the delivery of the requisite connections into Crealy and Greendale. Council response: Noted, but the active travel route could be delivered along the north of A3052 as part of Option 1, with crossings if appropriate into Crealy and Greendale. Greenhayes response: It is noted that there appear to be several ‘missing gaps’ in the land control for Marlcombe immediately to the north of the A3052 corridor – such as Cat & Fiddle, Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 20 around Farringdon Cross and several other residential dwellings. Whereas, the Greenhayes promotion would offer a circa 2.5km – 3km continuous land control to the south of the A3052 corridor – between Exeter City training ground and White Cross. Furthermore, the LCWIP envisages connections being made into Greendale Business Park, which Option 1 could not fully facilitate, unlike Option 2.

4.13 Original Greenhayes comment: The assessment in SA Objective 4 recognises the potential in Option 1 for a low carbon district heating network by connecting to the proposed Energy from Waste (EfW) plant at Hill Barton. However, it fails to consider that Option 2 would also benefit from this facility, given its location adjacent to Hill Barton Business Park and the Local Development Order boundary for the District Heating Network. Council response: Agree that the commentary should be clarified to reflect that each of the Options is either within or near the proposed Hill Barton EfW plant, but this does not change the conclusion that Option 1 is preferred on this matter. Council action: amend Objective 4 commentary to state that “Due to the EfW plant location at

Hill Barton, Options 1 and 2 benefit from direct connection to a low carbon district heating network, but Option 1 is preferred in this matter as it transits the proposed route of a district heating connector so offering a cheaper and easier solution.”

4.14 Original Greenhayes comment: It also fails to recognise that Option 2 would also enable opportunities to build upon the existing energy infrastructure at Greendale Business Park in the form of the anaerobic digester facility. The plant currently processes farm crops and livestock manure into biogas and bio fertiliser. The biogas is used to produce electricity for the Business Park, whilst the bio fertiliser is used in local agricultural practice in place of fossil fuel derived fertilisers. Council response: Noted, but no detail as to whether the cited anaerobic digester facility is of a significant scale to warrant consideration – the Greendale anaerobic digester facility is not included in evidence “East Devon New Community Net Zero and Climate Risk Review of Option Sites, October 2022”. Greenhayes response: The Greendale anaerobic digester (AD) facility is a 1.3MW plant which in terms of energy output, generates approximately 10.2 GWh energy per annum. The electricity generated from the biogas is distributed for all of the tenants of the Business Park and also the Farm Shop complex. It is acknowledged that the plant is not on the same scale as the 24GWh Hill Barton EfW plant, which provides enough energy to the grid to power approximately 6,500 homes. By way of comparison, the Greendale AD facility generates enough electricity to power approximately 3,800 homes. It is unclear why the October 2022 Net Zero report did not consider the Greendale AD plant given its net zero credentials and potential benefits. It is also wholly material that the facility is already in operation with much of the supporting community network infrastructure that would be required.

4.15 Original Greenhayes comment: The assessment in the conclusion that Option 2 is in multiple ownership with significant land assembly required is unfair in consideration of the same challenges that would equally apply to Options 1 and 3. The Greenhayes promotion predominantly to the south of the A3052 is a single entity with two landowners involved. In consideration of the HELAA mapping, the landownership to the north of the A3052 appears more granular meaning that the same land assembly challenges will equally apply to Option 1. Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 21 Council response: There is little difference between Options 1 and 2 in terms of deliverability, as all landowners have been identified for both Options, with similar proportions (around 50%) being controlled by the three largest landowners. Option 3 has more fragmented land ownership and the greatest amount of unknown land ownership, so would require significant land assembly. Council action: Objective 8, remove uncertainty from Option 2 score; amend commentary, 2nd and 3rd sentences to state that “There is little difference between Options 1 and 2 in terms of deliverability, as all landowners have been identified for both Options, with similar proportions (around 50%) being controlled by the three largest landowners. Option 3 has more fragmented

land ownership and the greatest amount of unknown land ownership, so would require significant land assembly. Therefore, an uncertain effect has been added to Option 3”. Council action: Option 2, reasons for alternatives being preferred or rejected, delete “in multiple ownership with significant land assembly required to enable this Option to come forward”. Greenhayes response: The changes made to land ownership certainty are welcomed by Greenhayes. It is also worth noting that Option 2 was the only option within which all land was submitted to the Call for Sites processes, which is a significant consideration and improves deliverability.

4.16 Original Greenhayes comment: In respect of SA Objective 8, it is unclear why Option 2 does not score better than Option 3 in consideration that the SA acknowledges that “a relatively large proportion of the land in Option 3 has not been submitted by the landowners”. An inconsistent approach is unlawful on the basis that it would be irrational. Council response: see above Greenhayes response: The changes made to land ownership certainty are welcomed by Greenhayes. It is also worth noting that Option 2 was the only option within which all land was submitted to the Call for Sites processes, which is a significant consideration and improves deliverability.

4.17 Original Greenhayes comment: The assessments in SA Objectives 10 and 12 fail to acknowledge the established hub of facilities and services at the Greendale Farm Shop site, including a café / restaurant, farm shop, nursery, medical facility and various tourism and visitor attractions. Council response: Agree it would be useful to reference Greendale Farm Shop as being within Option 2, and adjacent Option 1, in Objective 10. But do not consider this will change the overall score for these Options given the lack of other existing services in the vicinity. Objective 12 relates to town centres, so no change is required for this objective. Council action: add reference to Greendale Farm Shop and related facilities as being within Option 2, and adjacent Option 1, in Objective 10.

Greenhayes response: Whilst the positive changes made and reference to facilities at Greendale Farm Shop in Objective 10 are welcomed, Greenhayes considers that this position should be reflected within the assessment score. The evidence base for Marlcombe appears to place a very strong emphasis on early infrastructure delivery. Regulation 19 Representations East Devon Local Plan 2020-2042 GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 22 The Marlcombe Transport Vision (ref NWC-003) recommends facilities such as a community centre, convenience store, market square, meanwhile uses for e.g. family hub, start-up enterprise and 10,000 sqm employment floorspace all being required prior to the delivery of 500 no. dwellings, with health provision and further E class uses being delivered before 1,000 no. dwellings. In the short term, it also discusses incentivising businesses to relocate to Marlcombe, including ‘pop-up’ shops in community facilities or visiting medical practitioners holding on-site clinics. Interestingly, the early phase infrastructure appears to be incompatible with the proposed location of the town and local centres within the Marlcombe masterplan. If the approach is to build simultaneously from both the A30

and A3052 ends, then early delivery is going to prove difficult. It is unrealistic in a market context. In this respect, the role that Greenhayes can make in early delivery of a ‘ready made’ local centre should not be overlooked, especially if the intention is for some of the early phases to be from the A3052. The majority of the community-focused uses required prior to 1,000 no. dwellings at Marlcombe are already established in one form or another on the Greendale Farm Shop complex. Paragraph 7.1.6 of the Marlcombe Transport Vision recognises that “whilst on-site jobs are important to limit commuting trips, it is reasonably likely that people will continue to work at other locations, even if jobs are available close by”. Accordingly, during those early phases from the A3052 it will be essential that appropriate connections are in place to Greendale Farm Shop and Greendale Business Park.

4.18 Original Greenhayes comment: The assessment in SA Objective 11 that Options 1 and 3 benefit from employment opportunities arising from proximity to Exeter, yet Option 2 is limited only to employment opportunities arising from Greendale and Hill Barton Business Park is nonsensical. Option 2 equally benefits from such a location and sits on a direct public transport route and proposed active travel corridor into the city.

Council response: Agree that some clarity in the text would be helpful, but do not consider that the sustainability score would change as a result. Council action: in Objective 11, clarify that Option 2 offers fewer employment opportunities in its vicinity than Options 1 and 3. Replace text stating Option 2 employment centres are “limited to Greendale and Hill Barton Business Parks” with “Option 2 offers fewer employment opportunities within its vicinity – aside from Greendale and Hill Barton Business Parks, all other employment centres are located at least 3km from this Option.” Also add that Options 1 and 3 benefit from being served by more than one main road, making them more attractive for future business occupants. Amend “close proximity” to “within 3km” for employment opportunities listed for Option 1. (Ref. East Devon New Community Sustainable Access Review of Option Sites, November 2023). Greenhayes response: Strongly disagree that Option 2 has access to less employment opportunity than Options 1 and 3. The arbitrary 3km distance has clearly been used to create a distinction between the options when one does not exist in reality. Plainly, Option 2 is in equal proximity to Exeter as Option 1 and 3. Furthermore, Option 2 significantly benefits from having three major employment sites located within it – in the form of Greendale, Hill Barton and Crealy Regulation 19 Representations East Devon Local Plan 2020-2042
GREENDALE GROUP AND CREALY FARMS JANUARY 2026 | PAGE 23

– enabling more localised commutes to be made by walking and cycling and increasing self-containment. The idea that Option 2 is markedly less attractive for future business occupants is strongly disputed, given the established Greendale Business Park and demand for commercial space on the A3052 corridor and with good access to the strategic road network.

4.19 Original Greenhayes comment: It is recognised that Option 1 provides ease of access to several employment hubs around the A30 corridor, but the Greenhayes promotion would achieve the same objectives through proximity to Crealy and Greendale Business Park. The business park is home to approximately 150 companies, providing approximately 2,000 no. jobs in the local Exeter and East Devon economy. The park comprises over 1.8 million square feet of existing industrial and commercial space hosting a variety of business tenants. Council response: Option 1 is also in close proximity to Crealy and Greendale Business Park.

4.20 Original Greenhayes comment: It is recognised that, in preparing the Sustainability Appraisal, a number of the core sustainability objectives will need to be assessed by applying evaluative judgement. This can account for differences in opinion in assessing the document. However, if such judgements are applied having regard to inaccurate information or on an obviously inconsistent basis, the Sustainable Appraisal will not be legally compliant. That is the case currently. Council response: As noted above, several relatively minor amendments are being made to the SA report. Greenhayes response: Greenhayes consider that whilst some positive changes have been made to the SA, they do not go far enough to rectify the wider shortcomings of the SA informing the plan-making process for determining the location and extent of the Second New Community.

4.21 Original Greenhayes comment: It is recommended that in reviewing and incorporating the full evidence base to support the Local Plan as part of a full Regulation 19 Consultation, and meeting full objectively assessed needs, that a further iteration of the SA is prepared to amend the inconsistencies. Council response: As noted above, several relatively minor amendments are being made to the SA report. These will be reflected in the SA report that will accompany the second Regulation 19 consultation and then submitted for Examination. Greenhayes response: As above.

Iwan Easton

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd

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.: Alongside the revised draft Local Plan, the Council has also published a revised Sustainability Appraisal (SA), in which Land at Northcote Hill (GH/ED/39a and GH/ED/39b) have been assessed against the SA Objectives. The current SA has constrained the overall site's development capacity to 300 dwellings, comprising 115 dwellings for site reference GH/ED/39a and 195 dwellings for site reference GH/ED/39b.

Taylor Wimpey disagrees with a number of the SA scoring against the SA objectives, in particular, the assessment of objectives 2,4,5,7,9. Taylor Wimpey has provided additional evidence against each of those objectives and rescored the site accordingly, this is shown in the table below [see attachment].

The reassessment, undertaken by Boyer below [see attachment], demonstrates that the site is capable of accommodating an increased quantum of development, and therefore the draft allocation should be increased within the Draft Local Plan.

The above revised site suitability assessment [see attachment] for land off Northcote Hill, Honiton (land north and south of the railway line), which has been assessed using the site's specific technical surveys and assessments prepared by relevant technical consultants, demonstrates that the site can deliver at least 299 homes on land south of the railway line, and up to 115 homes on land north of the railway line, and continue to positively contribute towards EDDC's Sustainability Objectives.

Technical Reports: GH/ED/39a and GH/ED/39b are supported by a full suite of Technical Reports and concept masterplans which have been submitted as part of the planning applications on the site. These demonstrate the site can accommodate an increase in development and therefore the site's capacity should be increased.

The technical reports demonstrate that GH/ED/39b can accommodate a greater quantum of development than set out within the Draft LP. The technical reports are summarised below.

Landscape Considerations: A Landscape and Visual Impact Assessment has been undertaken, with viewpoints agreed with East Devon District Council Officers. The assessment confirms that GH/ED/39b can accommodate at least 299 homes in a manner that responds positively to its landscape context, including the nearby National Landscapes. The built form is contained within the 160m contour, and substantial structural planting is proposed along the eastern edge to integrate the development with the existing landform. The effects on landscape character are considered limited and localised, particularly if the adjacent Northcote Road development is completed.

Heritage and Archaeology: An Historic Environment Desk Based Assessment confirms that GH/ED/39b does not include any designated heritage assets. The site forms a minor part of the views from the Dumpton Hill Fort Scheduled Monument, but the impact on the significance of designated heritage assets is negligible. Considering the above, there are no heritage or archaeology factors that would prevent the delivery of at least 299 homes on this site. The draft allocation should be amended to align with this.

Ecology: An Ecological Impact Assessment confirms that GH/ED/39b has no designated sites within or adjacent to its boundaries. Habitats of highest ecological value, such as broadleaved woodland, will be retained and buffered within the scheme. The assessment confirms that the site can accommodate a higher quantum of development whilst meeting national requirements and remaining technically suitable.

Arboriculture: An arboricultural survey confirms there are no Tree Preservation Orders, Ancient Woodlands, or Veteran Trees on the site. All trees are to be retained where possible, with any removals limited to low-quality specimens. Encroachments into root protection zones will be minor and managed by appropriate tree protection measures. The landscape strategy proposes additional tree planting along key boundaries, supplementing existing vegetation and contributing to overall biodiversity net gain. The development is not considered to result in a likely significant effect in respect of arboriculture.

Flood Risk and Sustainable Drainage: The majority of the site lies within Flood Zone 1, with the concept masterplan being informed by this. All development including dwellings, access and egress can be delivered within Flood Zone 1 in accordance with the NPPF. The proposed development is supported by a drainage strategy, which includes sustainable urban drainage systems (SuDS) and ensures that occupiers and users will remain safe from current and future surface water flood risk for the lifetime of the development, without increasing flood risk elsewhere. The sequential test is not required in this context. The drainage network is designed not to exacerbate existing flood risk upstream or downstream, in accordance with the NPPF and Environment Agency criteria.

Ground Conditions: A Phase 1 Ground Investigation Report confirms the site is underlain by Head Deposits and Branscombe Mudstone Formation. The site is considered to be between very low and low risk in respect to contamination and ground gas, with no significant concerns for development. As a result of the above, the sites capacity should be increased to allow for further development.

Noise: An Acoustic Design Statement demonstrates that, through good acoustic design, suitable internal and external amenity standards can be achieved. The site is suitable for residential development in terms of noise levels, and the draft policy should be amended to align with this.

Highways: The site and proposed development is supported by a Transport Assessment and Residential Travel Plan, prepared in consultation with Devon County Council, which confirms that each development parcel can benefit from primary access routes from Northcote Hill. The access points and road hierarchy have been accepted by the Highway Authority. The scheme prioritises high-quality walking, cycling, and public transport infrastructure, in addition to traffic capacity. A pedestrian footway will be constructed along Northcote Hill's northern flank, connecting to the town centre, and a footway is also proposed along the southern boundary. GH/ED/39b is well located for access to existing bus services and Honiton Railway Station.

Trip generation and junction capacity analysis demonstrate that traffic impacts will be insignificant. The Travel Plan, to be secured through a S106 Agreement, sets out measures to reduce car use and promote sustainable transport, with effectiveness monitored over five years.

Energy and Sustainability: The site is supported by an Energy and Sustainability Statement, which demonstrates that the proposed development responds positively to local and national sustainability requirements. Measures include an overheating assessment, water efficiency standards, climate change allowances in flood risk and drainage, and biodiversity enhancement. The dwellings will adopt a fabric-first approach, reduce embodied carbon, be ‘net zero’ ready, and focus on renewable energy opportunities.

Air Quality: The site has been subject to an Air Quality Assessment, which confirms that, with mitigation, dust emissions during construction will be not significant, and operational impacts on NO₂, PM₁₀, and PM_{2.5} will be negligible. The site is suitable for residential development in air quality terms, and recommended mitigation measures will be implemented during construction.

Health Impact Assessment: The site and proposed development, is supported by a Health Impact Assessment, which confirms that the development will deliver health benefits by providing necessary housing, employment opportunities, and services, while reducing environmental risks and supporting improved health and wellbeing.

Full name: Iwan Easton

Organisation (where relevant): Boyer Planning

Other party name (if relevant): 3West Developments Ltd

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.:

3.3 Alongside the revised draft Local Plan, the Council has also published a revised Sustainability Appraisal (SA), in which Land at St John's, Exmouth (EXMO_20) has been assessed against the SA Objectives. The current SA identifies the site as a suitable strategic allocation and supports its role in meeting Exmouth's housing and sustainability needs within the plan period.

3.4 3West Developments broadly agrees with the majority of the SA scoring against the SA objectives and considers that the appraisal appropriately recognises the strategic merits of the St John's allocation. Where minor points of clarification or additional evidence are relevant, these are addressed below.

3.5 An assessment of the Council's SA findings is set out below, which is accompanied by a revised site suitability assessment undertaken by Boyer. This reassessment provides further evidence that the St John's site is capable of accommodating the scale of development proposed in the Draft Local Plan and supports the conclusion that the allocation represents an appropriate, sustainable and deliverable option for growth in Exmouth.

3.6 The above revised site suitability assessment for Land at St John's, Exmouth (EXMO_20), which has been informed by the site's specific technical surveys and assessments prepared by relevant technical consultants, demonstrates that the site is capable of accommodating the scale of development proposed for St John's Woodland Village (up to circa 700), while continuing to positively contribute towards EDDC's Sustainability Objectives. Technical Reports

3.7 These representations are supported by a full suite of Technical Reports, which have informed the St John's Woodland Village concept masterplan for Land at St John's, Exmouth (EXMO_20). These reports demonstrate that the site is suitable for the scale of development proposed in the Draft Local Plan and can be delivered in a manner consistent with the Vision Statement.

3.8 The technical reports demonstrate that the St John's site is capable of accommodating the level of development proposed in the Draft Local Plan in a sustainable and well-designed manner. The technical reports are summarised below.

Landscape

3.9 A Landscape and Visual Appraisal was prepared by LDA Design which outlines the key landscape constraints of the site. The appraisal confirms that the site lies outside any formal landscape designation. The site is situated close to East Devon National Landscape and the Pebblebed Heaths SPA/SAC/SSSI to the north. Although not directly within these protected areas, the site's visibility from higher ground, such as the B3179, and its proximity to the designated landscapes introduce important visual and environmental sensitivities. A 400m buffer from the SPA/SAC has been integrated into the masterplan, limiting development on the more prominent northern ridgeline.

3.10 The site's landscape character is defined by rolling farmland, mature woodland, hedgerows, and the presence of St John's in the Wilderness Church, a heritage feature. The emerging masterplan responds to these constraints by focusing development in the lower, less sensitive areas of the site, incorporating substantial green infrastructure, and preserving key views and natural features to ensure a respectful transition between the town and surrounding countryside.

3.11 The proposed development will not result in a significant effect on landscape.

Transport and Highways

3.12 A technical note has been prepared by SLR Consulting to assess the potential traffic impact of the development, particularly on key routes. To assess the traffic impact, the study examined how vehicle trips generated by the development are distributed and assigned across key access routes. Traffic data was gathered using Automatic Traffic Counters (ATCs) over a seven-day period, allowing comparison of projected increases against typical daily fluctuations to determine if mitigation measures are necessary.

3.13 The technical note concluded that suitable vehicular access can be achieved into the site, with proximity to the local highway network and existing infrastructure. Traffic modelling indicates that most surrounding routes will experience negligible increases in traffic flow, Dinan Way is projected to see traffic increases exceeding the typical 10% threshold during peak hours, however, this is not likely to be in excess of 30%, and therefore the overall impact is not considered to be significant. Ecology and Arboriculture

3.14 A Preliminary Ecological Appraisal (PEA) has been undertaken by GE consulting to identify potential ecological constraints associated with the site. The assessment comprised both a desk study and a walkover habitat survey in accordance with UKHab (2023) guidance. The desk study included a review of available ecological records,

supported by data from the Devon Biodiversity Records Centre (DBRC), to determine the proximity of designated sites and the potential presence of protected or notable species. The walkover survey recorded habitats on site, including any features of ecological interest, invasive species, or signs of protected fauna.

3.15 No overriding ecological barriers to development have been identified. The site's ecological assets can be addressed through further survey work, appropriate mitigation, and habitat enhancement. The findings of these assessments will inform the site's design evolution and ensure compliance with planning policy, biodiversity legislation, and the National Planning Policy Framework (NPPF). The Proposed Development will not result in a significant adverse effect on ecology. Heritage and Archaeology

3.16 A technical note regarding the heritage impact of a proposed development has been prepared by Alan Baxter Ltd, which included a review of historic mapping, and understanding of the development of nearby designated assets and a site visit to assess topography and intervisibility.

3.17 The Technical Note concluded that the proposed development would have a limited impact on designated heritage assets within and surrounding the site. The Grade II listed buildings along St John's Road would be well screened and physically separated from the development, resulting in a neutral effect on their setting and significance. The Grade II* listed church would experience a degree of change to its wider rural setting due to the introduction of built form to the north, east, and south, although its immediate setting remains largely unaffected.

3.18 This change is assessed as resulting in a low level of less than substantial harm, at the minor end of the spectrum, in line with national policy. The impact is confined to the contribution made by the church's wider setting, and not its core heritage value. With further design refinements and landscape mitigation, it is likely that this impact could be reduced further.

3.19 The proposed development is not considered to result in a significant effect on heritage assets. Flood Risk and Drainage

3.20 The majority of the site lies within Flood Zone 1 (i.e the lowest Flood Risk Zone), with small areas located within Flood Zones 2 and 3 to the west of the site associated with an existing watercourse running from the north to the south, which would be kept free from development.

3.21 The existing surface water flooding can be addressed through the creation of a new Sustainable Drainage System to manage surface water runoff across the site effectively. The proposed development will be delivered outside of areas at risk of flooding (from all sources).

3.22 The proposed development will not result in a significant effect on flood risk.

Samantha Thomas

Full name: Samantha Thomas

Organisation (where relevant): Carney Sweeney

Other party name (if relevant): Stuart Partners Ltd

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.:

1. The changes to the SA are considered to go beyond what could be described as minor. At paragraph 2.25 of the revised, it states that “...most changes to the topic-based policies are relatively minor, so do not require changes to the SA. One of the exceptions is Strategic Policy AR02 which was amended to incorporate water quality, as well as efficiency, leading to more positive effects on biodiversity and water quality.”
2. There are significant additions to the SA on Marlcombe, particularly a completely new section appraising the different scenarios for the development of the masterplan.
3. Para 2.27 states that updates have also been made to key elements of the baseline information and relevant plans, policies and programmes.
4. The SA for Marlcombe is based on traffic modelling that was undertaken for 2,500 dwellings at each Option. It is notable that the plan period runs to 2042 and the 2nd Reg 19 draft LP anticipates that 3,312 homes will be delivered at Marlcombe by 2042.
5. The SA presents significant new material on the new settlement – which totals 8,000 and is a substantial part of the LP spatial strategy. The information amounts to a significant change from the 1st Reg 19 draft, including an assessment of multiple masterplan options.
6. The archaeological evidence for individual sites fundamentally changes the conclusions of the SA on some sites. Whilst Brcl_26 was preferred in the first draft, by the second draft it was rejected because of a major negative effect upon the historic environment due to the likely presence of regionally significant archaeology, and high flood risk on site including at the likely access point. This led to the deletion of Strategic Policy WS11 in the 2nd publication draft.
7. The HRA also introduces new evidence that has changed the assessment against the SA objectives for individual sites. This information was not included in the first draft, presumably because it wasn’t available at that time. This led to site assessments that could not have been legally compliant.

Neil Mantell

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

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 6.71 The Regulation 19 Sustainability Appraisal (Document CSD-003(rev)) tested three options for the housing requirement within East Devon, as follows: ? Option A - 950 dwellings per annum (20,909 dwellings over the plan period); ? Option B - 1,045 dwellings per annum (22,990 dwellings over the plan period); and ? Option C - 1,188 dwellings per annum, a total of 26,136 dwellings over the Local Plan period. 6.72 Option A is the proposed approach in the consultation version of the Local Plan, whilst Option C reflects the local housing need figure at the time that the first Regulation 19 consultation was published. 6.73 None of the options tested in this latest consultation relate to the most up-to-date local housing need figure, calculated via the standard method (1,156 homes per annum); indeed, despite testing a higher option (Option C), the Local Planning Authority concluded that the current local housing need figure was: “...not considered a reasonable alternative as the Local Plan is not changing significantly between the two Regulation 19 stages, to comply with government guidance on Local Plan transitional arrangements. Changing the housing requirement is considered a significant change, so not within the scope of the Second Regulation 19 Publication Draft Local Plan.” 6.74 This emphasises again that the Local Plan has been formed in a manner that does not intend to meet needs in full and instead seeks to exploit the transitional arrangements provided by the December 2024 version of the NPPF. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 35 6.75 DWH are of the view that at the very least, this option should have been tested, for it would have given full and proper effect to Objective 3 of the emerging Plan (to meet people’s housing needs) and the element of the Plan’s vision that relates to ensuring that urban areas and towns and villages grow to meet future needs. Dismissing such an obvious reasonable alternative at this stage suggests pre-determination of the outcome. It further demonstrates that the Local Planning Authority’s focus was purely on providing the minimum quantum of homes required by the transitional arrangements and not, as is suggested in the Plan, being serious about meeting local needs. 6.76 The Local Planning Authority’s analysis concludes that Option A is the preferred option, as it will deliver a significant amount of new housing at a level that is consistent with the NPPF, with less adverse environmental effects. Conversely, Options B and C were rejected due to the significant adverse environmental

impacts of delivering a higher level of housing. 6.77 However, having reviewed the analysis set out in the document, DWH considers it to be significantly flawed, for the following reasons: ? it is assumed that any additional growth above Option A would be directed to a third new community, ignoring the contribution that sites like land to the west of Lilypond Lane, Whimble, can make towards meeting needs; ? despite Option A failing to provide for just over one in every five homes required and providing no step change in the housing provision figure from the 2016 Local Plan, it scores the same for SA Objective 8 (homes) as Options B and C, the latter of which would result in needs being met in full and a greater level of affordable housing; ? despite the requirement for developments to mitigate and compensate for any impacts and to provide a 10% net gain (or greater if the emerging Local Plan is adopted in its current form), the harm to biodiversity is assessed as being greater for Options B and C, than A. It is noted that the impacts of higher levels of housing on UK National Site Network sites are identified as being greater in Options B and C than A. This, however, does not recognise the operation of the Habitats Regulations, which requires, unless imperative reasons of overriding public interest are demonstrated, for development to not, individually, or cumulatively, adversely affect the integrity of such sites; ? no confirmation of where the additional growth above Option A would be located is provided. Despite this, there is an assumption that the additional growth would have a greater harm to the historic and built environment. This analysis particularly ignores the requirements of para. 212 of the 2023 version of the NPPF; ? no assessment of the ability for on-site treatment, including multi-stage treatment and waste water treatment plants, such as that proposed at the new community, is provided to offset any effects on the Exe Estuary SPA or the River Axe SAC; ? the lower score for Options B and C against SA Objective 10 (access to services) is predicated on the additional growth being accommodated in a new town and that new town providing fewer services. It does not consider how the higher levels of development proposed under Options B and C could have been dispersed to existing settlements with existing services and facilities; ? all options score the same for jobs and employment, as, inter alia, they would result in the provision of housing for the workforce. However, as demonstrated above, the housing provision contained within the emerging Local Plan does not result in a level of housing to support the workforce required by the ‘clean growth’ approach, which has been adopted in the emerging Local Plan. As outlined in the Local Housing Needs Assessment, housing in neighbouring authorities is required to ensure an adequate workforce, which would result in more pronounced negative outcomes for other SA Objectives than has currently been assessed (i.e. SA Objectives 4 and 13); and SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 36 ? the analysis provided for SA Objective 13 (connectivity and transport) ignores the opportunities to accommodate additional levels of growth at sustainable settlements, such as Whimble, where services, facilities and active and sustainable transport opportunities exist. 6.78 It is instructive to note that the analysis contained within the Sustainability Assessment did not conclude that

there was an over-riding infrastructure or environmental capacity constraint that would prevent the full objectively assessed need being accommodated. The analysis simply expresses a preferred option, but based on what DWH consider to be a flawed assessment process. 6.79 Analysis provided at Appendix 5 of these representations suggests that a requirement that met local housing needs should have been the preferred option.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

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 7.33 DWH note that the Sustainability Appraisal (Document CSD-003 (rev)) in relation to emerging Strategic Policy SP02, contains an assessment of what the Local Planning Authority considers to be reasonable alternatives for the total housing provision across the plan period. No assessment is provided of the application of the stepped trajectory within the Policy, or the level of the step. 7.34 In that regard, DWH draw attention to the letter issued by the Inspectors of the emerging Wiltshire Local Plan dated 22nd December 2025, which, in regard of the use of a stepped trajectory within that Plan, states: “Turning to the proposal to include a stepped housing requirement in the Plan as submitted, we consider that it is neither positively prepared nor justified. Whilst we note that the HRA indicates that a stepped trajectory should be considered, no clear evidence has been provided to justify at what level the step might be set at or its duration. Furthermore, the level of the step does not appear to have been subject to SA. Evidence was also provided during the hearings that the step was lower than current rates of housing delivery in the County. We are therefore concerned that it is not justified and would serve to unnecessarily delay meeting identified housing needs. In reaching this view, we note that there has not been a significant change in the level of the proposed housing requirement in the Plan when annualised and compared with the Wiltshire Core Strategy (document DP/01). Moreover, the housing trajectory provided in the submitted Plan does not seemingly correspond with a reliance upon strategic sites that would have phased delivery...” (our emphasis).

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

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 5.30 As indicated above, the proposed spatial strategy seeks, in general terms, to continue to follow that set out in the adopted Local Plan, which itself was prepared in the context of the 2012 version of the NPPF. Consequently, at Examination, it would have been necessary for the Local Planning Authority SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 20 to demonstrate that it was “the most appropriate strategy, when considered against reasonable alternatives...8 ” 5.31 It follows that unless there has been a material change in circumstance since the Inspector’s Report was published in January 2016, the proposed spatial strategy should again be considered as being appropriate (noting that for the emerging Plan to be justified and therefore a sound proposition, the 2023 version of the NPPF only requires the Local Plan to promote “an appropriate strategy,” rather than “the most appropriate strategy” in the 2012 version of the NPPF). 5.32 At a macro level, DWH is not aware of any material considerations that would suggest that a more appropriate spatial strategy should be adopted. 5.33 Indeed, the Sustainability Appraisal (Document CSD-003(rev)) published alongside the consultation version of the Local Plan continues to suggest that the proposed spatial strategy is preferred as it: “...promotes development at existing settlements where there is a range of jobs, services, and facilities; whilst also focussing development where there is good connectivity in close proximity to a much wider range of jobs, services, and facilities in the West End and Exeter. The scale of development proposed in the new town offers the greatest potential for a mix of uses, reducing the need to travel and providing opportunities sustainable travel links, which provides better accessibility and reduced carbon emissions (sic)9 .” 5.34 However, for the reasons set out above, DWH considers that there is a strong case for Whimple to be afforded a greater role in the spatial strategy, as a Tier 3 Local Centre. Indeed, as has been demonstrated, it has a comparable level of services and facilities to other Tier 3 settlements within the District. On the face of the evidence, it could not be considered to be a justified proposition to not include Whimple as a Tier 3 settlement. 5.35 Using the Sustainability Appraisal’s own analysis, the promotion of Whimple to a Tier 3 Local Centre, with the additional resulting development, would provide a number of positive outcomes against the Sustainability Appraisal’s objectives, including: ? SA Objective 2 (Landscape) - it would continue to focus development outside nationally designated landscapes and/or the undeveloped coast; ? SA Objective 4 (Climate change and carbon emissions) - Whimple

has a good range of services and facilities that are capable of supporting a larger population. It is also within an active travel distance of the services, facilities and employment opportunities within the West End and Exeter, which are also connected by sustainable modes of transport (the West of England Main Line). A greater focus of development at Whimble would therefore provide a strong alignment with the Objective. ? SA Objective 5 (Climate change adaption) – the analysis identifies Whimble as being located within a Critical Drainage Area and therefore it identifies development in such locations as having an uncertain effect. However, in some cases, as has been demonstrated in Section 2 above, development in such a location can help to reduce the issue. In such a circumstance this would achieve a positive outcome. ? SA Objective 6 (Land resources) – the analysis identified that Whimble is affected by a Minerals Safeguarding Area. This overplays the situation, with the designation extending to the north of the A30, but being divorced from the undeveloped areas of land that surround Whimble. Additional allocations at the settlement would therefore not affect any Minerals Safeguarding Area. 8 Para. 182 of the 2012 version of the NPPF 9 Page 178. SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 21 ? SA Objective 8 (Homes) - further development at Whimble is likely to result in additional smaller-scale developments coming forward, which, as identified in the analysis, are faster to build-out. In the context of: (1) the requirement not meeting the objectively assessed need for housing; and (2) the need for a stepped trajectory for the first 12 years of the Plan, a greater number of small-scale sites would help to provide a closer alignment with needs in the first part of the plan period. ? SA Objective 9 (Health and wellbeing) – further development at Whimble would ensure that future residents have access to the sports provision within the settlement, as well as other rural recreation opportunities. It is also connected via active and sustainable modes of transport to the existing and proposed leisure opportunities within Cranbrook. ? SA Objective 10 (Access to services), SA Objective 11 (Jobs and employment) and SA Objective 13 (Connectivity and transport) – further development at the Service Villages was identified as resulting in a greater volume of travel to Exeter from inaccessible areas, with poorer travel links. This, however, is not the case for Whimble, which benefits from active and sustainable travel connections to East Devon's West End and Exeter. If Cranbrook, which lies just 1km to the west of Whimble/one stop on the West of England railway line is considered to be a sustainable location to accommodate development, then, by definition, so should Whimble. 5.36 Consequently, an enhanced role for Whimble in the spatial strategy, which has both the services, facilities and environmental capacity to accommodate further growth, could result in a pattern of development that is consistent with the spatial strategy. It would also strengthen the positive outcomes against the SA Objectives for the preferred spatial strategy.

Full name: Neil Mantell

Organisation (where relevant): LRM Planning

Other party name (if relevant): David Wilson Homes

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 – CSD-003(REV)

9.22 DWH have a number of concerns relating to the Sustainability Appraisal. These concerns relate to: ? the approach taken in the Sustainability Appraisal regarding assessing options for the housing requirement to be set closer to the local housing need; and ? the failure to assess land to the west of Lilypond Lane as a reasonable alternative.

9.23 Their concerns are set out in turn below. Assessment of alternative levels of housing provision

9.24 As set out in Section 6 above, three options were tested for the most appropriate housing requirement, as follows: ? Option A – 950 dwellings per annum (20,909 dwellings over the plan period); ? Option B – 1,045 dwellings per annum (22,990 dwellings over the plan period); and ? Option C – 1,188 dwellings per annum (26,136 dwellings over the plan period).

9.25 Option A represents the housing requirement contained within the emerging Local Plan, whilst Option C represents the local housing need figure at the time the Regulation 19 Plan was published. Despite, at the time of the first Regulation 19 consultation, the Local Planning Authority assessing the then local housing need figure calculated by the standard method (and again in Document 36 East Devon District Council, Site Selection Report Whimble (February 2025), para. 1.6.

SECOND EAST DEVON LOCAL PLAN PUBLICATION DRAFT CONSULTATION 55 CSD-003(rev)), the current and up-to-date local housing need figure (1,156 dwellings per annum), was dismissed as being a reasonable alternative, as: “...the Local Plan is not changing significantly between the two Regulation 19 stages, to comply with government guidance on Local Plan transitional arrangements³⁷.”

9.26 As set out in Government guidance, “reasonable alternatives are the different realistic options considered by the plan-maker in developing the policies in the plan³⁸.”

9.27 The current local housing need figure is clearly a realistic option that should have been considered by the plan-maker, particularly as national planning policy confirms

that the emerging Local Plan should, in order to be considered to be positively prepared and consistent with national policy, meet objectively assessed development needs, unless the application of the tests outline in para. 11 of the NPPF suggest that it is unachievable. Such evidence has not been provided by the Local Planning Authority. It would have also provided a strong fit with Objective 3 of the emerging Plan.

9.28 The lack of consideration of such an obvious reasonable alternative strengthens DWH view that the second consultation has been more focused on exploiting the opportunity provided by the transitional arrangements contained within the December 2024 version of the NPPF and less concerned about making a conscious effort to meet local housing needs.

9.29 Consequently, DWH do not consider that at present, the Plan has assessed all reasonable alternatives to Policy SP02 of the emerging Plan. It is therefore unjustified.

9.30 Notwithstanding the above, having undertaken an assessment of the options against the SA Objectives, the Sustainability Appraisal concludes that Option A is the preferred option. However, DWH note that there are a number of technical deficiencies with this approach. These concerns are set out in detail in Section 6 of this representation and for brevity, are not repeated here.

9.31 A re-assessment of the Options is provided at Appendix 5 of these representations, albeit Option C has been updated to reflect the current local housing need figure (1,156 homes). This analysis would suggest that revised Option C is preferable. Land to the west of Lilypond Lane

9.32 The Sustainability Appraisal does not consider the development potential of land to the west of Lilypond Lane. It is assumed that this is because of the conclusions presented within the HELAA; that the site is probably unachievable.

9.33 For the reasons set out above, this is an incorrect conclusion. The reasonable alternative presented by the site has not therefore been considered, which means that the Plan is unjustified. Accordingly, the site should be subject of assessment in future versions of the Sustainability Appraisal.

James McMurdo

Full name: James McMurdo

Organisation (where relevant): McMurdo Land Planning and Development Ltd

Other party name (if relevant): Stuart Partners Ltd

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.: McMurdo Land Planning and Development Ltd on behalf of Stuart Partners Ltd.

Sustainability Appraisal (SA) The SA highlights significant constraints that effect a number of allocations identified within Chapter 5. Development in the Towns and Villages. The housing requirement supply figures identified by policy SP03 (Housing Requirement Figures for Designated Neighbourhood Areas) rely on the allocations identified within Chapter 5.

Landscape The SA includes a landscape objective to conserve and enhance the special qualities and distinctive character of landscapes, undeveloped coast, and seascapes. Policy SP02 has been appraised as having a “minor negative effect in contributing towards the achievement of the objective”. However, this “score” is applicable to policies affecting sites within the setting of National Landscapes (NL). Policies effecting sites within NL, are instead “scored” as likely to have “a major negative effect in contributing towards the achievement of the objective.” The housing requirement set by this policy is proposed to be met by a number of sites within NL, as such the accuracy of this overall “score” is questionable at best. In appraising the site allocations, a number of sites are, now (and only now), described as requiring considerable landscape mitigation and high quality design as a result of the site’s sensitivity, but that major/significant negative effects remain likely. This includes sites: Budl_02 (35 homes), Kilm_9b (23 homes), Kilm_10 (5 homes), Newt_04 (20 homes), Newt_05 (20 homes) and Otto_01 (10 homes). As such, the delivery and capacity of these allocations (equating to 113 homes) is far from certain. Site allocations Exmo_17 (410 homes), Gitti_05 (310 homes), Honi_07 (30 homes), Honi_13 (10 homes), Musb_01a (15 homes), Dunk_05 (43 homes), Ebud_01 (15 homes) and Sidm_34 (43 homes) are all within NL. Of these, Exmo_17 (410 homes) is dependent on an agreed Masterplan to demonstrate how development will be undertaken to conserve and enhance the NL, and the remaining 466 homes will require further detailed assessment to “maximise opportunities to conserve and enhance the National Landscape”. Despite allocation, the deliverability

and capacity of these sites is questionable at best in the absence of detailed assessment of landscape impacts.

dr helen crighton

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

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Alison Earp

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Sophie Glanfield

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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]

Alison Humphrey

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Proposal: Sustainability Appraisal

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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.

Nigel Humphrey

Full name: Nigel Humphrey

Proposal: Sustainability Appraisal

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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.: 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.

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John Hamill

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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.

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Wade Jaradine

Full name: Wade Jaradine

Proposal: Sustainability Appraisal

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Exmo_20 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. Secondly, 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. Thirdly, 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.

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Jacqueline Mary Lock

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Mr Tom Pearson

Full name: Mr Tom Pearson

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.:

First point On page 392, the Sustainability Appraisal (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 Local Planning Authority (LPA) has repeatedly refused to reflect this wording in the Local Plan, stating that development including buildings can be located within the top 400m. The Local Plan should accord with the assessment in the SA by clearly stating “No Built Development” within this 400m buffer. The viability of the site allocation should be reassessed in light of this constraint, which further compounds the significant and material reduction in the developable area arising from the falsely claimed 85ha site boundary approved for allocation in the draft Local Plan on 3 September 2024. Second point 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.” Again, the LPA refuses to reflect this wording in the Local Plan, instead stating multiple times that development, including buildings, can be located within the top 400m. The Local Plan should accord with the SA, removing the 400m zone adjacent to the Pebblebed Heaths SAC/SPA/SSSI from the site allocation and revising the settlement boundary accordingly. The viability of the allocation should be reassessed due to the inability to construct the proposed access road without directly conflicting with the SA’s conclusions, in addition to the further reduction in site area caused by the 400m constraint that compounds the material reduction from the falsely claimed 85ha site boundary approved on 3 September 2024. Third point On page 399, the SA states, in relation to 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 SA by removing the 400m zone adjacent to the Pebblebed Heaths SAC/SPA/SSSI from the Exmo_20 site allocation and revising the settlement boundary accordingly. The viability of the site allocation should again be reassessed due to: the inability to construct the proposed access road without contradicting the SA’s conclusions, and the additional reduction in site area resulting from the 400m

constraint, further compounding the material reduction from the falsely claimed 85ha approved on 3 September 2024.

Billy reed

Full name: Billy reed

Proposal: Sustainability Appraisal

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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: Thomas Shillitoe

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: Thomas Shillitoe

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: Thomas Shillitoe

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: Thomas Shillitoe

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]

Emily Turner

Full name: Emily Turner

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. Secondly, 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. Thirdly, 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: Emily Turner

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. The evidence provided was false, 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 committee was misled and the decision is therefore invalid.

Full name: Emily Turner

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.

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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: Emily Turner

Proposal: Sustainability Appraisal

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Stephen Winn

Full name: Stephen Winn

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.:

Objection 1 – Lack of Transparency in the SA Update Process The revised Sustainability Appraisal (SA) cannot be meaningfully reviewed because no Schedule of Changes or tracked changes version has been provided. Without these documents, it is impossible to identify or assess the “specific changes listed in the Schedule of Changes”, as required by the consultation instructions. This omission prevents stakeholders from making representations in accordance with the consultation requirements. The Schedule of Changes and a tracked changes version must be published and made available for consultation. [Evidence: 2nd Regulation 19 consultation SA Commonplace page] _____

Objection 2 – Fundamental and Unexplained Alterations to the SA The revised SA appears to introduce extensive and material changes that amount to a fundamentally different evidence base from the 1st Regulation 19 SA. This includes the reversal of earlier conclusions, notably the insertion of HELAA failed sites such as Exmo_20. The appraisal has been substantially rewritten in response to consultation criticism, rather than reflecting evidence available at the time of earlier decisions. Decisions made previously cannot legitimately rely on a subsequently produced appraisal to render those decisions sound. The retrospectively created Site Selection Methodology (Version 2, December 2024) is now heavily relied upon, but cannot retrospectively justify allocations. The allocation of Exmo_20 remains unjustified and unsound.

_____ **Objection 3 – Incorrect Treatment of Exmo_20 in Site Sifting** Exmo_20 should be shown as a “failed site sifting” (blue) on page 384, consistent with the HELAA findings of unsuitability and unachievability and with the Site Selection Methodology (May 2022) sifting stage. Its current depiction is inconsistent with the evidence base, and its inclusion in the draft Local Plan is unjustified and unsound. [Evidence: Site Selection Methodology (May 2022)]

_____ **Objection 4 – Incorrect Classification of Exmo_20 as a Reasonable Alternative** Exmo_20 is incorrectly identified as a reasonable alternative on pages 386–387.

- The HELAA found the site to be unsuitable and unachievable, not merely unachievable.
- No evidence has been provided demonstrating that constraints relating to access, mineral safeguarding, or proximity to the Pebblebed Heaths can be resolved.

- The necessary mitigation strategy and supporting HRA are absent, despite the HRA being a required Core Submission Document.
- The site was selected for allocation before Appropriate Assessment, contrary to the CJEU “People Over Wind” ruling.
- The site was not available as submitted in the HELAA and availability was not verified, meaning the site in fact fails all three HELAA tests: unsuitable, unachievable, and unavailable. Its inclusion is legally non compliant, unjustified, and unsound.

_____ Objection 5 – Inconsistency and Errors in the Assessment of Impacts on the Pebblebed Heaths Page 390 of the SA incorrectly describes the 400m exclusion zone as relating to “recreation impacts”, whereas the zone is defined by urbanisation effects, demonstrating a misunderstanding of the Habitats Regulations. Recreation impacts are assessed separately using different methodologies and mitigation. On page 391, Exmo_20 is not assessed consistently with other sites such as Exmo_04, despite being the largest and closest site (immediately adjacent) to the Pebblebed Heaths SAC/SPA/SSSI. The latest HRA identifies an “Inherent Conflict”. The SA also now references the Strategic Nature Area and draft Nature Recovery Network—material considerations introduced following consultation. These reflect the site’s high biodiversity value, including its role as supporting habitat for Section 41 Priority Species (Nightjar), consistent with NPPF paragraphs 180–181 (Dec 2023). The site’s allocation must be reassessed in light of this evidence. Its current justification is unsound. _____

Objection 6 – Misrepresentation of Site Size and Resulting Unsound Decision Page 392 of the SA records Exmo_20 as 85ha, and a site of this size was presented to the Strategic Planning Committee on 3 September 2024. Members relied on the site’s size when voting for its inclusion. However, the 85ha site was not available, rendering the decision based on incorrect information and therefore unsound. The actual available area is significantly smaller, materially altering the basis for allocation.

_____ Objection 7 – SA Findings on the 400m Exclusion Zone Not Reflected in the Local Plan The SA states that the 400m buffer “coincides with the higher, more prominent parts” of Exmo_20 and that “built development will not be permitted” within this area, reducing landscape harm. The Local Planning Authority (LPA) has repeatedly refused to reflect this constraint in the Local Plan, indicating instead that development may occur within the top 400m. The Local Plan must accord with the SA’s conclusion of “No Built Development” within the 400m zone. The viability of the allocation must be reassessed given this constraint and the substantial reduction from the inaccurately presented 85ha site approved on 3 September 2024. _____

Objection 8 – Failure to Apply SA Findings on Minerals Safeguarding and the 400m Buffer Page 396 of the SA acknowledges that the mineral safeguarding area overlaps with the 400m exclusion zone where development “will not be allowed”. This position is not reflected in the Local

Plan, where the LPA continues to assert that built development may occur within the top 400m. The Local Plan allocation boundary must be amended to exclude the 400m zone adjacent to the Pebblebed Heaths. The viability of the site should be reassessed, especially as the proposed access cannot be delivered without contradicting the SA's own conclusions. This compounds the material reduction in developable area from the misrepresented 85ha. _____ Objection 9 –

Inconsistent Application of Mitigation Principles Between Exmo_04 and Exmo_20 On page 399, the SA notes that mitigation within 400m of the Pebblebed Heaths is not possible for Exmo_04 or Exmo_20, resulting in the adjustment of Exmo_04 to Exmo_04a. No equivalent adjustment has been applied to Exmo_20 despite identical constraints. The Local Plan must apply the same approach, removing the 400m buffer area from Exmo_20 and revising the settlement boundary. The viability of the allocation must be reconsidered given the inability to provide access without breaching the SA's conclusions, and the further reduction in developable area from the inaccurately stated

Full name: Stephen Winn

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.: Page 390 of the SA incorrectly describes the 400m exclusion zone as relating to “recreation impacts”, whereas the zone is defined by urbanisation effects, demonstrating a misunderstanding of the Habitats Regulations. Recreation impacts are assessed separately using different methodologies and mitigation.

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S Winn

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Wesley Woltman

Full name: Wesley Woltman

Proposal: Sustainability Appraisal

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PAULINE STEWART

Full name: PAULINE STEWART

Proposal: Sustainability Appraisal

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Rachel Danemann

Full name: Rachel Danemann

Organisation (where relevant): Home Builders Federation

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.: HBF are unclear if an SA was produced to support the first Reg 19 consultation and what if any changes have been made to it to support the second Reg 19 consultation. We would have expected the SA to fully consider and test the implications of meeting the standard method housing figures in full, and the implications of opting for a higher housing figure to support growth, meet unmet need of neighbouring authorities and provide for a range and choice of sites.

Neil Butler

Full name: Neil Butler

Organisation (where relevant): Natural England

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.: Local Plans are likely to generate increased emissions of nitrogen oxides (NOx) and ammonia, and additional nitrogen deposition as a result of increased traffic generation associated with new development. As impacts from individual development management proposals would be difficult to quantify without an overarching assessment of the cumulative impacts from Local Plan development, it is necessary for this to be considered strategically at plan level. Natural England would expect the environmental assessment of the plan including the Sustainability Appraisal (SA) and the Habitats Regulations Assessment (HRA) to consider any detrimental impacts on the natural environment from these emissions. It should also suggest appropriate avoidance or mitigation measures where applicable. Technical guidance about the ecological impacts from road transport can also be found in the Natural England research report 'The ecological effects of air pollution from road transport: an updated review' (NECR199).