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Dear Local Plans Team

Representations to the East Devon Local Plan Regulation 19 Publication Draft

This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review 2020-2042. This representation is submitted by Savills on behalf of Sidbury Manor Estate who have an interest in the Land west of Two Bridges Road, Sidford (Sidm_06a).

Our representations to this consultation address the emerging allocation for the site, highlighting that whilst the principle of the emerging allocation is fully supported, we have some concerns with the specific allocation text.

We also have some significant concerns with key strategic aspects of the draft Local Plan, most notably the proposed housing requirement, which we consider remains an unsound basis upon which to proceed with the plan.

Our comments on this consultation and supporting evidence base are set out below and are made in accordance with paragraph 36 of the revised NPPF (e.g. that they are positively prepared, justified, effective and consistent with national policy), to assist in ensuring that the Local Plan is found sound when examined in the future. However, in its current form, we do not consider that the Local Plan is sound, and should not therefore progress to submission without amendment.

[Strategic Policy SP02: Levels of Future Housing Development](#)

It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory.

In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.



We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output.

This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads.

However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose.

This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that "any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)".

This suggests that the direction given in the current NPPF will remain unchanged.

Furthermore, when looking at the latest guidance in the PPG, under the heading "*How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?*", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states:

Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced.

However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis)

It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating

to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole.

We therefore maintain on the above basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply.

In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

Strategic Policy SD06: Sidmouth and its development allocations

We full support the principle of the allocation of the Land west of Two Bridges Road, Sidford (Sidm_06a).

The is well related to the existing settlement edge, lying adjacent to existing residential dwellings on Lower Brook Meadow and Brook Close.

The land is generally flat, with trees located along the site boundaries along with hedgerow.

Vehicular access can be achieved into the site via Two Bridges Road, although more direct pedestrian and cycle connections could be achieved via Lower Brook Meadow to the south.

The site falls within the National Landscape, albeit the National Landscape washes over the whole of Sidmouth and the wider area. The site falls within flood zone 1 so is not at risk of flooding.

It is considered to be entirely suitable for future development and is well located on the edge of the town. Development could also easily be delivered in a sensitive manner given the National Landscape designation.

Sidford is also an entirely appropriate location to allocate additional land and direct a proportion of growth within the Council's wider spatial strategy, with good connectivity to local services and facilities in Sidford as well as more widely within Sidmouth.

We consider that the development of this site will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the Sidford, and Sidmouth more generally.

However, in terms of the draft allocation itself, we note that changes have been made to the allocation text from the first Regulation 19 consultation.

We note the new draft wording reads:

Land west of Two Bridges Road, Sidford (Sidm_06a)

This land is allocated for development to the north of Sidford to accommodate around ~~30~~¹⁵ new homes.

In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development will need to play its part in supporting delivery of DCC's Sidbury - Sidmouth cycle route. The site is in the East Devon National Landscape and development should be informed by detailed assessment and design work to conserve and enhance the natural beauty of the site and its wider landscape setting. A new boundary hedge to the north-west of the site should be planted and maintained; The existing hedgerows should be retained where possible and a suitable scheme agreed and implemented to incorporate the existing spring into the development.

It is not clear from reviewing the draft plan and supporting evidence base why the proposed scale of development has been reduced from 30 dwellings as part of the first Regulation 19 consultation to 15 dwellings as part of this second consultation.

We can see that the 'Schedule of Changes made to the 2nd Reg. 19 Local Plan – CSD-0001b – November 2025' document confirms the reason for the change is *"In response to additional landscape work undertaken"*. This is mentioned once within the supporting document and does not include any further explanation or context.

Then looking at the supporting landscape evidence it is clear that the Council has published a Topic Paper titled 'Our outstanding landscape' (February 2025). This presents nothing in terms of supporting evidence to justify a reduction in the capacity of Site SIDM_06a.

Additionally, whilst the Council published a 'East Devon and Blackdown Hills Landscape Character Assessment' which sits within the evidence base this is dated March 2019 and is therefore not up to date.

Indeed, from a review of the supporting evidence base there is nothing new which justifies the Council's proposed reduction in the scale of development on the site from 30 dwellings to 15 dwellings. All of the relevant available evidence was available prior to the publication of the first regulation 19 consultation upon which the 30 homes proposed within SIDM_06a was based.

In light of the fundamental issues with the soundness of the draft plan given the proposed housing requirement, as outlined in our response to Policy SP02, we are surprised that the Council is not proactively exploring the opportunity to maximise the use of this particular draft allocation. Rather than seeking to reduce the scale of development we consider opportunities to increase the scale of development on the site should be explored.

As an absolute minimum, and in the absence of any evidence to support the proposed reduction in scale of development to only 15 homes, the draft policy should be amended to reinsert the previously proposed 30 homes.

However, we consider there to be good reasons, given the significant pressure to boost housing delivery, to explore an increase in both the scale of development and extent of the allocation boundary for this site.

Our view is that the allocation boundary could be extended from the boundary as drawn for SIDM_06a into part of the area falling within SIDM_06b which had previously been assessed by the Council and rejected.

The plan attached at Appendix 1, outlines what we consider to be a sensible and logical allocation boundary for SIDM_06a. This would follow the existing hedgerows from north to south and would avoid the need for the

planting of new hedgerows as included in the amended policy text. Such development within this extended allocation boundary could still easily be sensitively designed given the National Landscape designation. But the opportunity exists to deliver a small increase in the scale of development on the site which would still be read in context against the backdrop of the existing settlement edge. The increase would also help to deliver an important increase in the number of affordable homes on the site given the ongoing substantial local need.

In addition, the importance of the delivery of the first phase of the Sidford to Sidbury cycle route could be better supported by the development of this site if increasing the allocation boundary. As drawn, SIDM_06a excludes the first section of the cycle route, but extending the allocation boundary as suggested in Appendix 1 would help to ensure the first section of the cycle route is designed and delivered in connection with this site, which would be a much better placemaking solution.

Overall, whilst we fully support the principle of allocation SIDM_06a and consider it to be ideally located to deliver both market and affordable housing as required by the draft plan, we object to the proposed reduction in the number of homes within the allocation.

Instead, we consider the scale and extent of the allocation should be amended, and therefore request the draft text is amended as follows:

Land west of Two Bridges Road, Sidford (Sidm_06a)

This land is allocated for development to the north of Sidford to accommodate around ~~30~~⁴⁵ new homes.

In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development will need to play its part in supporting delivery of DCC's Sidbury - Sidmouth cycle route. The site is in the East Devon National Landscape and development should be informed by detailed assessment and design work to conserve and enhance the natural beauty of the site and its wider landscape setting. A new boundary hedge to the north west of the site should be planted and maintained. The existing hedgerows should be retained where possible and a suitable scheme agreed and implemented to incorporate the existing spring into the development.

The above amended text should sit alongside an amendment to the allocation boundary as suggested in Appendix 1.

Strategic Policy AR01: Flooding

Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we are concerned that the draft policy remains inconsistent with the provisions of the latest NPPF, notably paragraph 175 which updated the approach to the sequential test. This is copied below for convenience:

“The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).”

Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

Strategic Policy HN02: Affordable housing

We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “*all other local plan allocated sites*”.

We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan.

We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

Policy HN05: Self-build and custom build housing

Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound.

Whilst we still support the Council’s efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger “host” development sites.

At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider “host” development site:

- With the need for at least some design continuity between the “host” site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the “host” site is a significant health and safety challenge.

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner.

Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

Strategic Policy TR02: Protecting transport sites and routes

We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support specifically the Sidford to Sidbury Strategic cycle network schemes. We agree that the delivery of this route is critical in developing infrastructure to widen transport choice in the local area.

It is also clear however that in order to ensure this critical infrastructure is delivered draft allocation SIDM_06a can play a role given its location at the beginning of the route.

As suggested under our response to Policy SD06 (SIDM_06a) the extent of the allocation should be extended which would then help in terms of the delivery of the first section of the route from a placemaking perspective.

Strategic Policy OL10: Development on high quality agricultural land

We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification.

We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

Strategic Policy PB05: Biodiversity Net Gain

We note that no substantive changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to this policy as currently worded.

Most importantly, the draft policy continues to include the requirement for major development to deliver at least 20% BNG.

As set out in our previous representations, the PPG is very clear that there is no need for local planning policy to repeat national BNG requirements, and that local plans *“should not seek a higher percentage than the statutory objective of ten per cent biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified”*.

It adds: *“to justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”*

As a result of the above, the Council must revisit this draft Policy prior to the submission of the draft plan.

Conclusion

This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to support the emerging allocation for the Land west of Two Bridges Road, Sidford (Sidm_06a).

We fully support the inclusion of SIDM_06a in the plan, and consider Sidford to be a suitable location for future growth and to accommodate a proportion of the required growth within the spatial strategy.

The development of the site would provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in both Sidford and Sidmouth more widely.

We have however raised objections to the proposed reduction in the scale of development within Policy SIDM_06a from 30 dwellings to 15 dwellings with no supporting justification. As part of this we have requested changes to the allocation text and also an amendment to the allocation boundary to reflect the extent outlined in the plan at Appendix 1.

Outside of this draft allocation however, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF.

Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

We hope that these comments will be helpful to inform the submission version of the Local Plan, but would be very happy to assist further with any queries relating to SIDM_06a, particularly any discussions relating to the proposed allocation text and boundary.

Yours faithfully,



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Director
Planning

Appendix 1: Location Plan with suggested alternative allocation boundary

Site Location Plan - Land west of Two Bridges Road, Sidford (Sidm_06a)



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LANDMARK INFORMATION

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