

LOCAL PLAN REPRESENTATION

EAST DEVON LOCAL PLAN 2020-2040 (REG 18)

CONSULTATION DRAFT



Prepared on behalf of: South West Strategic Developments Ltd

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1.0 INTRODUCTION

1.1 Scope of the report

- 1.1.1 This Representation is prepared on behalf of South West Strategic Developments Ltd in response to the current public consultation exercise on the East Devon Local Plan 2020-2040 Preferred Options (Regulation 18) Consultation Draft.
- 1.1.2 South West Strategic Developments Ltd are working with the landowners in relation to the promotion of land at Broad Road and Green Lane, Feniton, Nr. Honiton, Devon, EX14 3ED. The site is referred to in the draft Local Plan Map for Feniton as LP_Feni_08. The land has been confirmed as being available by the landowner through the Housing and Economic Land Availability Assessment Call for Sites process. It should be noted that since the initial call for sites representation was made the landowner has made additional land available for development. This additional land was presented to members during the FENI_08 member's presentation. The full extent of the site is shown on the accompanying plan.
- 1.1.3 The purpose of this Representation is to provide feedback on the consultation draft of the East Devon Local Plan. There are various aspects of the draft Local Plan that are considered to fail the tests of soundness as outlined by paragraph 35 of the National Planning Policy Framework (the NPPF). This Representation highlights the key areas of concern and provides recommendations on how to make the Local Plan sound, such that it can pass successfully through Examination in Public. Comments are only made where the policy is relevant to the development of land in which the client has an interest.

2.0 THE SPATIAL STRATEGY OF THE LOCAL PLAN

2.1 How do you feel about Strategic Policy 1: Spatial Strategy?

- 2.1.1 In its current form Strategic Policy 1 is considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternatives. This is explained in greater detail below.
- 2.1.2 The policy currently only seeks to allow limited development at Service Villages to meet local needs. No definition is provided for the term 'meeting local needs', however it suggests a generally restrictive approach to new development at Service Villages. This is not consistent with paragraph 79 of the NPPF, which states that "*Planning policies should identify opportunities for villages to grow and thrive,*

especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

2.1.3 Despite the NPPF seeking to enable all villages to grow and thrive, Strategic Policy 1 aims to restrict development at Service Villages to only that which would meet local needs. This restrictive policy approach reflects that of the extant East Devon Local Plan 2013-2031 and of previous Local Plans in East Devon. Such policies have contributed to an ongoing trend of increasing property values and rental costs in the rural housing market as insufficient open market and affordable housing have been delivered over many years. The harmful impacts of this trend are significant and varied, for example:

- Those with local connections are often unable to afford to buy or rent properties and are thus priced out of their own communities.
- Young people (particularly young families) are disproportionately affected by issues of affordability and exclusion from the rural property market.
- Demographic diversity in rural communities is reducing as they become increasingly dominated by older generations. Conversely young families represent an ever diminishing proportion of the rural population as they cannot afford to buy or rent in those communities.
- Declines in demographic diversity have adverse consequences for rural communities. For example the viability of local facilities such as shops, pubs, schools and public transport can be undermined. It can also inhibit the ability of rural communities to support social clubs and community events, which are essential for their social sustainability.

2.1.4 Strategic Policy 1 is therefore considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternatives. The text of Strategic Policy 1 should be amended to provide for moderate growth within the Service Villages, appropriate to their scale, identity, and their location and accessibility.

2.1.5 In order to make the policy sound it is recommended that the fourth bullet point of the policy is amended to read as follows:

“Promote development that will allow the communities in the following Service Villages to grow and thrive: Beer, Branscombe, Broadhembury, Chardstock, Clyst St Mary, Dunkeswell, East Budleigh, Exton, Feniton, Hawkchurch, Kilmington, Musbury, Newton Poppleford, Otterton, Payhembury,

Plymtree, Sidbury, Stoke Canon, Tipton St John, Uplyme, Westclyst, West Hill and Whimple.”

2.2 How do you feel about Strategic Policy 2 – Housing Distribution?

- 2.2.1 In its current form, Strategic Policy 2 is considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternatives. This is explained in greater detail below.
- 2.2.2 The first concern is that the manner of housing distribution is based upon the approach advocated in Strategic Policy 1, which is also considered to be unsound. Significant housing development should be directed towards the more sustainable settlements, a greater level of development should be allocated within the smaller settlements, including the Tier 3 Local Centres and Tier 4 Service Villages. This would enable all sustainable settlements to help deliver housing to meet the district-wide need, create opportunities for moderate growth within sustainable settlements that offer a reasonable range of facilities and public transport links, and provide a basis to support and encourage growth in local services.
- 2.2.3 The second concern relates to the methodology which has been used to derive the distribution of new housing across the district. To highlight the problem this Representation will focus on the example of Feniton, which is proposed to be a Tier 4 Service Village in the new Local Plan.
- 2.2.4 Strategic Policy 2 indicates that 42 new dwellings should be delivered at Feniton in the period 2020-2040. However no explanation is given as to what assessment (if any) has underpinned this figure. Indeed it would appear that the figure has been somewhat arbitrarily selected. This is not a justified approach and fails to meet the requirements of national policy.
- 2.2.5 At paragraph 78 the NPPF states that *“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.”* Paragraph 79 goes on to state that *“Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”* National policy therefore requires housing policies to be informed by an assessment of local needs and opportunities for growth that will allow communities to thrive. No such assessment is presented in the draft Local Plan or the accompanying evidence base.
- 2.2.6 Strategic Policy 2 is therefore considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternative.

2.2.7 There are considered to be two options available to the Council to make the policy sound. These include:

2.2.8 **Option 1** – The Council could apply a robust methodology to determine the housing requirement for each of the towns and villages in the settlement hierarchy. For each settlement this would require evidence of local development needs and aspirations for growth, the availability of services and facilities and finally an understanding of their physical capacity for growth. For instance Feniton is a well serviced village and benefits from sustainable connections to Exeter (in particular the railway station) and should be considered suitable to accommodate a higher level of growth than other service villages which are not as well connected.

2.2.9 **Option 2** – The time and resources required to pursue option 1 may render it unworkable for the Council. As an alternative, the Council could simply set an overarching minimum housing target for the tier 4 Service Villages that accords with the settlement hierarchy in Strategic Policy 1 as amended in line with our suggestions above. New housing development could then come forward through a permissive approach to preferred and second choice allocations.

2.2.10 Development in smaller settlements would also provide opportunities for small to medium sized house builders and support this important section of the industry. It would also enable future homeowners a greater choice in relation to location of homes and house types.

2.3 How do you feel about Strategic Policy 3 – Levels of future housing development?

2.3.1 The draft Plan provides for a minimum level of housing growth to meet the identified housing requirement for the District, and in this respect is considered to be generally Sound. The proposal for a 'supply headroom' of about 10% to provide flexibility in housing supply over the Plan period is supported in principle.

2.3.2 The draft Local Plan makes provision for the delivery of at least 18,920 dwellings over the plan period. When the 10% headroom figure is added this equates to a supply of 20,800 dwellings. South West Strategic Developments Ltd agree with this approach in principle as this complies with the NPPF and is a positive and sensible response to housing delivery.

2.3.3 However, there appears to be a conflict with the approach set out in Strategic Policy 3 and the figures provided in Strategic Policy 2. Policy 2 – Housing Distribution sets out clearly within the accompanying table to the policy that 18,167 dwellings (908 dwellings) will be delivered over the new plan period –

with additional windfalls totalling 2,335 dwellings (117 per annum). This allows for a total of 20,502 dwellings. Whilst this total exceeds the standard method requirement, it does not meet the 10% headroom to ensure flexibility, choice and competition in the market required by the NPPF and falls short of the Policy 3 figure by 465 dwellings. This leaves Strategic Policy 3 unsound at present due to this shortfall.

2.3.4 Paragraph 3.17 of the draft Local Plan then goes onto state that:

*‘The policy requirement for provision of at least 18,920 dwellings in the district in the plan period is justified by evidence of local housing need based on the Standard Method, using the latest ONS statistics. To be sufficiently flexible and provide ‘headroom’, forecast supply in East Devon should be 10% above that figure. That equates to about 20,800 dwellings. At this time, **we forecast that there is potential to deliver approximately 20,441 dwellings** in the plan period from the supply categories we count towards meeting the requirement plus headroom. **This includes the potential sites being considered in policies 8, 17, and 19 – 26 in this draft plan.** The forecast potential supply meets the minimum housing requirement of 18,920 dwellings and would provide about 8% ‘head room’.*’

2.3.5 The figures contained within paragraph 3.17 of the emerging plan are based on Table 1 of the supporting evidence paper ‘Housing Need, Requirement and Supply’

2.3.6 It is noted that paragraph 6.7 of the Housing Need, Supply and Requirement Paper states *‘the reason for the small differences in completions and commitments in Table 1 compared to Table 2 is because Table 1 uses net supply figures (i.e. demolitions and other losses have been taken into account) whereas Table 2 (from the Strategic Policy in the draft plan) uses gross figures’.*

2.3.7 South West Strategic Developments Ltd therefore suggest that in any future iteration of the Local Plan, net figures are used, because gross figures artificially inflate the level of supply that will be achieved and would fail to meet the requirements of paragraph 11b of the NPPF which states that *‘strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses...’.* It would also fail to meet paragraph 35 of the NPPF which requires plans to be positively prepared.

2.3.8 Based on the evidence in the supporting interim paper on housing need, this suggests that all 2nd choice sites listed in Policy 2 of the Draft Local Plan need to be allocated in addition to an allowance for windfall sites. Given that this does not meet the headroom figure of 10%, it is suggested that additional land is required to ensure that choice and flexibility in the supply of housing can be made in

East Devon.

2.3.9 In conclusion, the draft local plan needs to allocate all 2nd choice sites (including FENI_08) listed in Policy 2 to meet housing need in order to achieve the headroom figure of 10%. This further ensures choice and flexibility in the supply of housing in East Devon.

2.4 How do you feel about Strategic Policy 5: Mixed use developments incorporating housing, employment and community facilities?

2.4.1 Strategic Policy 5 is considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternatives. This is explained in greater detail below.

2.4.2 Mixed use developments are entirely appropriate and the Local Plan should encourage such developments at suitable sites and in appropriate circumstances. However it is not appropriate that employment land should be provided at a set ratio in relation to housing development, or that residential developments should provide financial contributions to the delivery of employment premises elsewhere. Linking residential development with employment provision in this way will discourage residential development as it undermines scheme viability. The policy also fails to recognise that residential development does in fact provide employment space given that home working is standard practice for a significant proportion of the population.

2.4.3 It would be more appropriate for the Local Plan to make provision for employment and mixed use development in the Local Plan by allocating suitable sites and by creating a favourable policy context to enable unallocated sites to come forward. In this instance, South West Strategic Developments Ltd would be open to providing a small element of employment space within the allocation. Planning policy should facilitate flexibility to allow for market conditions and local need as opposed to prescribing set requirements.

2.5 How do you feel about Strategic Policy 7 – Development beyond settlement boundaries?

2.5.1 Strategic Policy 7 is considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternatives. This is explained in greater detail below.

2.5.2 The Local Plan proposes to define settlement boundaries around each of the towns and villages. Strategic Policy 7 states that development will not generally be supported outside of settlement boundaries as a matter of principle.

- 2.5.3 Settlement boundaries are an outdated and unhelpful mechanism by which to judge the sustainability credentials of a development proposal. The emphasis should not be on whether a proposed development is positioned on the correct side of an arbitrary line, as this approach simply prevents any genuine consideration of whether it does (or does not) represent a sustainable form of development. Rather than judging sustainability based on which side of a line a site sits, it should be judged through consideration of issues such as: access to jobs, local services and facilities, the needs of the local community, design quality; impacts upon heritage, landscape and townscape settings etc. Relying on settlement boundaries to control development effectively rules out any assessment of genuine sustainability.
- 2.5.4 There are also significant drawbacks to the use of settlement boundaries, which are a result of their overly simplistic nature. These include:
- Applying a presumption against new development outside of settlement boundaries increases pressure on sites within the settlement. This can result in a pattern of development that erodes the character of settlements, particularly in villages.
 - It is often the case that sites outside settlement boundaries are better related to services and facilities than sites within the boundary. In such situations settlement boundaries can actually discourage sustainable forms of development.
 - Although a Local Plan may allow for exception sites outside, but adjoining settlement boundaries, the reality is that this approach has led to a severe decline in the delivery of affordable homes at rural settlements.
 - Settlement boundaries are not sophisticated or flexible enough to take account of community needs and aspirations now or as they evolve through the Plan period.
- 2.5.5 Strategic Policy 7 is therefore considered to be unsound as it is not consistent with national policy and is unjustified when considered against reasonable alternatives.
- 2.5.6 To make the policy sound it is strongly recommended that the Local Plan applies well-considered criteria based policies, which allow for the needs and aspirations of rural communities to be met in a sustainable way, while ensuring the character of settlements is not undermined.
- 2.5.7 Any concerns that removing settlement boundaries could lead to uncontrolled speculative development

are unfounded. Sustainable development can be effectively managed through the use of criteria based policies which reflect a settlement's position within the settlement hierarchy. This type of approach has been applied successfully in other Local Plans across the south west region. Two such examples include the West Somerset Local Plan and the South Somerset Local Plan.

2.5.8 In the case of the South Somerset Local Plan, policy SS2 sets the following criteria for development in rural settlements:

“Development in Rural Settlements (not Market Towns or Rural Centres) will be strictly controlled and limited to that which:

- *Provides employment opportunities appropriate to the scale of the settlement; and/or*
- *Creates or enhances community facilities and services to serve the settlement; and/or*
- *Meets identified housing need, particularly for affordable housing.*

Development will be permitted where it is commensurate with the scale and character of the settlement, provides for one or more of the types of development above, and increases the sustainability of a settlement in general.”

2.5.9 Developments must also comply with further criteria in policy EQ2 in respect of safeguarding local character, reinforcing local distinctiveness etc.

2.5.10 In the case of the West Somerset Local Plan, policy SC1 gives support for development at Primary and Secondary Villages where it is *“within or in close proximity to the contiguous built-up area”* and where the following criteria are met:

- *“It is well related to existing essential services and social facilities within the settlement, and;*
- *There is safe and easy pedestrian access to the essential services and social facilities within the settlement, and;*
- *It respects the historic environment and complements the character of the existing settlement, and;*
- *It does not generate significant additional traffic movements over minor roads to and from the national primary and county highway route network, and;*

- *It does not harm the amenity of the area or the adjoining land uses.”*

2.5.11 In both cases these Local Plans have embraced the opportunity to discard settlement boundaries in favour of criteria based policies that allow a true assessment of a development’s sustainability credentials. It is strongly recommended that the Council applies an equivalent approach for the emerging East Devon Local Plan.

2.6 How do you feel about Strategic Policy 26 – Development at Service Villages?

2.6.1 Strategic Policy 26 is considered to be unsound in respect of the proposed approach to development at Feniton. The policy is unjustified when considered against reasonable alternatives. This is explained in greater detail below.

2.6.2 The proposals lists the sites and areas which are considered to be potential sites for allocation for development in East Devon’s service villages.

2.6.3 The policy proposes to allocate land and buildings at Burland Mead for around 42 dwellings. It is questionable whether the preferred site is capable of accommodating 42 dwellings as stated given the size of the site and nearby constraints. The draft consultation notes that the local plan does not show 2nd best performing sites as proposed allocations. The Council are consulting on differing scales of growth at Feniton and feedback received will inform the potential for additional land to be allocated for development. It is considered the Feniton should be accommodating greater growth than the allocation for 42 homes. In the region of 101-250 new homes over the plan period should be delivered at Feniton given that it is one of the more sustainable service villages.

2.6.4 The supporting text to the proposed policy highlights the suitability of Feniton as a location to accommodate a substantial number of new homes. The presence of the railway line and proximity to Exeter in particular contributes to the sustainability of the settlement. Feniton benefits from a range of services and facilities in addition to the railway station including a primary school, village hall, village shop and recreational facilities. The allocation of a single site for just 42 homes is considered to be not proportionate. It certainly would not be aspirational.

2.6.5 Furthermore, the allocation of a single site risks delivery of housing in the village. Should the preferred site deliver a lower yield than anticipated or not come forward for development at all, the policy position as proposed would leave limited options for the village to grow. The Council should look to allocate sites which would achieve a far greater quantum of development at Feniton and provide further options

for growth rather than relying on a single site. This additional allocation should be FENI_08 to include the additional land as presented to members during the member's presentation. A plan showing the extent of the proposed allocation will be submitted separately by email.

2.7 How do you feel about Strategic Policy 27 - Climate Emergency?

2.7.1 Whilst the principle of moving to a low carbon or carbon neutral society is supported, it should not be at the expense of compromising development viability, or go beyond the already stringent requirements of the Building Regulations.

2.7.2 South West Strategic Developments Ltd therefore considers that the Plan is Unsound in this respect, being neither positively prepared, justified, effective, nor consistent with national policy. It is therefore suggested that the text of Strategic Policy 27 should be amended to clarify that carbon neutral development should be an aspiration and not an absolute requirement.

2.8 How do you feel about Strategic Policy 28- Net-Zero Carbon Development?

2.8.1 Whilst the principle of moving to a low carbon industry is supported in principle, it should not be at the expense of compromising development viability, or go beyond the already stringent requirements of the Building Regulations.

2.8.2 South West Strategic Developments Ltd therefore considers that the Plan is Unsound in this respect, being neither positively prepared, justified, effective, nor consistent with national policy. It is therefore suggested that the text of Strategic Policy 28 should be amended to clarify that Net-Zero Carbon developments should be an aspiration and not an absolute requirement. The requirement for major developments to provide calculations for the whole life-cycle carbon emissions through a nationally recognised whole life cycle carbon assessment is disproportionate and adds an additional unnecessary burden to the planning process.

2.9 How do you feel about Strategic Policy 31 – Energy Storage

2.9.1 The use of energy storage facilities is encouraged. However, the binary approach to not permit this development where it is in direct conflict with any policy in the plan that allocates land for a different specified use is not sound. There needs to be leniency written into the policy to allow energy storage on sites that have been allocated for other uses. Where appropriate an energy storage facility could sit comfortably and harmoniously with other forms of development such as employment or residential uses.

2.10 How do you feel about Strategic Policy 39- Housing to address needs

- 2.10.1 The Councils objective to create sustainable, inclusive and mixed communities is supported. The aspiration for the delivery of good homes to meet identified need is also supported.
- 2.10.2 It is considered however that the housing mix should be representative of the locality and tailored to ensure site viability and delivery. To include sites for self-build and custom housebuilding, and sites for gypsies, travellers and showpeople, within larger housing allocations would be difficult to deliver given the differing interests and ownerships, and could prejudice site viability.
- 2.10.3 Moreover, by allocating plots for self-build, it can inflate the cost of the plots, removing much of what can be attractive to self-builds.
- 2.10.4 South West Strategic Developments Ltd therefore considers that the Plan is Unsound in this respect, being neither positively prepared, justified, effective, nor consistent with national policy.
- 2.10.5 It is proposed by South West Strategic Developments Ltd that the text of Strategic Policy 39 should be amended to propose that sites for self-build and custom housebuilding, and sites for gypsies, travellers and showpeople, should either be allocated separately from allocations for unrestricted market housing, or allowed to come forward as unallocated exception sites beyond settlement boundaries.

2.11 How do you feel about Strategic Policy 40 – Affordable Housing

- 2.11.1 South West Strategic Developments Ltd supports the principle of appropriate affordable housing provision on sites of 10 units or higher. The principle that the requirement should be reduced from the current 50% across most of the District, to 35%, is also supported, as is the proposal that at least 10% of affordable housing should be affordable home ownership products. The Plan is therefore considered to be Sound in this respect.

2.12 How do you feel about Strategic Policy 43 – Market Housing Mix

- 2.12.1 South West Strategic Developments Ltd supports the provision of a mix of property sizes. However, it is considered that this should not be applied as a blanket policy across all sites, since development also needs to take into consideration the existing character and density of the locality, particularly with reference to small and medium sized sites. There will be occasions where local characteristics dictate overprovision of larger, or smaller, homes on a particular site.
- 2.12.2 The Plan is therefore considered to be Unsound in this respect, being neither positively prepared,

justified, effective, nor consistent with national policy. The text of Strategic Policy 43 should be amended to propose that this policy should be applicable only to larger housing sites and / or to take the local character into consideration.

2.12.3 The Council should be working with local communities to carry out local housing need assessments to inform a case-by-case assessment of the appropriate housing mix. This would enable the delivery of housing, including housing to meet an identified need.

2.13 How do you feel about Strategic Policy 44 – Self-Build and Custom Build Housing

2.13.1 The provision of sites for self-build and custom build housing is supported. However, such sites should not be delivered as a percentage of larger sites but as bespoke allocations for self-build, or simply guided by policy support for self/custom-build within or adjacent to settlement boundaries.

2.13.2 Developers will be reluctant to offer self-build plots within larger sites as this can lead to conflict between the housebuilder and self-builder, particularly if the self-builder wishes to build to a different style or design than the other plots, is not a competent builder, or fails to complete the dwelling, leaving the self-build plot in an unfinished and untidy condition.

2.13.3 There could also be conflict surrounding the management arrangements of communal areas which may apply to the rest of a development but not a single plot.

2.13.4 South West Strategic Developments Ltd therefore considers that the Plan is Unsound in this respect, being neither positively prepared, justified, effective, nor consistent with national policy and proposes that the text of Strategic Policy 43 should be amended to propose that self-build plots will either be specifically allocated on small sites within the Local Plan, or that they are permitted within and outside settlement boundaries under an exceptions policy.

2.14 How do you feel about Strategic Policy 65 – Walking, cycling and public transport

2.14.1 The principle of a “20-minute neighbourhood” is supported. Indeed the FENI_08 site is within comfortable 20 minute walking distance of public transport including bus stops and the village train station providing connections to Exeter and beyond.

2.15 How do you feel about Strategic Policy 87 – Biodiversity Net Gain

2.15.1 South West Strategic Developments Ltd supports the provision of Biodiversity Net Gain. However, the Council should be seeking a minimum of 10% (or the prevailing National Standard at the time). The

Council's desire to require a minimum of 20% is considered to be unsound as it is inconsistent with National Standards and may impact on the viability of developments and the delivery of housing across the district. The delivery of in excess of 10% net gain should be seen as an aspiration and not an absolute requirement. Strategic Policy 87 should therefore be amended to require a minimum of 10% biodiversity net gain (or the Prevailing National standard at the time).

2.16 How do you feel about development at the LP_Feni_08 site?

- 2.16.1 This site has been promoted previously through the Council's Call for Sites process. It should be noted that since the initial call for sites representation was made the landowner has made additional land available for development. This additional land was presented to members during the FENI_08 member's presentation. It is disappointing that this additional land has not been shown on the latest consultation document. The additional land will better connect the brownfield site with the built up area of Feniton, ensuring that the redevelopment would sit even more comfortably as part of a comprehensive development and improve connectivity for cyclists and pedestrians.
- 2.16.2 The landowner is working with South West Strategic Development Ltd in relation to the promotion of this site. This demonstrates a clear intention from the landowner and an interest from promoters and house builders to deliver this site within the local plan period.
- 2.16.3 South West Strategic Development Ltd has prepared an indicative site layout which demonstrates how the land could be developed. The land can be split into two distinct parcels, land to the north of Green Lane and land to the south of Green Lane and could come forward as separate applications. The indicative site layout incorporates areas of public open space and strong landscape buffers on the eastern edge. The southern parcel would see the removal of the unsightly brownfield former farm buildings in favour of a landscaped area of public open space.
- 2.16.4 Neither site is located within an Area of Outstanding Natural Beauty nor Site of Special Scientific Interest. The sites are within a SSSI Impact Risk Zone. Nonetheless, ecology should not represent a major constraint to development. The land has been actively farmed over many years and other than the established hedgerow network and possible presence of species within the general area, the land is considered to have limited ecological potential. Any development can be designed to mitigate harm and provide an overall net gain in biodiversity. The land does not present any obvious physical or planning constraints that would limit its development. Both sites falls in full within Flood Zone 1, the lowest category of risk from flooding. There is ample space on site to attenuate surface water on site

and connect into the upgraded systems to provide a betterment.

- 2.16.5 Both sites have been in agricultural use for many years and there is no evidence on site or in the historic mapping record to suggest that potentially contaminative activities may have taken place in the past. There appear to be limited heritage sensitivities, with no nearby Conservation Area. There is one listed building located approximately 600 metres to the southwest of the southern site.
- 2.16.6 The sites are both located in a sustainable location within convenient walking or cycling distance of the various services, facilities, and the limited employment opportunities within the village. There are genuine sustainable transport options that will be available for future residents.
- 2.16.7 In terms of landscape impact, the northern site adjoins existing residential development and the southern site would be partly in place of existing built-form. Both sites appear as logical next steps in the evolution of Feniton, allowing growth but maintaining the cluster of built form in a tight nucleus around its core. It is anticipated that a suitable design and layout may be achieved on both sites to be in-keeping with local character.
- 2.16.8 There is sufficient space within both sites to provide a range of house types and sizes, including affordable housing, and/or employment opportunities respectively and subject to the split agreed. The development of both sites would be high quality development and result in gains to social, economic, and environmental sustainability. The current layout shows how the northern site could accommodate in the region of 55 dwellings with capacity for a further 45 dwellings in the southern site. If the Council did wish to see an element of employment included as part of the allocation then the landowner would be willing to provide employment space. This could be in the form of a courtyard of high-quality small workshop units for start-up businesses.
- 2.16.9 It is expected that development of these sites will be viable as the location is likely to have significant market appeal for residents and businesses. Other than the items noted above there are not considered to be any unusual costs or encumbrances associated with the development of this land for housing.
- 2.16.10 It is therefore recommended that site ref: LP_Feni_08 represents a suitable and viable site for development, which can be delivered in the early years of the Local Plan. With this being the case the site should be reconsidered for allocation in the Local Plan for in the region of 95 dwellings. These dwellings could be phased across the plan period should the Council consider this appropriate.

3.0 CONCLUSION

- 3.1.1 In conclusion, the Council have not allocated sufficient sites to meet their projected housing need. Feniton is one of the more sustainable service villages within East Devon, particularly given the railway links to Exeter. An allocation of 42 homes within the village is not proportionate and the village is capable of accommodating a higher level of growth. The site, FENI_08 should be allocated in the adopted Local Plan. This should include the additional land as presented at the member presentation to provide in the region of 95 additional homes and the associated benefits.

