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First Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

Filtered Data Export

15

Full name: John Loudon

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 15

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

Chapter 15 Scrutiny of planning permissions of individual developments that impact listed buildings/areas of special value are to be welcomed. Historical features can't be recovered once lost. However, it is surprising that larger developments that have a significant impact on such buildings/features seem to less well scrutinized. For example, in Sidbury, many planning applications for individual family homes that are submitted are rejected. However, the application Sidm_34 which is not directly associated with an individual listed building e.g. Grade II listed Furzehill Farm, will have a significant negative impact on this listed building and many other buildings of historical significance. The scrutiny of individual listed building applications is pro rata much higher than for much larger developments. This cannot be a sound way of protecting local assets. In the above example it could be expected had Furzehill Farm requested planning permission for a small house within their curtilage, it would have been rejected. However, a plan for 43 houses, in a plot immediately adjacent to that land has been included in the local plan. This is not a consistent approach to preserving areas of significant character in the area.

Full name: Helen S MUNDAY

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 15

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: Yes

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

2. Scrutiny of planning permissions of individual developments that impact listed buildings/areas of special value are to be welcomed. Historical features can't be recovered once lost. However, it is surprising that larger developments that have a significant impact on such buildings/features seem to be less well scrutinized. For example, in Sidbury, many planning applications for individual family homes that are submitted are rejected. However, the application Sidm_34 which is not directly associated with an individual listed building e.g. Grade II listed Furzehill Farm, will have a significant negative impact on this listed building and many other buildings of historical significance. The scrutiny of individual listed building applications is pro rata much higher than for much larger developments. This cannot be a sound way of protecting local assets. In the above example it could be expected had Furzehill Farm requested planning permission for a small house within their curtilage, it would have been rejected. However, a plan for 43 houses, in a plot immediately adjacent to that land has been included in the local plan. This is not a consistent approach to preserving areas of significant character in the area.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Scrutiny of larger developments should be significantly increased to that shown to plans to individual buildings and should be tested according to the criteria - if this were an application for an addition to a listed building in a historic environment would it be approved.

4. Do you consider that this part of the Our Outstanding Historic Environment chapter complies with the duty to cooperate?: Yes

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I have examples I can present if this helpful.

15.1

Full name: Dee Woods

Organisation (where relevant): Otter Valley Association

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: This chapter is good with strong protective policies, and includes locally listed Heritage Assets.

Full name: Nick Guildford

Organisation (where relevant): C G Fry & Son

Other party name (if relevant): Mr & Mrs Cowling

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Figure 17

Full name: Kerry Kennell

Organisation (where relevant): Ottery St Mary Town Council

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Figure 17

2(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not legally compliant. Please be as precise as possible.: Open Space - P243 figure 17. Playing pitch at Ottery St Mary is in fact a LED pitch at the school which is not useable by the community. There is a cost to use this pitch. The Council feel that it is imperative to improve accessibility with extensive infrastructure improvements.

HE01

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 15. Our Outstanding Historic Environment

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

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

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: We acknowledge the requirements of draft policy HE01 and the need for new development that will affect heritage assets to take account of their significance.

In respect of Addlepool Village the proposed masterplan demonstrates how the new village can be delivered sensitively in the context of these views. Key view corridors have been retained and are proposed as green space to ensure that the intervisibility of the church tower can be preserved. It is agreed that the HELAA (2022) assessment concluded that the Site will not have an unacceptable impact on heritage.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

2.122 We acknowledge the requirements of draft policy HE01 and the need for new development that will affect heritage assets to take account of their significance.

Full name: Nick Guildford

Organisation (where relevant): C G Fry & Son

Other party name (if relevant): Mr & Mrs Cowling

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

Comment It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M.J. Nancekivell and Mr R.P. Nancekivell

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The Landowner supports the preservation of archaeological and heritage assets. Strategic Policy HE01 outlines requirements for preserving the historic environment and references the identification of heritage assets “through the planning application process”. This is in conflict with the Planning Practice Guidance (PPG), which suggests that in most cases Non-Designated Heritage Assets should be identified and published by the LPA and only in rare cases, normally associated with archaeological discoveries, should they be identified through the Planning Application Process.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: To ensure the policy is in keeping with PPG it should be amended as follows: “Non-designated heritage assets, where identified through local or neighbourhood plan-making, the Local List119, Conservation Area Appraisal or review or through the planning application process (in exceptional circumstances), will be recognised as heritage assets in accordance with national guidance and any local criteria. Development proposals that directly or indirectly affect the significance of a non-designated heritage asset will be determined with regard to the scale of any harm or loss and the significance of the asset.” Our client is broadly in support of Policy HE04, however the statement: “development must protect the site and setting of Scheduled Monuments, designated or undesignated archaeological remains, including ancient routeways and milestones,” is unclear on the degree to which undesignated archaeological remains are to be protected, and infers that all archaeological remains, whether designated or not, are to

be protected in all circumstances which is contrary to National Policy. Given the sentiment behind the statement is repeated in the subsequent policy wording, which provides more clarity on how non-designated archaeological remains are to be considered, we propose that the first sentence of the policy be omitted to ensure soundness.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M.J. Nancekivell and Mr R.P. Nancekivell

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: Chapter 15: Our outstanding historic environment

5.16 The Landowner supports the preservation of archaeological and heritage assets.

5.17 Strategic Policy HE01 outlines requirements for preserving the historic environment.

5.18 This is out of keeping with National Policy, and therefore is not considered sound. The identification of heritage assets “through the planning application process” is considered to be in conflict with the Planning Practice Guidance, which suggests that in most cases Non- Designated Heritage Assets should be identified and published by the

LPA and only in rare cases, normally associated with archaeological discoveries, should they be identified through the Planning Application Process.

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

5.19 To ensure the policy is in keeping with PPG it should be amended: “Non-designated heritage assets, where identified through local or neighbourhood plan-making, the Local List¹¹⁹, Conservation Area Appraisal or review or through the planning application process (in exceptional circumstances), will be recognised as heritage assets in accordance with national guidance and any local criteria. Development proposals that directly or indirectly affect the significance of a non-designated heritage asset will be determined with regard to the scale of any harm or loss and the significance of the asset.”

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

[McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object singularly and cumulatively to policies:

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

Reasons: Chapter 16 of the NPPF provides detailed guidance on how the Government expects plan makers, decision takers, and those involved in development, to deal with the conservation and enhancement of heritage assets These policies, individually and together, either mirror Chapter 16 of the NPPF or, in some instances, with neither justification nor reason, attempt to take Chapter 16 beyond Government expectations in Local policies.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Either:

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

Full name: Nathan Price

Organisation (where relevant): Tetlow King Planning

Other party name (if relevant): South West Housing Association Planning Consortium

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Draft Policy HE01 outlines the strategic policy for conserving and enhancing non-designated heritage assets. The SWHAPC notes that the heritage policy must be consistent with national policy. At present, the draft policy outlines that “Development proposals that directly or indirectly affect the significance of a non-designated heritage asset will be determined with regard to the scale of any harm or loss and the significance of the asset”. The SWHAPC considers that this draft Policy goes beyond the requirements of the NPPF, which only refers to designated heritage assets.

Full name: Kate Bergin

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

Local heritage destroyed : The sleepy hamlet of Farringdon is steeped in history and contains many listed buildings, a beautiful church and an active community of residents who moved here for peace & quiet but who will suddenly find themselves in the midst of a new town with thousands and thousands of new residents. There must be appropriate and substantial green wedges that clearly define where the village of Farringdon ends and the new settlement begins. From what I can see in the draft proposals, the new settlement will be superimposed on top of the already existing village of Farringdon with absolutely no regard whatsoever for it's residents.

Full name: Harriet Fuller

Organisation (where relevant): Environment Agency

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: This policy refers to habitat connectivity which we support. However, the policy wording is weak where it states ‘... protected assets will need to be incorporated into the overall design and landscape scheme, within public spaces where possible’. It would be stronger to remove ‘where possible’ from that sentence, to require developers to design development around existing constraints. We welcome the reference to the Right Tree Right Place Guidance in this policy.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

Historic England supports Strategic Policy HE01. However, there are a number of areas where the policy would benefit from clarification. Firstly, paragraphs 15.8 and 15.9 refer to ‘Heritage Impact Assessments’, ‘Heritage Statements’ and ‘Impact Assessments’. By contrast the policy only requires a description of the ‘significance of any heritage assets affected...’. While the policy requirement is not inconsistent with the NPPF, it is common, and helpful, to require applicants to conduct an impact assessment. We therefore suggest that the impact assessments referred to at 15.8 and 15.9 are reflected in the policy and that the supporting text is clarified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: “Applicants will be

required to describe, in line with best practice and relevant national guidance, the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance. Applications should also assess the impact of proposals on that significance. In some circumstances a planning condition will require further survey, analysis and/or recording.” “15.8. Applicants should use resources like the Devon Historic Environment Record and local Heritage Impact Assessments, National Heritage List and Conservation Area Appraisals to understand the significance of affected heritage assets. Proposals should align with the Heritage Strategy and relevant guidance.” “15.9. Further surveys and analysis may be required for some applications. Heritage Statements and Impact Assessments should follow best practice and national

guidance, such as Historic England's advice notes. Further surveys and analysis may be required for some applications.”

HE02

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: It is agreed that developments affecting heritage assets should enhance their significance and support conservation, contributing to local character. Vistry support this policy which would appear to adhere to National Planning Policy.

In respect of Addlepool Farm, it is acknowledged that Clyst St George Church (Grade II) is located to the northwest of the Site and there are locations within the Site which have some visibility of the church tower. The proposed masterplan demonstrates how the new village can be delivered sensitively in the context of these views. Key view corridors have been retained and are proposed as green space to ensure that the intervisibility of the church tower can be preserved.

It is agreed that the HELAA (2022) assessment concluded that the Site will not have an unacceptable impact on heritage.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

3.64 It is agreed that developments affecting heritage assets should enhance their significance and support conservation, contributing to local character. We support this policy which would appear to adhere to National Planning Policy.

Full name: Nick Guildford

Organisation (where relevant): C G Fry & Son

Other party name (if relevant): Mr & Mrs Cowling

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework, and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that

have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework, and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework and these make no material contribution to the policy requirements. Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework. For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance. Policy HE02 addresses substantial harm, but not less than substantial harm. Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive. Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

[McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object singularly and cumulatively to policies:

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

Reasons: Chapter 16 of the NPPF provides detailed guidance on how the Government expects plan makers, decision takers, and those involved in development, to deal with the conservation and enhancement of heritage assets These policies, individually and together, either mirror Chapter 16 of the NPPF or, in some instances, with neither justification nor reason, attempt to take Chapter 16 beyond Government expectations in Local policies.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Either:

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

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

4.141. In regard to the above policy, the term ‘exceptional circumstances’ is questioned in relation to less than substantial harm. The only matters where ‘exceptional’ is cited in national guidance is in relation to substantial harm to Grade II listed buildings, or Grade II registered parks or gardens. Less than substantial harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:

4.142. Bloor Homes objects to this policy and suggests that further qualification of the term ‘exceptional circumstances’ is provided in the policy and/or supporting text.

Full name: Elliot Jones

Organisation (where relevant): Planning Potential

Other party name (if relevant): Bloor Homes

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not legally compliant. Please be as precise as possible.: A supporting Statement has been submitted on behalf of Bloor Homes in respect of the Land to the South of Littleham, Exmouth. It has been submitted in respect of Policy SP01 but considers Policy OS02 and others.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.:
Please see Supporting Statement.

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Please see Supporting Statement.

4(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Please see Supporting Statement.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The matters raised in our representations affect matters of strategic importance that run to the heart of the East Devon Local Plan 2020 to 2042. In our capacity as a major housebuilder, we would welcome the opportunity to partake in the hearing session(s).

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

Introduction

1. This representation is submitted by Savills on behalf of Mac Mic Strategic Land (from hereon referred to as ‘Mac Mic’). Mac Mic is a strategic land promoter with a strong reputation for delivering planning permissions that lead to high-quality development.
2. Mac Mic has instructed Savills on their behalf to submit a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy HE02
3. There is an internal inconsistency in the tests set out within Policy HE02 which must be addressed prior to Local Plan adoption.
4. The opening paragraph and Criterion A of the policy states at all proposals "will be expected to: ... Conserve, enhance or better reveal those elements which contribute to the heritage significance and/or it's setting". This sets a binary no loss or no harm test for proposed development which, in itself is incompatible with heritage policy in the Framework (2024).
5. The policy approach in the Framework however is an integrated into the subsequent two sections of the Policy which relate to circumstances where development would cause substantial, or less substantial, harm to a heritage asset or its setting.
6. At present therefore the policy both states that there will be in effect no harm permitted but then recognises that harm could exist and explains how development proposals should respond in those circumstances.
7. Due to it in compatibility with the Framework, we recommend that the first section of Policy HE02 is deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: There is an internal inconsistency in the tests set out within Policy HE02 which must be addressed prior to Local Plan adoption.

4. The opening paragraph and Criterion A of the policy states at all proposals "will be expected to: ... Conserve, enhance or better reveal those elements which contribute to the heritage significance and/or it's setting". This sets a binary no loss or no harm test for proposed development which, in itself is incompatible with heritage policy in the Framework (2024).

5. The policy approach in the Framework however is an integrated into the subsequent two sections of the Policy which relate to circumstances where development would cause substantial, or less substantial, harm to a heritage asset or its setting.

6. At present therefore the policy both states that there will be in effect no harm permitted but then recognises that harm could exist and explains how development proposals should respond in those circumstances.

7. Due to it in compatibility with the Framework, we recommend that the first section of Policy HE02 is deleted.

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

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: Yes

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached.

4. Do you consider that this part of the Our Outstanding Historic Environment chapter complies with the duty to cooperate?: Yes

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

Full name: Sylvia Meller

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

History is important but our future is more important. This is why it should become easier, without too many regulations to re-develop listed buildings

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Rules and regulations to re-develop listed buildings should be scrapped to avoid those buildings to fall into dis-repair and to provide housing without having to destroy even more of our environment

4. Do you consider that this part of the Our Outstanding Historic Environment chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See 3b and 3c

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

Full name: Donna Crabtree

Organisation (where relevant): National Trust

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: Policy HE02: Listed buildings The National Trust commented on the earlier version of this policy at Reg 18 stage (Policy 103. Listed buildings) and is pleased to see that the policy wording has been updated to reflect a systematic approach to heritage assessment as set out by Historic England.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: While we welcome Policy HE02, as elements of the policy are similar to the text of the NPPF, it is important to avoid any potential policy conflicts that may lead to issues of interpretation. In particular, we think it is important to adjust clause B of the third section of the policy to clarify that the ‘public benefits’ referred to should be weighed against any identified harm, in accordance with NPPF paragraph 208. The reference to ‘setting’ in supporting text paragraph 15.12 should also be expanded and clarified.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: “B. Identify any demonstrable public benefits that would outweigh any remaining harm or exceptional circumstances in relation to the development proposed;” “The setting of a heritage asset is also protected insofar as it contributes to the significance of the asset. The NPPF defines a setting as the surroundings in which a heritage asset is experienced. Occasionally, land distant from the building may also be considered part of its setting due to particular visual, historical or functional associations.”

HE03

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 15. Our Outstanding Historic Environment

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

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

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: It is agreed that proposals for development within or affecting the setting of a Conservation Area must conserve or enhance its special interest, character, setting and appearance, and this would appear to accord with National Planning Policy.

As illustrated within the accompanying Vision Document, Addlepool Farm does not lie within or adjacent to a Conservation Area. The nearest is Topsham Conversation Area, approximately 1km from the Site.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.

- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm. Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework, and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

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Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

[McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object singularly and cumulatively to policies:

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

Reasons: Chapter 16 of the NPPF provides detailed guidance on how the Government expects plan makers, decision takers, and those involved in development, to deal with the conservation and enhancement of heritage assets These policies, individually and together, either mirror Chapter 16 of the NPPF or, in some instances, with neither justification nor reason, attempt to take Chapter 16 beyond Government expectations in Local policies.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Either:

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

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal: 15. Our Outstanding Historic Environment

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

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

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: Historic England supports Policy HE03.

HE04

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: It is agreed that developments must protect the Site and setting of scheduled monuments and archaeological remains. We support this policy which would appear to adhere to National Planning Policy.

A future application on Addlepool Farm would be supported by all relevant technical information relating to archaeology, including a geophysical survey, to ensure that it accords with this draft policy.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

3.68 It is agreed that developments must protect the site and setting of scheduled monuments and archaeological remains. We support this policy which would appear to adhere to National Planning Policy.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The requirement for development to protect the site and setting of Scheduled Monuments and archaeological remains is unduly onerous and not consistent with the Framework and in respect of archaeological remains, jars with the approach set out in the remainder of the policy.

Large sections of the policy repeat the provisions of the Framework and as such do not contribute to the relevant tests.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The requirement for development to protect the site and setting of Scheduled Monuments and archaeological remains is unduly onerous and not consistent with the Framework and in respect of archaeological remains, jars with the approach set out in the remainder of the policy.

Large sections of the policy repeat the provisions of the Framework and as such do not contribute to the relevant tests.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: The requirement for development to protect the site and setting of Scheduled Monuments and archaeological remains is unduly onerous and not consistent with the Framework and in respect of archaeological remains, jars with the approach set out in the remainder of the policy. Large sections of the policy repeat the provisions of the Framework and as such do not contribute to the relevant tests.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Policy should be deleted.

Full name: Zoe Mason

Organisation (where relevant): Lichfields

Other party name (if relevant): Mr M.J. Nancekivell and Mr R.P. Nancekivell

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: We are broadly in support of Policy HE04, however it is noted that the statement “development must protect the site and setting of Scheduled Monuments, designated or undesignated archaeological remains, including ancient routeways and milestones,” is unclear on the degree to which undesignated archaeological remains are to be protected, and infers that all archaeological remains, whether designated or not, are to be protected in all circumstances which is contrary to National Policy.

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Given the sentiment behind the statement is repeated in the subsequent policy wording, which provides more clarity on how non-designated archaeological remains are to be considered, we propose that the first sentence of the policy be omitted to ensure soundness.

Full name: James McMurdo

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

Other party name (if relevant): Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

[McMurdo Land Planning & Development Ltd on Behalf of Stuart Partners Ltd relating to Strategic Land at the “West End” of East Devon District made in the context of significant land holdings in this area. Representation to be read in conjunction with representations made by Turley on behalf of Stuart Partners Ltd and Bloor Homes Exeter on the proposed new and an expanded Hill Barton Business Park, and by Carney Sweeney on behalf of Stuart Partners Ltd and Down, relating to land being promoted for a village for up to 2,000 houses between Clyst St George and Clyst St Mary]

Object singularly and cumulatively to policies:

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

Reasons: Chapter 16 of the NPPF provides detailed guidance on how the Government expects plan makers, decision takers, and those involved in development, to deal with the conservation and enhancement of heritage assets These policies, individually and together, either mirror Chapter 16 of the NPPF or, in some instances, with neither justification nor reason, attempt to take Chapter 16 beyond Government expectations in Local policies.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Either:

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

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

Introduction

1. This representation is submitted by Savills on behalf of Mac Mic Strategic Land (from hereon referred to as ‘Mac Mic’). Mac Mic is a strategic land promoter with a strong reputation for delivering planning permissions that lead to high-quality development.

2. Mac Mic has instructed Savills on their behalf to submit a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy HE04

3. For the same reasons as we object to Policy HE02, we also object to Policy HE04.

4. The opening sentence a Policy HE04 establishes a requirement to "protect" schedule monuments and other archaeological artefacts whether designated or not. If this policy statement is to be complied with then there could be no harm arising from development, however, the policy later goes on to state that: "Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposed development."

5. The policy approach is therefore inconsistent as it is setting two separate and incompatible tests for development proposals. To remove this incompatibility in the Policy and the inconsistency with the Framework, the opening sentence of Policy HE04 should be deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: The opening

sentence a Policy HE04 establishes a requirement to "protect" schedule monuments and other archaeological artefacts whether designated or not. If this policy statement is to be complied with then there could be no harm arising from development, however, the policy later goes on to state that: "Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposed development."

5. The policy approach is therefore inconsistent as it is setting two separate and incompatible tests for development proposals. To remove this incompatibility in the Policy and the inconsistency with the Framework, the opening sentence of Policy HE04 should be deleted.

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

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: Yes

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: See attached.

4. Do you consider that this part of the Our Outstanding Historic Environment chapter complies with the duty to cooperate?: Yes

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

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: While Historic England supports Policy HE04, we suggest that the word ‘exceptional’ is removed from the first sentence of the penultimate paragraph. This is because the requirement for exceptional circumstances will not apply to archaeology of lesser significance, as distinguished by the previous paragraphs.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: “In exceptional cases, where harm to or loss of significance to the asset is considered to be justified...”

HE05

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Vistry Group

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE05

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.: We support this policy which appears to adhere to National Requirements and states that developments affecting registered Historic Landscapes, Parks, and Gardens must conserve or enhance their character.

Addlepool Farm is not constrained by historic landscapes, parks or gardens and offers the opportunity to deliver a sustainable landscape-led new settlement that will deliver significant benefits to East Devon.

Full name: Bethan Haigh

Organisation (where relevant): Boyer Planning

Other party name (if relevant): Taylor Wimpey UK Ltd. C/O Boyer

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE05

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

3.70 It is agreed that developments affecting registered Historic Landscapes, Parks, and Gardens must conserve or enhance their character.

Full name: Kim Miller

Organisation (where relevant): Historic England

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE05

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

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

Historic England supports Policy HE05. However, we suggest that the first sentence is adjusted to refer to historic interest, character and setting. As the penultimate paragraph of the policy duplicates a requirement to describe the significance of affected heritage assets that is also included in Strategic Policy HE01, this paragraph can be removed. Otherwise we suggest that this paragraph is amended to also require an impact assessment, in line with our comments on HE01.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Historic Environment chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: “Proposals should conserve or enhance the special historic interest, character and or setting of a park or garden on the Historic England Register of Historic Parks and Gardens of Special Historic Interest in England.” Remove or amend penultimate paragraph