

COMBE ESTATE
REPRESENTATIONS ON THE EAST DEVON LOCAL PLAN (2020 – 2042) REGULATION 19
CONSULTATION DRAFT (MARCH 2025) BY BELL CORNWELL LLP

INTRODUCTION

Combe Estate are long standing generational owner of large areas of agricultural and forestry land within East Devon. Their land interests are primarily in Honiton and Gittisham. As part of its interests, the Estate undertakes residential and commercial development and are the owners of Combe Garden Centre. The Estate therefore has a wide range of land and business interests within the district.

The Estate has provided representations to the Council as part of previous consultations on the draft local plan and via the related call for sites process.

Given the nature of their long-standing presence in the district, The Estate is an important local stakeholder with allocation interests within the proposals in the East Devon Local Plan for future development in the district.

Against this background, Bell Cornwell LLP has reviewed the policies and information set out in the East Devon Local Plan (2020 -2042) Regulation 19 Consultation Draft and makes the following representations.

CHAPTER 13. OUR OUTSTANDING BIODIVERSITY AND GEODIVERSITY

Policy PB05: Biodiversity Net Gain

Strategic Policy PB05 requires that 20% biodiversity net gain (BNG) should be provided as part of all forms of major development. Where this level of provision is unviable, clear evidence to this effect needs to be provided, and the statutory 10% requirement needs to be met. Any off-site provision should be provided in the immediate locality of the proposed development.

The policy also stipulates that any development which is currently exempt from BNG will still be required to provide an ecological enhancement, commensurate to the scale of development involved.

Government guidance is clear that LPA's should only seek more than the statutory requirement of 10% where there is robust evidence and justification to do so, and this does not appear to have been presented within the LPA's evidence base.

Whilst the intentions of policy are noted, and The Estate would be in a position to deliver its own BNG on-site, the logistical requirement to provide 20% BNG is extremely onerous and the Combe Estate OBJECTS to the policy as currently worded. Experience of the current, nationally mandated requirement to provide 10% BNG already demonstrates how difficult the process of delivering BNG is, with very high levels of bureaucracy and delay associated with the process. Furthermore, where the delivery of BNG cannot be delivered on site (and it does not appear that EDDC have tested whether

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all BNG requirements can be delivered on their allocated sites) the off-site costs of doing this are significant and can have a significant impact on viability.

Doubling this requirement to 20% is only likely to add to the complexity and degree of difficulty with achieving the required level of BNG and to act as a particular disincentive to the delivery of much needed development.

Combe Estate is of the view that this policy has not been positively prepared, is not justified and given the uncertainties surrounding the BNG process is not effective. BNG is already required to be delivered as a result of national legislation. Given that this requirement will remain and within the context of the concerns outlined above, we would suggest that this policy is unnecessary, unsound and should therefore be amended to achieve 10% national requirements on major development.