

INTRODUCTION

Mr Persey and his family are long standing owners of large areas of agricultural land in East Devon. Our client's interests include much of the land around the village of Plymtree and the surrounding area. The family continue to farm the land today, and also have commercial operations including Fordmore Farm Shop and other commercial space on the East Devon / Mid Devon border.

Our client therefore has a wide range of land and building interests in the district and they are actively promoting a site for housing in the village of Plymtree (Plym_03).

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.

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 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 housing.

MR J PERSEY

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

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 amended to achieve 10% national requirements on major development.