

East Devon District Council
Planning Policy Team
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Date: 26 January 2026

Our ref: 31650/01/SSL/ZM/40662798v6

Dear Sir/Madam

East Devon Local Plan – Second Regulation 19 Consultation 28 November 2025 – 26 January 2026

On behalf of our client, the Church Commissioners for England (the Commissioners), we enclose representation to the East Devon Local Plan (Regulation 19) Consultation. The Commissioners submitted representations to the first Regulation 19 Consultation, which can be found at Annex 1.

The Commissioners is a registered charity that supports the work and mission of the Church of England across the country. Its investment policy is to hold a diverse portfolio of investments across a broad range of asset classes consistent with its ethical guidelines. Its Strategic Land team brings forward land for new housing development with the aim of delivering new homes and employment opportunities which support and enhance the local community. Many new developments also include new schools, community facilities, and new areas of open space, which benefit not only new residents but also neighbouring communities.

The Commissioners own land to the south of Clyst Honiton as identified at Annex 2 at Bishop's Court Lane, south of the A30, which is located in the Clyst Valley Regional Park (CVRP). This site adjoins EDDCs draft allocation for a New Town, Marlcombe. The Commissioners request the inclusion of this site within the Marlcombe allocation.

Second Regulation 19 Consultation Response

In the context of the above, this letter sets out the Commissioner's response to the second EDDC Local Plan Regulation 19 Consultation. For clarity, our previous comments on the following policies and chapters remain unchanged:

- 1 Strategic Policy SP01: Spatial Strategy
- 2 Strategic Policy SP03: Housing Requirement by Designated Neighbourhood Area
- 3 Strategic Policy SP04: Employment Provision and distribution strategy
- 4 Strategic Policy SP06: Development beyond Settlement Boundaries

Our comments on the following policies have been expanded upon / updated:

- 1 Strategic Policy SPO2: Levels of future housing development
- 2 Strategic Policy WSO1: Development of a Marlcombe new community east of Exeter
- 3 Strategic Policy WSO9: Clyst Valley Regional Park

The Commissioners broadly support the vision and objectives set out in the consultation document. We comment in relation to specific policies and procedural matters below.

Compliance with Transitional Arrangements

EDDC is progressing its draft Local Plan in accordance with the transitional arrangements established in paragraph 234.(a) in Annex 1 of the National Planning Policy Framework (NPPF) (December 2024), which states:

“For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19⁸² (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need⁸³,”

Footnote 82 and 83 state:

“82 Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).”

“83 Calculated using the standard method in national planning practice guidance, published on 12 December 2024.”

Further, Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2002 (‘the Regulations’) states in full:

“Before submitting a local plan to the Secretary of State under section 20 of the Act, the local planning authority must-

*(a) make a copy of **each of the proposed submission documents** and a statement of the representations procedure available in accordance with regulation 35, and,*

*(b) ensure that a statement of the representations procedure and a statement of the fact that **the proposed submission documents** are available for inspection and of the places and times at which they can be inspected, is sent to each of the general consultation bodies and each of the specific consultation bodies invited to make representations under regulation 18(1).*

The Planning Practice Guidance (PPG) (Paragraph: 86, reference ID:61-086-20250616) states:

“Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan

is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced.

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

EDDC undertook its first Regulation 19 Consultation between 13 February 2025 and 31 March 2025, where it set out to meet 80% of housing need as derived from the December 2024 standard method. The first Regulation 19 Consultation document had some fundamental flaws in its approach to housing delivery and allocations (see Appendix 1); these flaws remain in the second Regulation 19 document.

Consultation on the current second Regulation 19 document commenced on 28 November 2025 and will close on 26 January 2026. It comprises a series of changes, including:

- 1 Changes to the Housing Trajectory;
- 2 Revisions to settlement boundaries;
- 3 Updated Designated Neighbourhood Areas housing need figures;
- 4 Changes to specific allocations, including dwelling numbers;
- 5 Alteration to wording of many policies, including changes to policy triggers;
- 6 Deletion of previously allocated sites;
- 7 Material changes to the New Community allocation policy, including naming the town Marcombe, provision of a Masterplan, and amendments to policy wording alongside further specific requirements for education provision, additional requirements for provision of a Suitable Alternative Natural Greenspace (SANG) and the formation of a Waste Consultation Zone;
- 8 Provision of several updates to documentation within the evidence base, including (significantly) submission of 33 new documents to the evidence base, including submission of new Statements of Common Ground and a Statement of Community Involvement, which comprise core submission documents.

The Draft Plan does not meet the exceptions listed under para 234 of the NPPF as:

- 1 The submission documents (as defined by Footnote 82 to NPPF Para 234 and Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2002) made available at the second Regulation 19 Consultation are not the same as those made at the first Regulation 19 Consultation;
- 2 The new/updated submission documents did not reach Regulation 19 stage prior to 12 March 2025;
- 3 The second Regulation 19 submission documents are materially different to those from the first Regulation 19 Consultation; and,
- 4 The report to Strategic Planning Committee (meeting of 25th November 2025) confirms that the Committee was provided with a report 'setting out a series of what are more substantive changes to the local plan' (para 2.1), which include many of the changes outlined above.

Para 234 of the NPPF is therefore not engaged. The impact of this is that the EDDC should return to Regulation 18 or Regulation 19 consultation, and plan to meet the full standard method requirement, which is 1,156 dwellings per annum.

Should EDDC disagree that the plan does not meet the transitional arrangements and proceed under its current proposal to submission to the Planning Inspectorate, there remain a number of points which should be addressed by EDDC prior to submission. These are outlined below, and in our previous representations where (Annex 1).

Strategic Policy SPO2: Levels of future housing development

In the context of the above, the Commissioners consider that EDDC must seek to meet its full housing need as established by the standard method. Accounting for updated affordability ratios published by the Office of National Statistics (ONS) in March 2025, the standard method figure for EDDC is 1,156 dwellings per annum. Over the plan period, EDDC's housing requirement is therefore 25,432 dwellings. Even if years 2020-2026 of the plan period are accounted for at the existing plan requirement of 950 dwellings, this would total 24,402 dwellings over the 22 year plan period. The Draft Plan therefore falls significantly short of need, planning for only 82% (or at best 86%) of need.

The second Draft Plan has failed to be positively prepared. Upon recognising the 'substantive changes' required to be made to the Draft Plan (para 2.1 of EDDC's Strategic Planning Committee Meeting of the 25 November 2025), EDDC should have reviewed its approach to accommodate the full housing requirement as per the NPPF.

The Commissioners suggest that EDDC review Strategic Policy SPO2 to account for 100% of need as per the Standard Method figure of 1,156 dwellings per annum. This requires that, prior to submission of the plan for examination, EDDC should plan for an additional 4,500 homes, identifying a land supply through additional allocations for a minimum of circa 2,500 homes.

In addition, the updated evidence in the second Regulation 19 Consultation base identifies that the below changes are required regarding housing numbers and trajectory prior to submission:

- 1 The approach to a phased housing trajectory does not comply with national policy, nor is the 'need' for it appropriately evidence. EDDC's planned delivery must meet, if not exceed the annual housing need figure. The second Draft Plan outlines EDDC's intention to under-deliver against need for the first 11 years of the plan period, and then provide a significant jump to accommodate the initial shortfall in later years. The implications for social and economic growth of this approach are significant, and will impact the housing crisis and affordable housing provision;
- 2 The second Draft Plan proposes a rate of housing delivery below that achieved in the first five years from adoption relative to recent delivery; and,
- 3 The Draft Plan is planning to fail to meet its reduced stepped housing requirement of 850 dwellings between 2026-2029.

Without addressing these issues, the second Regulation 19 Draft Plan is unsound and is not positively prepared. EDDC must seek to address these issues prior to Submission.

Strategic Policy WSO1: Development of a Marcombe new community in Exeter

The Commissioners endorse the development of a second new town, Marcombe, in the identified location. Long-term strategic developments can be crucial to meeting housing requirements in the district.

Marcombe Housing Provision

Following the first Regulation 19 Consultation, Strategic Policy WSO1 has been substantially modified to accommodate the masterplanning exercise undertaken by EDDC and to accommodate the identified name, Marcombe. The second Regulation 19 Draft Plan accommodates the allocation of 8,000 dwellings within Marcombe, with the anticipated delivery of 3,300 dwellings during the plan period. Paragraph 4.8f of the second Draft Plan outlines the expectation of additional land to be allocated to expand the new community to 10,000 dwellings within future policy documentation. In this context, and in light of the clear housing shortfall in East Devon, the Commissioners interest is to support the inclusion of the land at Bishop's Court Lane within the Marcombe allocation.

As outlined above, EDDC demonstrate a shortfall within the second Draft Plan relative to the housing requirement established by the standard method. Expansion of the New Town to accommodate a further 2,000 dwellings is considered acceptable and intended by EDDC. Small portions of land adjacent to the proposed Marcombe allocation should be considered to provide logical, sustainable and deliverable additions to the plan. The Commissioners land at Bishop's Court Lane provides an accessible, available and suitable addition to the Marcombe allocation, providing additional homes. Further, due to it's siting immediately south of the A30 and in close proximity to Clyst Honiton, the site could be brought forward in advance of key infrastructure and services anticipated as part of the broader allocation without compromising the sustainability of the location for residents, and reflecting the objectives of the CVRP Masterplan (approved by EDDC in February 2021).

Masterplan

Updated Strategic Policy WSO1 requires development within Marcombe to be brought forward 'broadly in accordance' with a masterplan included as Figure 7 (page 60) of the second Draft Plan. The masterplan identifies the Commissioners land at Bishop's Court Lane, outside of the allocation, but adjoining the allocation boundary to the east, south and west.

The site at Bishop's Court Lane is not located within the Marcombe allocation. Land immediately to the west, within the Marcombe allocation boundary, is identified as suitable for employment provision. To the east and south, the land within the Marcombe allocation is identified as suitable for employment, SANG and residential development.

The Commissioners land presents a logical opportunity to provide residential development in a manner that respects the CVRP Masterplan and its objectives. The Commissioners land at Bishop's Court Lane could support the allocation of 10,000 dwellings at the Marcombe allocation, and could accommodate some of the shortfall of EDDC in preparing to meet the requirement to plan for the full standard method figure should the second Regulation 19 Draft Plan fail the transitional arrangements. To assist in making the Draft Plan effective, and, therefore, sound, CCE request that EDDC review the Marcombe

allocation boundary in the context of the legal issues outlined above, and include Land at Bishop's Court Lane within the Marlcombe masterplan for the provision of additional homes.

Strategic Policy WS09: Clyst Valley Regional Park

The Commissioners broadly support Strategic Policy WS09, which identifies land within the CVRP and requires development to accord with the objectives of the CVRP Masterplan. The Commissioners land at Bishop's Court Lane is sited within the CVRP Masterplan area.

Any residential development brought forward at the Commissioners Land at CVRP, adjoining Marlcombe, could complement the objectives of the CVRP and seek to support some of the objectives identified within Strategic Policy WS09. The siting of Bishop's Court Lane does not preclude the suitability of the site for allocation within the Marlcombe Masterplan.

The Commissioners endorse the flexibility afforded by the wording of the Strategic Policy WS09, which does not restrict or prevent development insofar as it supports the objectives of the CVRP Masterplan.

Land at Bishop's Court Lane

The Commissioner's land at Bishop's Court Lane is unconstrained. The site is:

- 1 Located in fluvial Flood Zone 1;
- 2 Not subject to any ecological designations;
- 3 Is not subject to any heritage designations;
- 4 Is not subject to any tree protection orders;
- 5 Is Grade 3 agricultural land;
- 6 Is sustainably located relative to the A30, Clyst Honiton and the future town centres of the Marlcombe allocation; and,
- 7 Adjoins the proposed allocation at Marlcombe to the west, south and east.

The site forms a logical extension to the Marlcombe allocation and is well suited to provide additional homes in an area suited to the proposed masterplan for Marlcombe.

The second Regulation 19 Draft Plan does not meet its housing need as established by the standard method. The Draft Plan can no longer be assessed against the December 2023 version of the NPPF, as it does not meet the exceptions for plan making established in para. 234 of the December 2024 NPPF. The authority must, therefore, plan for its full housing requirement.

EDDC must provide for sufficient delivery of 25,432 homes within the plan period (+ buffer) and progress plan-making under the December 2024 NPPF. The Commissioners request that the Land at Bishop's Court Lane be included within the Marlcombe allocation boundary to assist in meeting the second Regulation 19 Draft Plan's shortfall against the standard method housing requirement.

Other Policies

The Commissioners have no amended representations to other policies commented on at the first Regulation 19 Consultation. The policies previously addressed are below, and the representations can be found at Annex 1:

- 1 Strategic Policy SP01: Spatial Strategy;
- 2 Strategic Policy SP03: Housing Requirement by Designated Neighbourhood Area;
- 3 Strategic Policy SP04: Employment provision and distribution strategy;
- 4 Strategic Policy SP06: Development beyond Settlement Boundaries

Conclusion

The Commissioners support the focus for new development established by EDDC in the western part of the district and the introduction of the New Town, Marlcombe, under Strategic Policy WSO1. The Commissioners are concerned that the progression of the second Regulation 19 Draft Plan to examination would not be in accordance with the transitional arrangements of para. 234 of the NPPF. EDDC must, therefore, plan for its full housing need according to the standard method.

The Commissioners would welcome the opportunity to support EDDC in providing additional land to achieve its net housing requirement through the allocation of land at Bishop's Court Lane.

We trust that these representations are clear and will assist EDDC in its ongoing plan-making process. Please do not hesitate to contact me or my colleague Simon Slatford should you require any clarification on any points made. We would also be grateful if you would continue to keep us informed on the development of the emerging Local Plan and any other planning documents that are prepared by the local planning authority.

Yours faithfully

**Zoë Mason**

Planner

BSc (Hons) MSc MRTPI

Annex 1: First Regulation 19 Consultation Response (March 20s25)

East Devon District Council
Planning Policy Team
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Date: 28 March 2025

Our ref: 31650/01/PR/ZM/33603617v3

Dear Sir/Madam

East Devon Local Plan – Preferred Options (Regulation 19) Consultation

On behalf of our client, the Church Commissioners for England (the Commissioners), we enclose representation to the East Devon Local Plan (Regulation 19) Consultation.

The Commissioners is a registered charity that supports the work and mission of the Church of England across the country. Its investment policy is to hold a diverse portfolio of investments across a broad range of asset classes consistent with its ethical guidelines. Its Strategic Land team brings forward land for new housing development with the aim of delivering new homes and employment opportunities which support and enhance the local community. Many new developments also include new schools, community facilities, and new areas of open space, which benefit not only new residents but also neighbouring communities.

The Commissioners own land in Clyst Honiton, East Devon, known as the Clyst Honiton Bypass Site ('the Site'). The Site has previously been submitted to the East Devon District Council (EDDC) Call for Sites consultation and Preferred Options Regulation 18 Consultation, as well as the to the Clyst Honiton Neighbourhood Plan and Greater Exeter Strategic Plan Call for Sites in April 2017. The Site is proposed to be brought forward for development under a Neighbourhood Development order, and was considered as an allocation in the Regulation 14 Clyst Honiton Neighbourhood Plan consultation. This was subsequently disregarded as it was understood that the Neighbourhood Development Order would not be brought forward on the same timeline as the now made Clyst Honiton Neighbourhood Plan. A plan showing the location of the site is included at Annex 1. The Commissioners continue to engage with the Clyst Honiton Steering Group in relation to the emerging Neighbourhood Development Order.

Response to the Regulation 19 Consultation

In the context of the above, the remainder of this letter sets out The Commissioners' response to the EDDC Local Plan 19) Consultation. The Commissioners generally support the vision and objectives set out in the consultation document. We comment in relation to specific policies below.

Strategic Policy SP01: Spatial Strategy

The Commissioners supports Strategic Policy SP01 and the focus for new development on the West End of the district, including a new town and other strategic developments east of Exeter. In particular, we note that Clyst Honiton is identified as ‘open countryside.’ We would emphasise that Clyst Honiton is a sustainable and suitable location for development given the good connectivity to the existing road network, Exeter Airport and Exeter.

Strategic Policy SP02: Levels of future housing development

The Commissioners consider that the housing provision identified within the Policy SP02 is in contrast with the requirements of the December 2024 National Planning Policy Framework and its updated Standard Method.

The December 2024 NPPF sets out that plans that are at Regulation 19 consultation stage by 12 March 2025 will be examined under the December 2023 version of the Framework. Paragraph 236 of the NPPF states where exempt plans demonstrate a housing requirement meets less than 80% of local housing need under the new standard method, work on a new plan must commence immediately following adoption of the plan currently under preparation in order to address housing needs.

The Regulation 19 Consultation document identifies at paragraph 3.11 establishes that the new standard method generates an average housing need of 1,188 dwellings as of February 2025. East Devon District Council (EDDC) in its justification for Policy SP02 identifies the authority’s housing need to be 80% of the figure produced by the new standard method, a requirement of 950.4 dwellings per annum. Policy SP02 proposes to address a housing need of 20,909 dwellings, which is equivalent to provision of 950.4 dwellings per annum. The document also identifies a ‘surplus’ (para. 3.11-3.12) of 1,707 dwellings when accounting for projected delivery including built dwellings, permitted, projected future windfalls and allocations (as of April 2024).

Through its approach, EDDC inaccurately identifies its need to be 80% of its actual need, and states any provision over 80% of need to be ‘surplus’. This demonstrates EDDC’s unwillingness to engage with the real housing need presented in the district by the new NPPF, does not represent positive preparation, and is not a justified approach to housing need. Policy SP02 takes a bare minimum approach to the requirements of the NPPF, seeking to achieve only 80% of housing requirement, utilising a further 1,705 dwellings only in the event of non-delivery of dwellings as opposed to accommodating the availability of land within the housing targets. Policy SP02, in this case, is unsound

The Commissioners recommend EDDC review this policy to identify and provide for 100% of the housing need required by the December 2024 NPPF and its transitional arrangements in Annex 1.

The Commissioners acknowledge that the Office for National Statistics has published its affordability ratio for 2024 on 24 March 2025. This impacts the calculated housing requirement under the new standard method, reducing need. Whilst the need is reduced from the figure of 1,188 to 1,146, the need is still calculated to be greater than EDDC’s proposed annual need of 950.4 dwellings and therefore the principles outlined above still apply.

Strategic Policy SP03: Housing requirement by Designated Neighbourhood Area

The Commissioners support Strategic Policy SP03, which outlines the minimum development to take place in each Designated Neighbourhood Area during the plan period. We note the inclusion of a “*minimum*” figure, which provides a degree of flexibility that allows for additional development within the plan period. With respect to the Requirement Figures that support the policy in Appendix 2 of the Draft Plan, it is noted that the Commissioners’ promoted Site, which is being pursued for development by the Clyst Honiton Parish Council through a Neighbourhood Development Order, is not accounted for within the figures.

The Site has been excluded from the made Clyst Honiton Neighbourhood Plan (13 March 2025) due to a NDO not being able to be completed prior to the making of the plan. Whilst this is the case, the Site is likely to come forward within the plan period, and could be accounted for within Policy SP03 as a ‘commitment.’ This can assist to support in providing the shortfall in housing provision as outlined above. The Site has been assessed to have a maximum capacity of 50 dwellings, employment space and a new community facility as promoted within the Regulation 14 and 16 Neighbourhood Plan consultations. As such, the Site could support the development of 50 dwellings.

Strategic Policy SP04: Employment provision and distribution strategy

The Commissioners endorse EDDC’s objective of supporting business investment and job creation opportunities within East Devon. The Commissioners have a record of delivering facilities in East Devon, including the Exeter Gateway Distribution facility to the north of the Site, at which Lidl and Amazon distribution centres are already operating.

It is noted that Strategic Policy SP04 does not quantify a proportion of employment land contribution for windfall developments. The flexibility of this approach is supported by the Commissioners, as it allows site specific circumstances, such as location and viability, to be taken into account when determining appropriate land uses.

Strategic Policy SP06: Development beyond Settlement Boundaries

The Commissioners welcome the flexibility of Strategic Policy SP07 to permit development outside of settlement boundaries where it is in accordance with specific Local or Neighbourhood Plan policies which explicitly permits such development, where it would not harm the distinctive landscape, amenity and environmental qualities of the area within which it is located. This approach will assist in bringing forward appropriate development on sites within rural Neighbourhood Plan areas that otherwise would be opposed within the Local Plan.

Strategic Policy WSO1: Development of a second new community east of Exeter

The Commissioners recognise that long-term strategic developments can be crucial to meeting housing requirements in the district, along with providing key infrastructure and facilities for new and existing residents. In this context, The Commissioners endorse Strategic Policy WSO1 and the development of a second new town east of Exeter. The Commissioners particularly endorse the Option for allocation

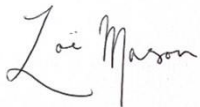
brought forward to the Regulation 19 Draft Plan, which benefits from good access via the A30, proximity to Exeter Airport and Exeter Gateway Distribution facility to promote commercial uses, and can be made acceptable in terms of landscape, heritage and ecology via appropriate masterplanning. The site would provide the opportunity to deliver infrastructure to support other development within the local area, particularly complementing the existing Clyst Valley Regional Park and providing opportunity for expansion.

Summary

The Commissioners welcome the opportunity to comment on the emerging Local Plan. In short, the Commissioners support the focus for new development in the western part of the District and the introduction of the New Town under Strategic Policy WSO1. Whilst this is supported, the Commissioners acknowledge that EDDC are not seeking to address the full housing need of the district as established by the new standard method of the December 2024 NPPF.

We trust that these representations are clear and will assist in the finalisation of the emerging Local Plan. Please to not hesitate to contact me or my colleague Pauline Roberts should you require any clarification on any points made. We would also be grateful if you would continue to keep us informed on progress of the development of the emerging Local Plan and any other planning documents that are prepared by the local planning authority.

Yours faithfully



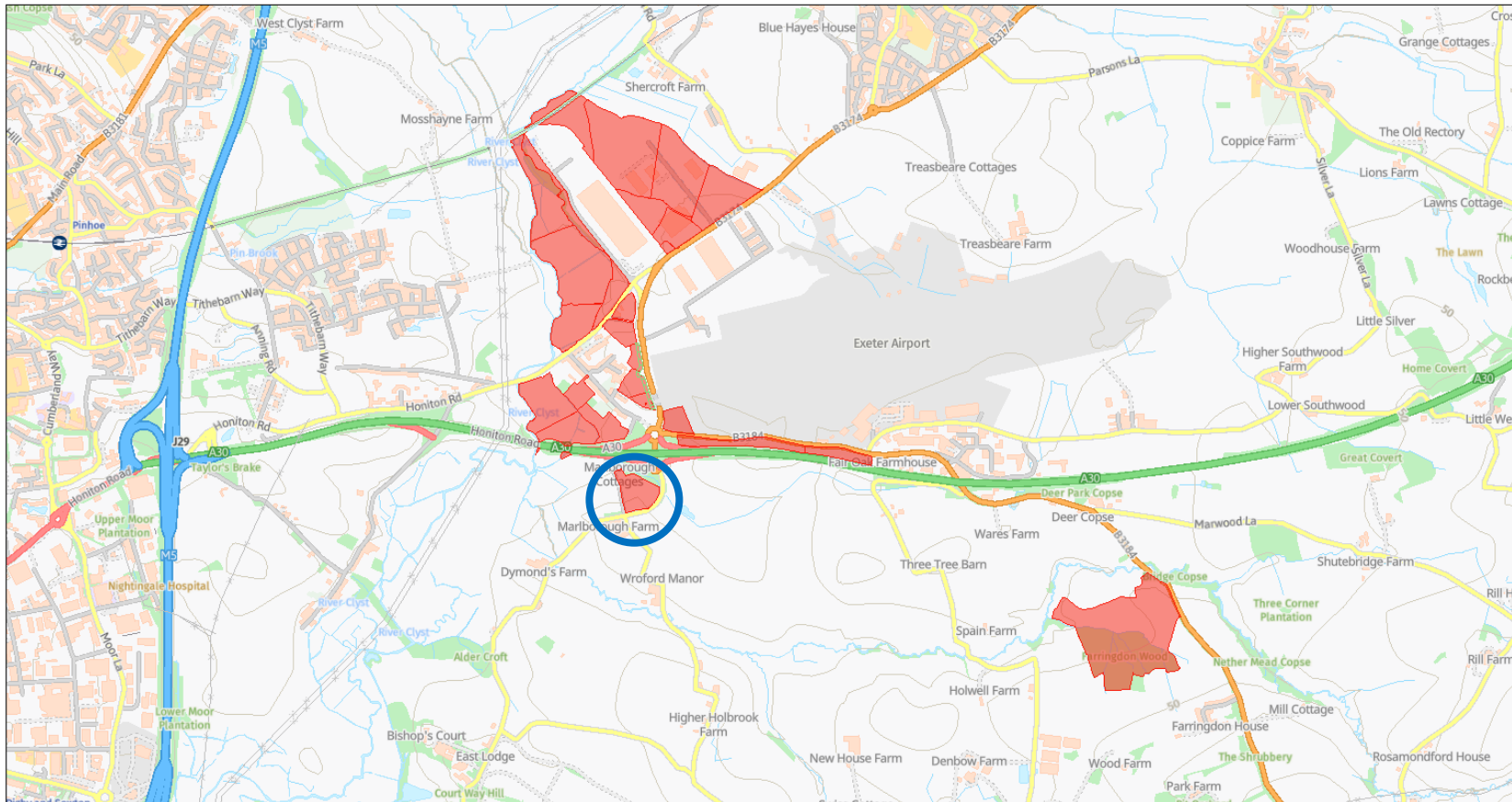
Zoë Mason
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Annex 1:



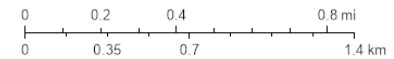
Figure 1 - Clyst Honiton Site Location Plan

Annex 2: The Commissioners Land at Bishop's Court Lane



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