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Dear East Devon District Council,

EAST DEVON LOCAL PLAN SECOND REGULATION 19 LOCAL PLAN CONSULTATION RESPONSE IN RELATION TO LAND NORTH OF SOWTON VILLAGE, EXETER

This representation is submitted on behalf of our client, Waddeton Park Ltd, in connection with the Second Regulation 19 Local Plan Consultation. Waddeton Park Ltd is seeking to promote the land north of Sowton village, near Exeter for allocation as a strategic employment site. The site was submitted as part of the Call for Sites as a prospective employment site. Representations were submitted on behalf of Waddeton Park Ltd as part of the initial Regulation 19 Consultation. The latest iteration of the Local Plan consultation has not taken account of these previous representations.

Response to the Spatial Strategy

Chapter 3 within the consultation document refers to quantity, type and distribution of development within East Devon.

Strategic Policy SP04: Employment provision and distribution strategy

This policy seeks to allocate a total of 175.16 hectares of land for employment use. The employment land total includes sites that have planning permission which have not yet been constructed and also 16.5 hectares of employment land at a second new community (now named Marlcombe), to be delivered by 2042.

Given the very premature stage that the second new settlement is at, as set out within Policy WS01 of the consultation document, it is considered unrealistic that over 17 hectares of employment land could be delivered within this timescale. There is currently no agreed masterplan for the new settlement, and to expect extensive employment land to have been delivered within the next 17 years (by 2042) is an unachievable timeline.

Furthermore, there has been an historic under delivery of employment land within East Devon, as evidenced within the Greater Exeter Economic Development Needs Assessment (EDNA). Therefore, EDDC should be seeking to allocate land well in excess of the 80 hectares mid-point clean growth scenario set out within the EDNA. Paragraph 6.2.2 of the EDNA states, 'The West End of East Devon is the most popular location within Greater Exeter for industrial occupiers. This is due to accessibility to the regional road network and the availability of both serviced land and good quality second-hand options. It is evidence that there is a large quantity of unsatisfied demand.'

The new National Planning Policy Framework (NPPF) sets out in paragraph 85, an ambitious strategy with significant weight attributed to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken to economic development should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. The West End is identified as a strategically important location for economic growth to serve the needs of both EDDC but also Exeter City, given the proximity to Exeter.

The policy as currently drafted is relying on insufficient and unsuitable sites to come forward within an unrealistic time frame.

Land north of Sowton has undergone a robust pre-planning analysis, to inform Waddeton Park Ltd of the constraints and feasibility of development in this location. An Outline Planning Application for the development of this site has recently been submitted and is currently awaiting validation. The relevant planning reference is 25/2620/MOUT.

The site is in a sustainable location, with close proximity to the regional transport corridor of the M5 and A30 and it is achievable to deliver the site for economic development within the Plan period. Constraints identified with the site are capable of being mitigated through the design process. Therefore, this site should be included as an allocated site for employment within the Local Plan, as previously proposed in the draft Local Plan.

Strategic Policy SP06: Development beyond Settlement Boundaries

This policy is aimed at restricting development outside of defined settlement boundaries, due to being located in open countryside.

While the aim of this policy is supported at a general level, in circumstances where there are insufficient employment sites allocated for the Plan period, the policy does not offer sufficient flexibility for alternative employment sites to come forward, even in circumstances where a site is sustainably located and where there is a demand for such development. Where a potential employment site is located close

to other allocated employment sites, the unallocated site should not be perceived as unsustainable due to being on the wrong side of an arbitrary line. If a site is in a sustainable location, it should be considered suitable for development. Land north of Sowton is one such example. It is located in a sustainable location with excellent transport links to the local and wider strategic road network and is also sited adjacent to other allocated sites within the West End area.

Response to Development at the West End

This chapter focuses on continued growth in the West End, where support for high growth is given. The West End is a key strategic location for growth in a highly sustainable area that has seen significant development since 2010, with substantial residential growth, employment opportunities, and has strong functional links to Exeter. The West End offers extensive infrastructure, close proximity to urban services, and efficient transport connections, making it a prime location for further strategic development.

Strategic Policy WS01: Development of Marcombe new community east of Exeter

This policy proposes the development of a new community on the western side of East Devon. The new community would be a long-term strategic development scheme, with the expectation that the house and employment development will be delivered by 2042, i.e. within the Plan period.

While the principle of a new settlement is supported, the detail of how the new community can be delivered is very limited within the consultation document. No masterplan for the new community is included within the original Regulation 19 consultation document. It would appear that the new community concept is being fast-tracked to attempt to progress the Local Plan under the transitional arrangements of the NPPF. EDDC should not be criticised for wanting to progress its Local Plan under transitional arrangements given the work that has already been put into preparation of the Local Plan, however, it does appear that the new settlement concept is at a very early stage and therefore, to expect early delivery of housing and employment development is a very unrealistic target.

Whilst it is acknowledged that this Second Regulation 19 consultation document shows plans for Marcombe at a more advanced stage. The deliverability of the proposals over the plan period is questionable. The deliverability of 16.5 hectares of land in office, industrial and warehouse sectors is particularly optimistic and puts into question the deliverability of the allocation, including both the employment space and new homes targets within the projected timeframes.

Accordingly, the employment and housing allocations within this policy of the consultation document fail the soundness test on the basis of not being effective, with a significant question over the deliverability over the Plan period.

Strategic Policy WS09: Clyst Valley Regional Park

This policy refers to land that is allocated as the Clyst Valley Regional Park (CVRP) and the mitigation measures that will apply to all development proposed within the CVRP.

Land north of Sowton is proposed to be included within the CVRP, however the inclusion of this land is not supported by Waddeton Park Ltd.

While the CVRP allocation does not prevent development in its own right, a number of the mitigation measures required for development within the CVRP as set out in the policy would restrict the level of development that can take place on land north of Sowton. Given that the land north of Sowton holds a strategically important location within the West End, as previously identified by EDDC when the site was a draft allocation in the previous draft Local Plan, to restrict development in this location is not an appropriate strategy and is unjustified, and therefore is not sound. Waddeton Park Ltd reiterate their previous position that the land north of Sowton should be removed from the CVRP.

Response to Supporting the Economy and Town Centres

Policy SE02: Employment development in the countryside

The theme within this policy is that outside development limits, support for development will be very limited to expansion of existing sites only, and only within the existing operational site boundaries. There are often circumstances where local businesses want or need to grow, and by restricting the ability of a site to expand beyond the existing operational boundary of a site is overly restrictive and has the potential to stifle local businesses. This is not positively planned, is overly restrictive and is not sound due to being unjustified and ineffective.

Response to Our Outstanding Landscape

This chapter looks at the various landscape features across East Devon, recognising that approximately two thirds of the administrative area falls within two National Landscapes. This leaves about one third of the East Devon area unrestricted by a National Landscape designation.

Policy OL05: Green Wedges

The proposed green wedge is far too extensive, including vast swathes of land that performs no function in terms of maintaining the separation and identity of settlements.

The stated purpose of the green wedge designation is to prevent the coalescence of settlements and maintain their separate identities. An Officer report to the Strategic Planning Committee on 13th February 2024 advised that green wedges *“are not intended to cover large swathes of land, or completely fill the space between settlements, instead they are intended to protect features or areas*

that are key to preventing coalescence or loss of identity". The report goes on to explain that, in other locations outside of settlement boundaries or site allocations, *"the countryside protection policies will continue to apply and there will continue to be a presumption against development in these areas"*. The report then reminds the Strategic Planning Committee of its own resolution on 11th January 2022 that *"Extensive areas of Green Wedge that go beyond the area needed to achieve this aim would unnecessarily restrict development that would otherwise be acceptable"*.

The report also presented green wedge assessments to the Strategic Planning Committee. These were focussed on identifying and protecting the features that are key to safeguarding character and identity and preventing coalescence. A robust methodology was applied to these assessments and this can be seen in Appendix 1 of the report to the Strategic Planning Committee on 13th February 2024. The assessments concluded that, in most cases, the green wedge designations in the current Local Plan should be scaled back to more accurately reflect their desired function and in line with the Committee's resolution on 11th January 2022 (see 2.2.2).

The assessment concluded that the East of Exeter Green Wedge designation should be withdrawn and replaced with a more focussed green wedge on the west side of Clyst St Mary. The remainder of the East of Exeter Green Wedge was deemed to *"not meet the designation criteria because it does not separate two or more settlements"*. A review of the detailed assessment undertaken by Officers is helpful in understanding how this conclusion was drawn and the following extracts from the assessment are considered particularly relevant:

"Overall, the area of search is characterized by sweeping open countryside, though with substantial developed areas within, and the River Clyst, which meanders through the area from north to south, primarily in the central portion. This creates a diverse landscape with a blend of rivers, vegetation cover, and manicured lawns. The sense of separation is pronounced, enhanced by the mature trees surrounding Sowton village, the intervening distance, and the major roads (A30, M5, and A376), which play a significant role in defining the area's distinct character."

"Low visibility exists between settlements due to the distance and the intervening motorway and main roads."

"The three main sub-areas within the area of search, and the perception and actual distances between them, is such that they have a distinct sense of separation from one another."

"The proposed green wedge is located on the western side of Clyst St. Mary village next to the river Clyst and alongside Sidmouth Road (A376). On account of the substantial size of the area of search and the real and perceived existing sense of separation of settlements there are no alternative options identified."

Despite the robust assessment process undertaken by Officers, Members of the Strategic Planning

Committee resolved not to agree with the proposed recommendation to reduce the extent of the green wedges (including the East of Exeter Green Wedge). No robust reasons were given for this decision, albeit reference is made in the Minutes of the meeting that the methodology did not address *“the aspirations of residents”*.

A report to the Strategic Planning Committee on 30th April 2024 makes reference to a workshop between Officers and Members where the topic of green wedges was discussed. In that meeting Members stressed the length of time that existing green wedges have been in place and the level of public support and public understanding that they enjoy. It was also highlighted that green wedges help establish and positively shape a sense of place and that an intrinsic sense of separation of settlements is a critical concern in their definition. None of these claims are supported by robust evidence, however Officers were ultimately left with the clear impression (as noted in the Committee report) that Members wished to *“retain the existing green wedges as much as possible”*.

As a consequence, the East of Exeter Green Wedge (and other green wedges) presented in the consultation document has reverted more or less to its previous expansive form. No robust justification for this approach is provided within the consultation document or within the report to the Strategic Planning Committee on 30th April 2024. It can therefore be reasonably concluded that this decision simply reflects a preference among Members to retain expansive green wedge designations, rather than being grounded in any robust assessment or policy basis.

The Committee report rightly warns Members that planning policies must be evidence based and accord with national policy and guidance as they will ultimately be scrutinised at Examination. This is particularly significant in the case of policies relating to green wedges, as this is not a form of designation that is endorsed by the National Planning Policy Framework (NPPF) or Planning Practice Guidance (PPG). This advice is of course correct and highlights the clear shortcomings of the approach now presented within the consultation document.

To conclude, a robust assessment undertaken by Officers advised that the current green wedge policy is not fit for purpose and that the policy should be amended to reduce the extent of green wedges to those areas that provide a genuine function in maintaining the separation and identity of settlements. The findings of that assessment have been ignored, with Members opting to retain expansive green wedges against the advice of Officers and without robust justification.

Waddeton Park Ltd maintains its objection to the extent of the East of Exeter Green Wedge in the strongest terms.

The land north of Sowton village was included as a draft employment allocation under Strategic Policy 12 in the previous Local Plan consultation. The site was proposed as a high quality employment site comprising a mix of B2, B8, E(g) and other complimentary uses including indoor sports, recreation, crèches and cafes. Waddeton Park Ltd submitted comments to support that draft allocation at the time.

Although the current consultation does not specifically seek comments in respect of the proposal to allocate the land north of Sowton village for employment development, this is relevant in the context of the land north of Sowton village, which is currently proposed to be included within the expansive East of Exeter Green Wedge.

The land north of Sowton village should be removed from the green wedge in order to provide certainty over the development potential of this site. The land north of Sowton village performs no function in maintaining the separation and identity of settlements and so its removal from the green wedge is entirely appropriate. The land north of Sowton village is not located between Sowton and Clyst St Mary. Its development will therefore have no impact upon the perception of openness and separation between the settlements. There is no intervisibility between Sowton and development to the north including Clyst Honiton, Blackhorse and Exeter Science Park. This is due to the significant distance between the relevant built up areas and the nature of intervening topography and physical features within the landscape e.g. the A30. Intervisibility between the land north of Sowton and the village of Sowton is extremely limited by virtue of the distance between them and the nature of intervening topography and physical features within the landscape. In the few instances where the site is visible from the village, the visual impact of development in this location can be effectively mitigated/avoided through the implementation of landscaping measures and by leaving certain areas undeveloped.

Taking the above into account, it can be reasonably concluded that the land north of Sowton village does not perform any genuine function in maintaining the separation of settlements or the individual identity of Sowton. It has also been demonstrated that the site can be developed in a manner that effectively mitigates and avoids any perception of physical encroachment upon Sowton.

Concluding Remarks

This response has been submitted on behalf of Waddeton Park Ltd and seeks to secure reallocation of the land north of Sowton as an employment site.

The Second Reg 19 consultation Local Plan as it currently stands, is unsound for the reasons outlined in this response and significant alterations are required in order for the Local Plan to be found sound at Examination.

Land north of Sowton represents a sustainable location for employment development, which is suitable, available and achievable for development within an early stage of the new Local Plan period. Accordingly, consideration should be given by EDDC to releasing this land from the proposed Green Wedge designation and reallocating it for employment development, to meet the identified employment need.

It is respectfully asked that the comments made within this document are taken into consideration and acted upon. It is also requested that Greenslade Taylor Hunt, on behalf of Waddeton Park Ltd, is notified

of future planning policy consultation events.

Yours sincerely

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