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Land East of Axminster

EDDC Second Regulation 19 Consultation:
Representations

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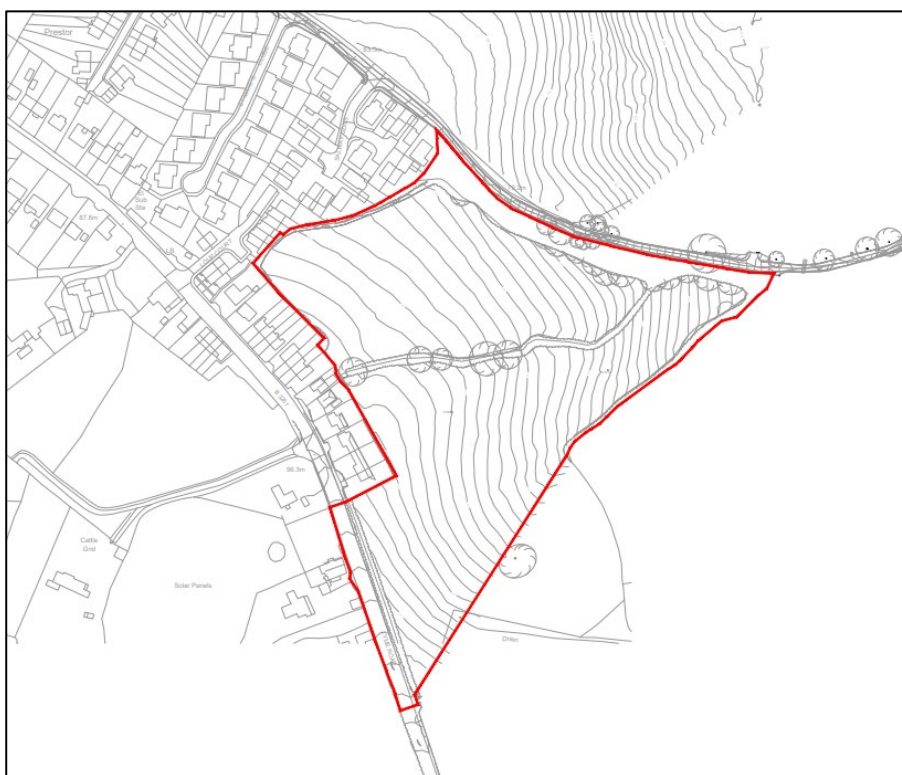
1. INTRODUCTION

- 1.1 These representations have been prepared by Boyer on behalf of Persimmon Homes South West Ltd (PHSW) in response to the East Devon District Council ('EDDC') Local Plan Second Regulation Consultation Document (hereafter referred to as the "Draft LP").
- 1.2 Representations for land east of Axminster ('the Site') have previously been submitted as part of the first stage of EDDC's Regulation 19 Consultation undertaken in March 2025.
- 1.3 At the time these representations are made, it is relevant to note that there is an extant planning application (LPA Ref. 19/0150/MFUL) for the construction of 104 dwellings at the Site. PHSW continues to work with EDDC to obtain planning permission in a timely and proactive manner.

Land South and East of Endfield Lyme Road, Axminster (Axmi_22)

- 1.4 The Site is greenfield, occupying approximately 4.5ha of agricultural land across two distinct field parcels. The northern boundary is formed by Sector Lane and a small linear woodland copse, with an existing hedgerow to the southeast of Lyme Road (B3261) to the south west. The western extent of the Site is formed by the existing residential envelope of Axminster.

Figure 1.1 Extract of Site Location Plan



Transitional Arrangements

- 1.5 For the second stage of EDDC's Regulation 19 Consultation, it is understood that EDDC are still seeking to benefit from the NPPF Transitional Arrangement as set out within Annex 1 of the NPPF. As such, it is still therefore expected that this Draft LP will be examined under the

provisions of the 2023 NPPF. On this basis, these representations reference the soundness of this Draft LP against the requirements set out within the NPPF (2023).

- 1.6 It is noted that the NPPF states those local plans that reach Regulation 19 (pre-submission stage) on or before 12 March 2025 and whose draft housing requirement meets less than 80% of local housing need should proceed to examination within a maximum of 18 months from 12 December 2024, or 24 months of that date if the plan has to return to the Regulation 18 stage.

Test of Soundness

- 1.7 These representations respond to the relevant draft Local Plan policies, with particular consideration given to the National Planning Policy Framework's (NPPF) own tests of soundness:

- **Positively prepared;**
- **Justified;**
- **Effective;** and
- **Consistent with National Policy.**

- 1.8 PHSW continue to **support** Strategic Policy SD02: Axminster and its development allocations, which includes the emerging allocation for the Site, allocating Axmi_22 for the delivery of up to 100 dwellings.

- 1.9 In light of these representations, it is imperative that EDDC reassesses its Draft LP, incorporating the amendments proposed. To ensure the Draft LP is found **sound**, PHSW previously considered a number of amendments were required (as set out at paragraph 6.8 of the first Regulation 19 Consultation written representations). These representations consider that the Draft LP must:

- Remove the inclusion of any references to a '*possible future relief road*' within Policy SD02: Axminster and its development allocations, as this is not considered to be justified and there is a lack of sufficient evidence to demonstrate it is required, viable, or even deliverable.
- Consider including more flexibility for types of applications, or the removal of Strategic Policy CC02: Net-Zero Carbon Development from the Draft LP as the current text repeats legislation and requirements which is not required.
- Include flexibility within Strategic Policy CC05: Heat Networks to ensure that sites can be considered on a case-by-case basis. In addition, it must be acknowledged that access to heat networks is currently outside of the control of the landowner and developer.
- Strategic Policy HN02: Affordable Housing should include flexibility for all forms of development to ensure that the requirements accord with the definition within Annex 2 of the NPPF.

- Sites should be considered on a case-by-case basis with regards to Policy HN03: Housing to meet the needs of older people, and as worded there is currently no mechanism for off-site contributions if necessary.
- The proposed policy HN05: Self build and custom build housing should remove reference to affordable housing requirements and include additional flexibility for appropriate triggers to be negotiated on a case-by-case basis.
- Strategic policy TR02 Protecting Transport Sites and Routes is unjustified as currently drafted as there is a lack of sufficient evidence regarding the delivery and viability of the Axminster relief road. References to the Axminster relief road should therefore be removed.
- As areas of superfast broadband and high-quality communications are outside of the control of the developer, Policy TR06 Digital connectivity is unjustified. The policy text should be amended to provide flexibility.
- The proposed 20% requirement for BNG is unjustified, nor supported by a robust evidence base. Strategic Policy PB05 should therefore be updated to 10% to ensure the Draft LP is consistent with National Policy.

2. EAST DEVON LOCAL PLAN 2020 TO 2042: STRATEGIC POLICIES

- 2.1 This Chapter discusses the Strategic Policies of the East Devon Local Plan 2020 to 2042 Second Regulation 19 Publication Draft (November 2025) in chronological order.

Chapter 4: Development at the West End

Strategic Policy SD02: Axminster and its development allocations

- 2.2 PHSW **support** Strategic Policy SD02: Axminster and its development allocations, with particular regard to the retention of land east of Lyme Road (Axmi_22) as an allocation for 100 homes.
- 2.3 It is noted that the following amendments to the Draft LP text for the allocation of the Site shown in red and underlined are proposed:

“Land east of Lyme Road (Axmi_22)

This site is allocated for 100 dwellings. The site layout should make provision for a suitable access road to facilitate the development of site GH/ED/80 to the north and also be designed and built to a standard suitable for use as part of a possible future relief road to link to the A358, Chard Road, south of the Weycroft Bridge.

Pedestrian/cycle access should be off Loup Court, with Public Rights of Way enhancements. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.”

- 2.4 Whilst PHSW continue to **support** the continued allocation of land east of Lyme Road (Axmi_22), as detailed within previous written representations to ensure the policy is **sound** at examination, the requirement to safeguard land for the relief road should be removed. The suggested amendment to the draft wording for Axmi_22 is as follows:

“Land east of Lyme Road (Axmi_22)

*This site is allocated for **up to** 100 dwellings. The site layout should make provision for a suitable access road to facilitate the development of site GH/ED/80 to the north and also be designed and built to ~~a standard suitable for use as part of a possible future relief road to link to the A358, Chard Road, south of the Weycroft Bridge.~~*

Pedestrian/cycle access should be off Loup Court, with Public Rights of Way enhancements. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.”

- 2.5 Paragraph 6.9 of the January 2025 Local Plan Viability Assessment Addendum (CSD-004) notes that:

“Some of the allocation policy requirements reference a possible future relief road although it is understood from the Council that this is unlikely to proceed in the foreseeable future and that the requirement will require a suitable layout instead”. [Boyer emphasis]

- 2.6 The November 2025 Local Plan Viability Assessment Addendum (CSD-004a) provides no further commentary regarding the delivery of the relief road. As a result, the retention of the relief road within the Draft LP is **unjustified** as there continues to be a lack of feasibility and viability for the ‘possible future relief road’ and is acknowledged by EDDC to be unlikely to proceed.
- 2.7 The Local Plan Viability Assessment Addendum (CSD-004a) notes the following detailed regarding the allocation of Axmi_22:

Table 2.1 Extract of Table 3.4 Allocations, value area and typology (CSD-004a)

Proposed Allocation	Value Area	Greenfield / Brownfield	Dwellings	Typology	In planning
Land east of Lyme Road (Axmi_22) – 100 dwellings including section of relief road	VA 5	GF	100	Res5a	No

- 2.8 PHSW are dedicated to delivering the scheme at east Axminster and the planning submission for the Site is anticipated in early 2026. Further details regarding the deliverability of land east of Axminster is provided within **Section 3** of this report.
- 2.9 In terms of the proposed development at the Site, a pedestrian access point will be provided at the northwestern site boundary where the existing Public Right of Way (PRoW) meets Sector Lane. The application proposal also encompasses community infrastructure such as publicly accessible amenity open space, enhanced linkages, cycleways and footpaths, thereby creating a sustainable and integrated new community. This requirement for a connection to Loup Court is therefore **supported** by PHSW.
- 2.10 PHSW acknowledge the importance of ensuring there are no adverse effects on the integrity of the Beer Quarry and Caves SAC and bat activities and understand that suitable avoidance or mitigation measures will need to be identified and implemented. The East Devon Habitats Regulations Assessment (HRA) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft Plan – Autumn 2025) (CSD-006(rev)b) provides the following extracted screening of the Plan for likely significant effects, which highlights that some allocations within the landscape connectivity zone for Lesser Horseshoe Bats have been screened in on a precautionary basis for bats and supporting habitat.

Table 2.2 Extract of Table 4 of the East Devon HRA (CSD-006(rev)b)

Plan Section / Policy	Description	Initial LSE Screening	Potential Risks	Comments
SD02: Axminster and development locations	Strategic policy, allocation of 12 sites for development in	LSE. Screened in.	Recreation impacts alone (River Axe SAC), in combination	Policy allocates a number of locations all in close proximity to the River Axe. Land at Chard Road and the

	<p>or around Axminster.</p>		<p>(Sidmouth to West Bay SAC); Loss of supporting habitat alone (Beer Quarry & Caves SAC); water quality alone (River Axe SAC)</p>	<p>Axminster Carpet site are both very close (well within 100m) of the SAC boundary, bringing particular risks. Some allocations just within landscape connectivity zone for Lesser Horseshoe Bat (a feature of the Beer Quarry & Caves SAC), see (Jennings & Youngman, 2022) and therefore screened in on a precautionary basis for bats and supporting habitat.</p>
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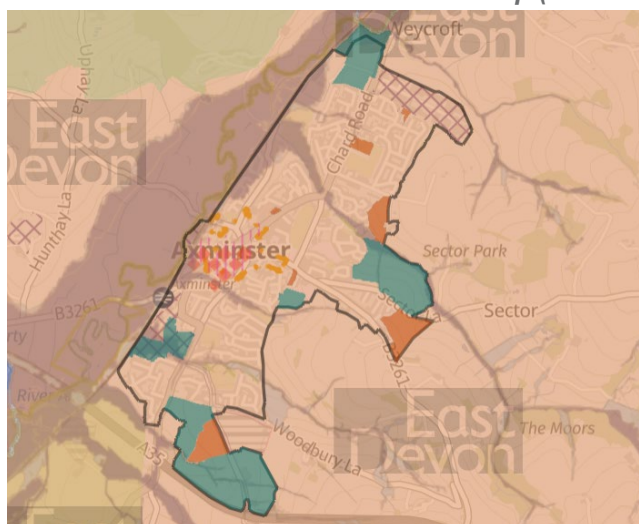
2.11 It should be noted that PHSW have undertaken Ecological Reports prepared by GE Consulting who have identified that impacts on bats on Site would be negligible, and that a Habitat Management and Maintenance Plan will be produced and followed to mitigate any long-term impacts.

Local Plan 2020 to 2042 Policies Map (Second Reg 19 Consultation)

2.12 With regards to the revised Local Plan Policies Map in relation to the Site and Axminster, it is noted that land at East Axminster (Axmi_22) is designated as follows:

- Housing (100 homes under Policy SD02);
- Within settlement boundaries (Policy SP05);
- Designated Neighbourhood Area of Axminster (Policy SP03);
- River Axe Catchment Area (Policy PB04); and
- Axminster CP Parish Council Area.

Figure 2.1 *Extract of the Local Plan 2020 to 2042 Policies Map (Second Reg 19 Consultation)*



- 2.13 Whilst the Local Plan Policies Map notes the Site is designated as a Flood Zone, PHSW can confirm that following updates to the Environment Agency (EA) Flood Maps for planning in March 2025, the site continues to be wholly located within Flood Zone 1 and is therefore at low risk. In addition, the EA flood maps indicate that there are some areas of potential surface water flood risk. However, all areas of development at land east of Axminster are located in Flood Zone 1 outside of areas at risk of surface water flooding. PHSW therefore request that the Local Plan Policy Map be updated accordingly to ensure that 'Flood Zones' are not a designation for Axmi_22.
- 2.14 On further review of the updated evidence base, there has been no additional evidence provided to demonstrate that the Axminster relief road is essential to mitigate the impacts of development within Axminster. In addition to confirmation from EDDC that it is unlikely that the relief road will come forward within the next plan period, the necessity for a relief road at this stage should be removed from site specific allocation.

Chapter 6. Mitigating Climate Change

Strategic Policy CC02: Net-Zero Carbon Development

- 2.15 Whilst PHSW **support the principle** of Strategic Policy CC02, it is reiterated that the implementation of the Future Homes Standard (FHS) will support East Devon in becoming carbon neutral by 2040 and that any policy which goes beyond the requirements set out in building regulations (now or in the future) should be justified and supported by relevant viability assumptions and assessment. Strategic Policy CC02 is therefore not required as this will duplicate national standards.
- 2.16 If Strategic Policy CC02 is retained, PHSW are disappointed to note that the Draft LP text has not been amended and still requires new development to demonstrate at the application stage that the relevant standards can be achieved. It should be recognised that such information, which relates to detailed interior and exterior design will only be available at detailed design stage. The policy text should be revised accordingly to enable appropriately worded conditions to be added to consents.

Strategic Policy CC05: Heat Networks

- 2.17 Strategic Policy CC05 now requires applications within 1km of an existing heat network to provide justification in line with national guidance published by the Department for Energy Security and Net Zero as to when the connection is deemed undeliverable. In addition, all major developments within 1km of an existing heat network must be connected to it, or, for proposals exceeding 1,200 homes where no heat network exists, a new heat network must be provided.
- 2.18 Strategic Policy CC05 is **unjustified** and **unsound** as the Draft LP text continues to fail to consider whether achieving a connection is feasible on a case-by-case basis, and in addition, clarity has not been provided regarding the locations of existing heat networks within EDDC.
- 2.19 It is also reiterated that the ability to access heat networks is outside the control of the developer or landowner, and additional work is needed to demonstrate that a heat network can be secured at an affordable price with the same safeguarding as a domestic supply. As

such, the policy is considered **unjustified** and **unsound**, and it is recommended that this Draft LP policy be removed.

- 2.20 If retained, the EDDC Local Plan Policy Map should be updated to indicate the location of heat networks to inform site assessments accordingly. In addition, the Draft LP policy should be updated to consider sites on a case-by-case basis and acknowledge that access to heat networks is outside of the control of the developer or landowner.
- 2.21 The Cranbrook development has been designed since its inception to be powered by a District Heating Network. An EDDC led project to bring forward a DHN solution to serve the Cranbrook Expansion Area has recently failed and be restarted under different parameters. This serves to indicate firstly, that huge difficulties exist with trying to bring forward projects of the type and scale. Secondly, the Cranbrook DHN project was led by EDDC and its consultants and thus benefitted from funding streams and CPO powers not available to developers or landowners. The requirement upon a single developer or landowner (or a collection of the above) to deliver standalone DHNs is almost certainly unachievable.
- 2.22 It is noted that Axminster does not currently benefit from a heat network, and the allocations proposed at Axminster, including East of Axminster (site reference Axmi_22), fall below the 1,200-home threshold. Therefore, it is not anticipated that a heat network would be required for these allocations.

Chapter 8. Meeting Housing Needs

Strategic Policy HN02: Affordable Housing

- 2.23 Strategic Policy HN02 has been updated to reflect the requirements of the Marcombe new community, in addition to minor updates to the affordable housing tenure mix requirements for the rest of East Devon.
- 2.24 PHSW **support** the amendments to Strategic Policy HN02, with particular regard to the retained 25% affordable housing requirement for development falling within the settlement boundary of Axminster. PHSW reiterate that land at East Axminster is policy compliant and can provide 25% affordable housing on site in accordance with the Draft LP. The retention of the Draft LP text which allows flexibility for the tenure mix of affordable housing within Axminster is also welcomed.

Strategic Policy HN03: Housing to Meet the Needs of Older People

- 2.25 It is noted that minor amendments have been made to Policy HN03. Whilst PHSW support the principles of Strategic Policy HN03, we are disappointed to see that our previous comments have not been noted within the Draft LP text. The current policy wording is therefore still **not effective** nor **justified** as it does not address the specific locational requirements of specialist housing.
- 2.26 PHSW acknowledge that there is a need to address the growing need for diverse housing options within East Devon. However, sites should be considered on a case-by-case basis. PHSW support the requirement of specialist older persons dwellings at 10%, however, this

does not consider the need for specialist housing within specific areas of East Devon, where there may not be a 10% need.

- 2.27 The policy wording should be revised to make clear that older persons units will only be required where there is an up to date evidence base and a demonstratable market demand, and where the provision of such units is viable.

Strategic Policy HN05: Self-Build and Custom Build Housing

- 2.28 Strategic Policy HN05 now confirms that proposals for custom and self-build housing, to be occupied by those persons commissioning or undertaking the construction, will be generally supported within settlement boundaries and as part of any housing permitted in other areas. This policy does not apply to areas that fall within Built-up Area Boundaries defined in the Cranbrook Plan, where Policy CB11 of the Cranbrook Plan will apply.
- 2.29 PHSW continue to support policy HN05 in principle. However, PHSW consider that the requirement for sites over 250 dwellings to make a proportion of plots available for affordable housing should be removed from the policy text. This is **not justified** for the following reasons:
- The requirement for affordable housing is likely to introduce delivery constraints for developers and thus lead to viability challenges presenting themselves.
 - Effective implementation would necessitate joint working with Housing Associations and third sector organisations, increasing complexity and extending development timescales.
 - It should be recognised that Housing Associations and third sector organisations may be unable to acquire self-build and custom build plots, and that there may be no demonstratable local need for such provision.
 - This requirement is likely to operate as an unnecessary impediment to the timely delivery of homes. This would set this policy at odds with some of the main objectives of the NPPF, thus making the policy wholly unsound.

Chapter 11. Sustainable Transport and Communications

Strategic Policy TR02: Protecting Transport Sites and Routes

- 2.30 Since the submission of written representations to the Draft LP first consultation, PHSW have undertaken a review of evidence base documents and make the following observations in respect of the relief road:
1. There is only one reference within the updated Sustainability Report, November 2025 which identifies Axminster relief road as an outstanding project (page 117 of 686).
 2. The Local Plan Viability Assessment Addendum, November 2025 includes reference to including a section of relief road under proposed allocation for land east of Lyme Road (Axmi_22). As detailed at paragraph 2.5 the previous version of the Local Plan Viability Assessment Addendum (CSD-004) commented that it was understood from the Council that the relief road is unlikely to proceed in the foreseeable future and that the requirement will require a suitable layout instead.

3. The Promoting Sustainable Transport Background Evidence, January 2025 has not been updated. Resultantly, PHSW maintain their position that whilst Devon County Council has requested the route of the potential relief road to be protected , EDDC have acknowledged within their own Local Plan evidence base that the relief road is unlikely to proceed within the foreseeable future and there is no evidence of funding being available to deliver the link road.
 4. The updated Infrastructure Delivery Plan, November 2025 does not make any reference to the Axminster relief road.
 5. There has been an updated Site Selection Report addendum – Historic Environment Site Assessment for Axminster, November 2025. This is not relevant to Axmi_22 and does not reference the Axminster relief road.
 6. The Settlement Boundaries Topic Paper, Second Regulation 19 consultation version does not reference the Axminster relief road.
- 2.31 In light of the above and previous submitted representations, PHSW must strongly reiterate that it does not consider it appropriate to continue to safeguard a possible relief road route which has no funding or evidence of its ability of it being delivered. Its inclusion is simply not justified within the requirements of the site allocation particularly given the Site is identified to include up to 100 homes.
- 2.32 To ensure the Draft LP is robust, PHSW maintains that any reference to the route of Axminster relief road is removed from Strategic Policy TR02: Protecting transport sites and routes as there is no evidence available to demonstrate it is deliverable or indeed viable and therefore its retention is unjustified.

Policy TR04: Parking standards and electric vehicle charging provision

- 2.33 Policy TR04 has been amended to include that:
- Where possible, off-street and on-street parking spaces for residential development that are served by EV charging should aim to exceed Building Regulation standards and they should be designed for ease of use and have immediate availability for property occupiers at the point at which they take up occupancy.
 - Developers promoting major development will be expected to work with energy companies, distribution network operators and the planning authority to ensure the development of relevant and appropriate smart energy infrastructure is planned and installed to provide current and future EV capacity.
 - Developers should fully consider options to promote and secure uptake of high levels of use of electric vehicles by residents of new dwellings being built.
- 2.34 Developers are expected to engage with energy companies, DNOs, and the planning authority at an early stage to ensure that smart energy infrastructure is appropriately planned and installed. However, aligning the objectives, timelines, and technical requirements of multiple stakeholders can be complex and time-consuming. The need for early and detailed consideration of options to meet and exceed policy standards adds further complexity.

- 2.35 The installation of smart energy infrastructure for EV charging often requires upgrades to existing grid infrastructure. Developers may encounter technical limitations in the local electricity network, such as insufficient capacity to support high levels of EV charging, necessitating costly and time-consuming network reinforcements. These upgrades must be coordinated with Distribution Network Operators, who may have competing priorities and limited resources to deliver timely solutions.
- 2.36 The expectation to exceed minimum standards, particularly in sensitive areas where higher levels of EV uptake are required for environmental mitigation, can result in significant additional costs for developers. Securing funding and agreeing on cost-sharing arrangements with energy companies and DNOs can be a further barrier.
- 2.37 It is also noted that Policy TR04 now requires fossil fuel emissions adversely impacting on the Pebblebed Heaths SAC/SPA to be reduced in addition for wider environmental benefits. PHSW consider that the requirement for residential development to exceed Building Regulation standards is not justified. It should be noted that Future Homes Standard 2025 or successor standards should be achieved on site, and as a result Policy TR04 should not be a duplicate.
- 2.38 The proposed policy wording for Policy TR04 should be updated to reflect the above, with additional flexibility included to ensure that residential development that is not in proximity to the Pebblebed Heaths SAC/SPA are not affected.

Policy TR06: Digital Connectivity

- 2.39 Policy TR06 requires that all major developments provide access to terrestrial or satellite superfast broadband and high-quality communications.
- 2.40 However, this policy may be unduly restrictive, particularly for sites located in smaller or isolated communities where issues of practicality and viability are significant.
- 2.41 We consider that it is essential to reiterate that local planning authorities should engage with developers to assess the feasibility of delivering superfast broadband connections in proximity to the Site. Such considerations should be proportionate, taking into account the scale of the development and the associated costs of any additional infrastructure required.

Chapter 13. Our Outstanding Biodiversity and Geodiversity

Strategic Policy PB05: Biodiversity Net Gain

- 2.42 The requirement in the East Devon emerging Draft LP for a 20% Biodiversity Net Gain exceeds the statutory expectation and is inconsistent with the approach set out in the adopted and emerging National Planning Policy Framework (NPPF).
- 2.43 Whilst out for consultation, the draft NPPF proposes that local plans should not seek BNG contributions above the statutory requirement except in limited circumstances, specifically where higher levels of gain can be robustly justified for particular allocated sites, and not as a blanket policy. The intention is to ensure that BNG is applied in a proportionate and consistent manner across local planning authorities, supporting nature recovery while maintaining viability and deliverability.

- 2.44 PHSW maintain that the BNG requirement within the emerging Local Plan should be aligned with the national policy position, and the imposition of a 20% BNG standard is not justified under the emerging NPPF framework and will negatively affect the deliverability of housing

3. AXMI_22 SUSTAINABILITY APPRAISAL

- 3.1 To assist the Council, PHSW have reviewed the EDDC Local Plan 2020-2042 Second Regulation 19 Publication Draft Local Plan Sustainability Appraisal report, November 2025 and Non-Technical Summary against the application documents to provide the following commentary relevant to land south and east of Endfield Road, Axminster (Axmi_22).
- 3.2 **Table 3.1** below provides an extract of the relevant Sustainability Appraisal (SA) Objectives, alongside SA Scoring commentary relevant to Axmi_22 alongside PHSW commentary. Overall PHSW support Axmi_22 being identified as a preferred location for the delivery of up to 100 dwellings and agree with the findings that Axmi_22 is consistent with the spatial strategy as it has good access to facilities and employment.

Table 3.1 Extract of Axmi_22 Sustainability Appraisal for Land South and East of Endfield Lyme Road with PHSW commentary

SA Objective	SA Scoring	SA Relevant Commentary	PHSW Commentary	PHSW Scoring
1. Biodiversity	+ / - -	<p>All sites are within River Axe SAC Nutrient catchment area – at the time of writing, mitigation is likely to be difficult, so a major negative effect. In addition, there are likely adverse effects from recreation on the River Axe SAC.</p>	<p>PHSW consider the SA Scoring should be amended to ++ as the proposal will achieve Nutrient Neutrality (NN) which is considered to address a significant existing sustainability issue relating to biodiversity to reflect the significance criteria set out in Appendix 4 of the SA.</p> <p>PHSW instructed Stantec to undertake a Nutrient Neutrality Assessment and Mitigation Strategy (NNMAS). The report states that the nutrient budget for the proposed development has been assessed in line with the Natural England Nutrient Neutrality budget calculator and that surface water runoff and foul produced by the development will be discharged into the Lim and Axe Operational Catchment ensuring no increase in nutrient loading in the catchment.</p> <p>The report goes on to state that the proposed surface water drainage strategy will provide onsite mitigation and is indicated to remove approximately 1.78kgTP/yr of total phosphorus in accordance with CIRIA C808. The remaining nutrient budget will be offset via a third-party provider which equates to 7.15kgTP/yr of temporary credits and 2.47kgTP/yr of permanent credits.</p> <p>The NNMAS also confirms terms of the River Axe Catchment Special Area of Conservation (SAC), only the lower reaches of the River Axe have been identified as a SAC. This riverine habitat enables common species of Crowfoot, Buttercups and Water Starwort to flourish.</p>	+ +

			<p>The report concludes by stating that the Site achieves nutrient neutrality and as a result will not increase the supply of phosphorus to the River Axe SAC. Therefore, the water quality of the River Axe and the surrounding wildlife sites will be protected in accordance with adopted Policy EN18 and Strategy 20 and emerging policy.</p>	
<p>2. Landscape</p>	<p>-</p>	<p>Generally, the greenfield sites around the town (Axmi_01, 02, 08, 22 and GH/ED/80 and 83) have a medium sensitivity to landscape change and in the case of GH/ED/80 and Axmi_22, the Axminster Masterplan sets out how impacts can be mitigated.</p>	<p>PHSW recognise that the SA scoring can only be ‘-’ due to the Site having a medium sensitivity on landscape and its proximity to the nearby surrounding National Landscape as set out in Appendix 4 of the SA.</p> <p>A supporting Landscape and Visual Impact Assessment (LVIA) has been updated for the Site to address concerns previously raised concerns. While the site is not located within a National Landscape, the development’s proximity to the Blackdown Hills National Landscape and the intervisibility with this landscape has been considered. The updated LVIA concludes that there will be no significant long-term effects on the National Landscapes, with the development being viewed in the context of the existing settlement edge. Mitigation measures, including the retention of hedgerows and the introduction of new structural planting, will help soften the visual impact and integrate the development into its surroundings.</p> <p>The updated LVIA provides a more comprehensive assessment of the landscape effects in this area, including a detailed view of the impact on the listed building. Additional mitigation measures will reduce visual intrusion and maintain the rural character of the site’s boundary. Such measures will include attenuation features, creation of areas of open space and associated tree and shrub planting. Furthermore, a new boundary hedge bank will be created along the southeastern boundary with further structural planting around the development areas and on the Site boundaries.</p>	<p>-</p>

			<p>The development is designed to minimise adverse effects on the surrounding landscape and heritage assets while providing high-quality public spaces for residents. The long-term residual landscape effects on landscape character areas are assessed as Negligible and are considered acceptable within the context of the site’s location and the mitigation measures proposed.</p>	
<p>3. Historic Built Environment</p>	<p>-</p>	<p>Axmi_22 is around 60 metres from a Grade II listed building (Loop House) and is close to a non-designated heritage asset (the Town Leat). GD/ED/80 is around 75 metres from a Grade II listed building (Sector Hall). A very significant group of Grade I, Grade II* and Grade II Listed Buildings are located to the north of GH/ED/83 – development of these sites has the potential for a major negative impact on this group.</p>	<p>PHSW recognise that the SA scoring can only be ‘-‘ due to the development of the Site having minor negative effects on a designated heritage asset or an important non-designated heritage asset and/or their setting as set out within significance criteria in Appendix 4 of the SA.</p> <p>A Heritage Impact Assessment has been prepared by TetraTech which addresses comments received by the Conservation Officer and Heritage England. In response, additional mitigation measures, including the enhanced landscape buffer with dense tree and shrub planting, have been proposed to reduce visual harm and better integrate the development into historic surroundings.</p> <p>In addition, impacts to the Grade II Listed Loop House to the west along Lyme Road have been considered as negligible. This approach aligns with Policy EN9 (Development Affecting a Designated Heritage Asset) of East Devon Local Plan, which requires developments to protect and enhance the setting of heritage assets. The Axminster Town Leat has been assessed to be of low heritage value, however it is identified as being at risk from the construction of the Proposed Development.</p> <p>Additional mitigation is proposed across the development site to take account of a medieval water connection. This mitigation should take the form of trial-</p>	<p>-</p>

			<p>trenched archaeological evaluation, which will be informed by the results of the previous geophysical survey. Depending on the results of this evaluation, further targeted mitigation could be implemented, including archaeological excavation or monitoring. The implementation of a comprehensive mitigation programme will reduce the magnitude of impact on the below-ground archaeology. Consequently, this will reduce the significance of any effect to minor.</p> <p>In addition, the impact on heritage assets and non-designated heritage assets, such as the medieval water connection, will be carefully managed, ensuring that any potential harm is mitigated appropriately.</p> <p>This approach directly addresses concerns raised by both the conservation officer and Historic England, ensuring that the setting and integrity of nearby heritage assets are preserved and protected throughout the development process.</p>	
<p>4. Climate change carbon emissions</p>	<p>+</p>	<p>All of the sites considered are within 1,600 metres of at least 9 different types of services and facilities, including the town centre. Axmi_22 is adjacent to a bus route with an hourly service and has reasonable pedestrian access to the town centre.</p>	<p>PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA as the Site will minimise greenhouse gas emissions by offering potential to reduce travel, sustainable travel links, and use of renewable and low carbon energy.</p> <p>SLR have recently prepared a Transport Statement addendum which demonstrates the site is located 1.4km to the east of Axminster town centre. The Site is sustainably located given its proximity to a number of Public Rights of Way (PRoW) as well as a footway with tactile paving and street lighting along Lyme Road that connects the Site with the Town centre of Axminster. The Site is also located within close proximity to the National Cycle Network routes 2 and 33 which both pass through Axminster.</p>	<p>+</p>

			In terms of public transport, the nearest bus stop is located some 200m north of the Site, that being the Loup Court stop, which serves the 688, X51 and X53 Jurassic Coaster services. This connects the Site with key local and regional destinations such as Axminster, Lyme Regis, Bridport and Weymouth. The closest railway station is 'Axminster Station' which is located approximately 1.7km of the Site, which connects the Site with Exeter St Davids and Basingstoke once every hour.	
5. Climate change adaptation	-	<p>The whole of Axmi_22 and most of GH/ED/80 are within a critical drainage area.</p> <p>It is noted, sites in critical drainage areas (Axmi_22, Axmi_24 and GH/ED/80) could contribute to a scheme that will reduce risks for existing properties liable to flooding</p>	<p>PHSW recognise that the SA scoring can only be '- ' due to the Site being located within a critical drainage area as set out within significance criteria in Appendix 4 of the SA. However, a recent FRA and Drainage Strategy confirm that the proposed surface water drainage strategy will effectively manage the flood risk posed by uncontrolled surface water runoff from the site. The strategy outlines that any increase in surface water runoff will be managed through Sustainable Drainage Systems (SuDS), including source control techniques and attenuation features to provide storage during extreme storm events.</p> <p>The proposed drainage strategy will incorporate two treatment stages in accordance with the recommendations outlined in CIRIA C753, ensuring a sustainable and robust drainage solution which will reduce risks for existing properties liable to flooding. As a result, PHSW consider that delivery of Axmi_22 will therefore have a positive effect on the natural environment enabling it to cope with the delivery of homes and cater for storm events.</p>	-/+
6.Land Resources	- ?	22 are greenfield sites mostly on Grade 3 agricultural land, which could be 3a (best and most versatile) so uncertain negative effect.	PHSW consider that the SA scoring for this objective should be amended to '0' in accordance with the SA significance criteria set out in SA Appendix 4 as development of the site does not result in the loss of best and most versatile	0

		<p>None of the sites are in a mineral consultation zone.</p>	<p>agricultural land and none of the Site is located within a mineral consultation zone or subject to contamination.</p> <p>Within the extant planning application, supporting Environmental Statement (ES) Chapter 9 on Agriculture and Soils is supported by an Agricultural Land Classification (ALC) prepared by Kernon Countryside Consultants at Appendix 9.1. The ALC confirms that the Site comprises Grade 4 (Poor) and that the Site comprises agricultural grassland.</p>	
7. Water Resources	-	<p>No sites are located within a groundwater source protection zone. South West Water forecast there will be adequate water supply; and Kilmington Wastewater Treatment Works has sufficient capacity and environmental permit limits for the proposed development at Axminster (including Axmi_22). However, all sites are within the River Axe SAC phosphates catchment so development could negatively affect water quality, meaning a negative effect on water resources.</p>	<p>PHSW consider that the SA scoring for this objective should be amended '+' as the development will use water efficiently and not affect water quality as detailed above in responding to SA objective 1, therefore leading to a positive effect in accordance with the significance criteria set out in Appendix 4 of the SA.</p>	+
8. Homes	++	<p>Axmi_22 has a maximum yield in the HELAA of over 100 dwellings meaning a significant positive effect. An appropriate mix of tenures and sizes including affordable housing is assumed for all sites.</p>	<p>PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA as the site has potential to provide a significant amount of new homes (100 dwellings or more), with an appropriate mix of tenures and sizes including affordable housing.</p>	++ +

			<p><i>Through addressing statutory consultee comments for the extant planning application, the scale of the development achievable at the Site has reduced to below 100 dwellings. As a result, PHSW consider the SA scoring for this objective should be amended to '+' to reflect the site has the potential to deliver up to 100 dwellings, with an appropriate mix of tenures and sizes including affordable housing as set out in Appendix 4.</i></p>	
9. Health and well-being	+	<p>All the sites are either in or within 500 metre of a 50% most deprived neighbourhood and within 500 metres of an open space or play area so a positive effect.</p>	<p>PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA as the Site will deliver new development in close proximity (800m) to an area of higher deprivation (among 50% most deprived neighbourhoods in England), where there is good air quality and limited noise and light pollution (e.g. away from 'A' road, motorway, railway line, airport, heavy industry).</p> <p>The site is within 1,600m of open space/allotment and a children's play area – specifically located 600m of existing play facilities accessible via Sector Lane with the development of the Site delivering on-site play facilities on the eastern side of the Site.</p>	+
10. Access to services	+	<p>Axmi_22 is within 1,600m of a school, GP, pub, library and community hall. There are limited issues relating to safety, quality and topography or route for pedestrians/cyclists.</p>	<p>PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA and considering the commentary provided in respect of SA Objective 4 above.</p>	+
11. Jobs and employment	+	<p>Axmi_22 is within 1,600m of an employment site.</p>	<p>PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA and considering the commentary provided in respect of SA Objective 4 above.</p>	+

12. Town Centres	+	Axmi_22 is within 1,600m of Axminster town centre.	PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA and considering the commentary provided in respect of SA Objective 4 above.	+
13. Connectivity	+	Axminster has 100% gigabit availability. There are also regular buses through Axminster. The remaining sites are within 1,600 metres of these sustainable travel facilities.	PHSW agree with the SA scoring for this objective as set out in Appendix 4 of the SA and considering the commentary provided in respect of SA Objective 4 above.	+

4. SUMMARY

- 4.1 Since the first EDDC Regulation 19 consultation, PHSW have continued to work with the Council to address technical issues that have arisen through the planning application process. Following a recent meeting with EDDC Officer, we are in the process of preparing a new detailed planning application for land east of Axminster (Axmi_22).
- 4.2 PHSW continue to support Strategic Policy SD02: Axminster and its development allocations, which includes land under their control. While PHSW support the allocation of land east of Lyme Road (Axmi_22) for the delivery of up to 100 dwellings, to ensure the policy's soundness during examination, it is strongly reiterated that the policy requirement to safeguard land for the relief road should be removed.
- 4.3 PHSW remain concerned regarding the following points:
- The Policy's requirement for a 'possible future relief road' is not justified due to insufficient evidence of its necessity, feasibility or viable. A review of the second Regulation 19 consultation evidence base documents indicates that the relief road is still considered by EDDC as being unlikely to be delivered in the plan period.
 - The term 'possible,' refers to something uncertain or improbable. Since the inclusion for the relief road from the 20213-2031 adopted Local Plan (adopted in 2016), nine years have passed without its delivery. Substantial evidence reveals that the road it is not viable and therefore undeliverable.
 - The previous Regulation 18 Consultation Plan (August 2022) highlighted significant viability issues with the relief road. These concerns were also noted in EDDC's Strategic Planning Committee meetings.
 - For the plan to be made sound, reconsidering and removing the safeguarding of the possible future relief road is essential, allowing for the timely delivery of the Axmi_22 allocation within the next 5 years.
- 4.4 Further to the above, a review of the Local Plan Viability Assessment Addendum provides no further commentary on the delivery of the relief road. That the document is entirely silent on this matter highlights the fact that the inclusion of the 'possible future relief road' within Policy SD02 remains unjustified given the lack of viability and feasibility evidenced by EDDC. Until such evidence is available, developers should not be expected to contribute to the costs of the relief road, and consequently safeguarding land for a possible relief road which is unlikely to be delivered is not justified.
- 4.5 It is also noted that the Local Plan Policies Map identifies that the Site is located within the Flood Zone. PHSW reiterate that the entirety of the Site is located within Flood Zone 1, and that the Local Plan Policies Map must be updated accordingly.
- 4.6 With regards to the proposed Draft LP policies, revisions are required to ensure that there is sufficient flexibility to support the emerging allocations. In light of these representations, it is imperative that EDDC reassesses its Draft LP, incorporating the amendments proposed.

4.7 For completeness, in addition to the points outlined within paragraph 1.9 of this report, to ensure the Plan is found sound it must:

- Remove the inclusion of any references to a 'possible future relief road' within Policy SD02: Axminster and its development allocations as this is not considered to be justified and there is a lack of sufficient evidence to demonstrate it is required, viable, or even deliverable.
- Consider including more flexibility for types of applications, or the removal of Strategic Policy CC02: Net-Zero Carbon Development from the Draft LP as the current text repeats legislation and requirements which is not required. It is also considered unjustified that the policy requires developers to demonstrate, at the application stage, that relevant standards can be achieved given that this level of detail is unlikely to be available at the point of submission of an Outline Planning Application. If retained, it should be recognised that detailed interior and exterior design will only be available at a detailed design stage and is therefore unlikely to be available at the point of an Outline Planning Application submission.
- Strategic Policy CC05: Heat Networks is unjustified and unsound as the Draft LP text fails to consider whether achieving a connection is feasible on a case-by-case basis, and clarity has not been provided regarding the locations of existing heat networks within EDDC. In addition, it should be noted that the ability to access heat networks is outside the control of the developer or landowner, and additional work is needed to demonstrate that a heat network can be secured at an affordable price with the same safeguarding as a domestic supply.
- Strategic Policy HN03: Housing to meet the needs of older people is not effective nor justified as the policy wording does not address the specific locational requirements of specialist housing. Sites should be considered on a case-by-case basis to ensure that older persons units will only be required where there is an up-to-date evidence base and demonstratable market demand, and where the provision of such units is viable. As worded, there is currently no mechanism for off-site contributions if necessary.
- The proposed policy HN05: Self build and custom build housing is unjustified as the requirement for affordable housing is likely to introduce viability challenged and delivery constraints for developers, operating as an unnecessary impediment to the delivery of housing. Whilst effective implementation would necessitate joint working with Housing Associations and third sector organisations, they may be unable to acquire these plots and there may be no demonstrable local need. The Draft LP text should remove reference to affordable housing requirements for developments over 250 dwellings and include additional flexibility for appropriate triggers to be negotiated on a case-by-case basis.
- Strategic policy TR02 Protecting Transport Sites and Routes is unjustified as currently drafted as there is a lack of sufficient evidence regarding the delivery and viability of the Axminster relief road. There is no evidence available to demonstrate the relief road is deliverable or indeed viable and its retention is unjustified. References to the Axminster relief road should therefore be removed.

- Policy TR04: Parking standards and electric vehicle charging provision should be updated to allow flexibility to ensure that development not in proximity to the Pebblebed Heaths SAC/SPA are not affected, and it should not duplicate Building Regulations and the Future Homes Standard 2025.
- Policy TR06: Digital connectivity requirements may be unduly restrictive, and it is essential for the policy to take into account the scale of development and the associated costs of any additional infrastructure required. As areas of superfast broadband and high-quality communications are outside of the control of the developer, Policy TR06 Digital connectivity is unjustified. The policy text should be amended to provide flexibility.
- Strategic Policy PB05: Biodiversity Net Gain is not justified, not supported by a robust evidence base, and should be reduced to a 10% requirement to be consistent with national policy and in accordance with emerging policy. A blanket requirement for 20% does not consider site specifics and should only be requested in limited circumstances where higher levels of gain can be robustly justified for particular allocated sites.