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Dear Sir/Madam,

**EAST DEVON LOCAL PLAN 2020-2042 – SECOND REGULATION 19 CONSULTATION  
REPRESENTATIONS ON BEHALF OF RUBIX STRATEGIC LTD.**

OG Group is responding to the Second Regulation 19 consultation on behalf of Rubix Strategic Ltd (“Rubix”). Rubix is promoting the **Land at Marley Drive in Exmouth**, which is currently included as a draft allocation in the emerging Plan (Site ref: Exmo\_04a) for c.50 dwellings. Rubix would make the following comments on the revised Reg.19 Plan

**Policy SP02: Levels of future housing development**

Rubix has commissioned Pegasus Consultants to undertake a detailed assessment of housing need and supply, which is attached with these representations. Pegasus has concluded that the evidence used to formulate the proposed housing requirements under Policy SP02 is lacking in a number of respects. We conclude that the policy is not justified and is inconsistent with national policy and guidance; as currently drafted, the Plan is therefore **unsound**.

Pegasus considers that the following actions are required prior to submission of the plan, in order to make the plan sound with regard to housing need and supply:

- i. Unless the emerging Local Plan has already been submitted for examination by this time, the Council will need to calculate the minimum local housing need of the current standard method following the publication of updated affordability ratios in March 2026 and again following the publication of updated housing stock data in May 2026, to ensure that the proposed housing requirement still meets at least 80% of current minimum local housing needs such that the transitional arrangements will continue to be engaged.
- ii. Modify the proposed plan period from 2020-42 to **2020-44** to ensure that the plan will provide for a 15-year plan period from the point of adoption as required by paragraph 22 of the NPPF.
- iii. Modify the proposed housing requirement to 22,810 homes to reflect the revised plan period of 2020-44.
- iv. Effectively engage with other authorities in the sub-region to ensure that the unmet need of 11,000 homes in Torbay is addressed elsewhere. If this is not the case, the emerging Local Plan will need to make provision for these unmet needs unless evidence is provided to demonstrate that footnote 7

policies provide a strong reason to not make a contribution, or that to make a contribution would significantly and demonstrably outweigh the benefits.

- v. Modify the proposed housing and/or employment requirements to ensure that there is a sufficient labour supply to support the planned economic growth as required by paragraph 86c of the NPPF, which will require either an increase to the housing requirement, a reduction to the employment land requirement or a combination of these.
- vi. As set out in the PPG, the Council will need to consider whether it is appropriate to plan for a greater number of homes to better respond to the need for 9,093 affordable homes given that the emerging Local Plan suggests that it will only provide for 5,888 affordable homes, justify the conclusions reached, and as appropriate amend the housing requirement accordingly.
- vii. The proposed stepped requirement of Strategic Policy SP02 is entirely unjustified and contrary to national guidance and policy such that the emerging Local Plan will need to be modified through the deletion of this part of the policy.
- viii. Even if the stepped housing requirement was somehow found to be justifiable, it would need to be amended to ensure that this aligned with the overall housing requirement as set out in the PPG.
- ix. Additional supply will need to be identified to ensure that the emerging Local Plan provides sufficient headroom to meet the proposed minimum housing requirement, which itself falls substantially short of meeting current minimum local housing needs.

In order to assist with meeting this additional supply, the Council should increase the identified capacity of proposed allocations, including Land at Marley Drive, Exmouth (Exmo\_04a).

#### **Policy SD01: Exmouth and its development allocations**

##### *Exmo\_04a – Land at Marley Drive, Exmouth*

Rubix maintains its support for proposed allocation Exmo\_04a (Land at Marley Drive, Exmouth) in principle. However, as advised in representations submitted previously, it is considered that the proposed quantum of c.50 dwellings is insufficient as the site can accommodate significantly more than this, taking into account the site characteristics and constraints.

Rubix submitted an outline planning application in February 2025, seeking approval for residential development of the above site for up to 130 dwellings, public open space, landscaping, sustainable urban drainage system and engineering works, with vehicular access off Higher Marley Road (Application ref: 25/0078/MOUT).

The Concept Masterplan submitted with the application (Ref No: RS402/120 Rev.H – attached), illustrates how the site can be developed for this higher quantum, whilst retaining significant areas of parkland and incorporating additional tree planting to mitigate for the small loss of existing trees required to accommodate the development. The Plan also allows for pedestrian/cycle links, both to the adjoining proposed allocation (Lymp\_14) and the existing development at Goodmores Farm.

The Concept Masterplan has had significant regard to various surveys undertaken in respect of ecology/biodiversity, landscaping and arboriculture, and has been designed to ensure that the development maintains the overall landscape/parkland character of the site. The loss of parkland on the site can be adequately mitigated through the provision of new parkland elsewhere within the District and arrangements are in place to secure this.

Consultee responses received to the above planning application indicate that the principle of developing the site for c.130 dwellings is acceptable. Responses can be summarized as follows:

1. Highways – no objection, subject to conditions. Access onto Higher Marley Road is acceptable
2. Natural England – no objection
3. Contaminated Land officer – no objection, subject to conditions

