

By email only,

Dear Sir/Madam,

**Re: East Devon Local Plan Second Regulation 19 Consultation – Land West of Whimble Road, Broadclyst**

We write on behalf of Broadclyst LVA LLP (LVA) in relation to the East Devon Local Plan Second Regulation 19 consultation, specifically regarding Land west of Whimble Road, Broadclyst, which is identified as an allocation (ref. Brcl\_12).

LVA has an agreement with the landowners of this site to promote it for a mixed-use residential and employment development. Previous representations have been made regarding this development site including to the East Devon Preferred Options Consultation Draft Local Plan (Regulation 18) in 2023, and the first Regulation 19 Consultation, and the site has been considered by East Devon District Council as part of the Housing and Economic Land Availability Assessment (HELAA).

It is important to stress from the outset that we support and welcome the site's (ref. Brcl\_12) inclusion in the spatial strategy as an allocation to meet the identified housing and employment needs in East Devon.

Notwithstanding, we have been instructed by LVA to prepare and submit these representations to the East Devon Local Plan Second Regulation 19 consultation. This letter builds on the previous representations that we submitted for the first Regulation 19 Consultation by setting out whether our previous comments have been addressed with the amended plan, or whether we consider that our previous suggestions still apply. Our submission provides comments on the local plan spatial strategy and key specific policies, including:

- Strategic Policy SP01: Spatial Strategy
- Strategic Policy SP02: Levels of future housing development
- Strategic Policy SP04: Employment provision and distribution strategy
- Strategic Policy SD07: Development allocations at Broadclyst (relating specifically to this site)
- Strategic Policy CC06: Embodied carbon
- Strategic Policy HN02: Affordable Housing
- Policy HN05: Self-build and custom build housing
- Policy SE05: Employment and Skills Statements

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- Strategic Policy PB05: Biodiversity Net Gain (BNG)

This letter will also set out that the site is available and deliverable, confirming that the site should continue to be allocated for residential and employment development.

Overall, many of our previous comments on the first version of the Regulation 19 Local Plan still apply, and we are only aware of one of our previous comments being addressed with the updated plan, relating to the timescale for the completion of self-build plots.

This representation is consistent with the previous submissions made to the Council, and should be considered alongside these, as it does not seek to repeat the points previously made in detail.

### Outline Planning Application 25/1133/MOUT

It should also be noted that since the previous representations were submitted, an outline planning application with all matters reserved except for access for the development of up to 145 dwellings (Class C3), including custom/self-build dwellings, 0.6 hectares of commercial space (Class E), public open space, drainage and ancillary works has been submitted and was validated in June 2025 (25/1133/MOUT), which we go on to discuss in more detail later on.

LVA appointed a technical team who have prepared detailed evidence to underpin the masterplan for these development proposals, which includes transport, drainage, ecology, landscape, trees, heritage, ground conditions and urban design matters. The submitted masterplan outlines that up to 145 dwellings could be delivered within the allocated land parcel alongside employment land of 0.6 hectares, and significant levels of public open space including community football pitches, parkland and informal open space, and ecological enhancement areas.

This application demonstrates how the site could deliver a mixed-use scheme to underpin the allocation of this land.

The application has progressed since validation, with a revised pack of technical information and plans to respond to consultee comments where required being submitted in December 2025, which included changes to the illustrative masterplan which included: the incorporation of a 10m wide bat corridor throughout the site in a south-west to north-east direction, relocation of community play area as a result of the new bat corridor provided, incorporation of a 5m wide Great Crested New Corridor, and Minor loss of Net Developable Area (NDA) as a result of the other amendments – however this does not affect overall numbers. A copy of the latest version of the masterplan is available in Appendix A to this letter. At the time of writing, this is awaiting re-consultation with various parties, however, based on our understand, we have addressed the minor outstanding matters and we believe the re-consultation exercise will confirm our position.

### The Spatial Strategy

Strategic Policy SP01: Spatial Strategy shows minimal change from the previous Regulation 19 Consultation plan and still sets out that *“New development will be directed towards the most sustainable locations in East Devon, by: ... D. Supporting development at the local Centres of Broadclyst...”* This overarching strategy for the area is welcomed, particularly the support for development at the Tier 3 – Local Centre of Broadclyst.

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The levels of future housing development are outlined in Strategic Policy SP02. This states that *“housing provision will be made for at least 20,909 dwellings (net) to be delivered in the plan area between 1 April 2020 to 31 March 2042. The housing requirement will be delivered through a stepped trajectory, with an annual target of 850 homes from 2020/21 to 2031/32, increasing to 1,070 homes per year from 2032/33 to 2041/42.”*

As we set out in the previous Regulation 19 representations, while this level of housing is generally supported, it only represents 80% of the housing requirement calculated using the new standard methodology introduced in December 2024 with the updated National Planning Policy Framework (NPPF). While this is allowed for in the transitional arrangements set out in Paragraph 234 of the NPPF, we question whether East Devon District Council should be looking to exceed this and plan for the full housing requirement given the recognised housing crisis and the fact that even upon adoption, the Plan would require an immediate review under the new NPPF. In particular, this is because the plan must be submitted within 18 months of the Regulation 19 consultation, which in our view means the Council does not have a significant amount of time to review and address any concerns before submitting by June 2026.

This would equate to 26,136 dwellings over the plan period, as well as assisting in accommodating any overspill need from Exeter. Moreover, given that the Council has chosen to provide for the minimum housing requirement allowed via transitional arrangements, it is crucial that the draft housing allocations are at least maintained.

Strategic Policy SP04 sets out the employment provision and distribution strategy for the district, which under the amended policy for the second Regulation 19 consultation plan now totals 175.16 hectares, now including 88.66 hectares of employment land on sites allocated in this emerging plan. The justification for the policy outlines that the amount of employment land that this site (ref. Brcl\_12) should deliver remains as 0.6 hectares. We generally support this approach and the quantum of employment development identified for this site and 0.6 hectares of commercial space (Class E) has been included in the planning application for the site, which we confirm and agree can be accommodated within the masterplan, alongside the housing and open space provision, and other key infrastructure and enhancements.

### Emerging Changes to the NPPF

The Government has now issued its proposed changes to the NPPF for consultation which runs until March 2026. While the weight to be afforded to these changes currently needs to be moderated given the fact that they are subject to consultation, the trajectory of national policy is clear.

The Written Ministerial Statement (WMS) issued by the RtH Matthew Pennycook on the 16th December 2025, when launching the consultation on the proposed changes to the NPPF, sets a very clear tone and direction for national planning policy. It reaffirms the government’s commitment to deliver 1.5m homes during the course of the current parliament and also sets out the stark statistics behind what is commonly termed the ‘Housing Crisis’:

- 1.3 million people languishing on social housing waiting lists;
- Millions of low-income households forced into unaffordable private rented housing; and
- More than 170,000 homeless children living in temporary accommodation.

The WMS also identifies the serious economic effects that not addressing the housing crisis has also caused, which are commonly overlooked.

The WMS is a material consideration that places greater emphasis on the imperative of dramatically boosting the supply of housing and the importance of achieving this to boost the national economy.

Notably the emerging decision-making policy HO7: Meeting the need for homes sets out a new requirement for substantial weight to be given to the benefits of providing accommodation that will contribute towards meeting the evidenced needs of the local community. As such we consider that the proposed NPPF reforms further support our argument that East Devon District Council should give priority to ensuring that their housing needs are met. We will go on to explain how site ref. Brcl\_12 is well positioned to contribute to this need.

In conclusion, we continue to question whether EDDC should be looking to increase the housing requirement to meet its needs now.

Furthermore, it demonstrates that the allocations, including Land west of Whimple Road, Broadclyst (ref. Brcl\_12) should be maintained, and the Council cannot afford to remove any of these from the spatial strategy given the pressing need to boost the supply of housing land. Furthermore, the Council could look to these allocations to deliver more homes where appropriate, such as at Brcl\_12 where we believe 145 dwellings is readily achievable again helping to build in flexibility given what we have said above.

#### Development in the Towns and Villages

Strategic Policy SD07 sets out the development allocations at Broadclyst. This now states the following:

*“The sites/areas listed below, as identified on the Policies Map, are allocated for development.*

#### ***Land west of Whimple Road, Broadclyst (Brcl\_12) combined with Land to east of Town End, Broadclyst (Brcl\_29)***

*Development of these two sites, on the eastern side of the village, will need to come forward to an agreed Masterplan that provides for a comprehensive development scheme for both land areas. Vehicle access to the combined sites will need to be from Whimple Road with vehicle and pedestrian access from Brcl\_12 linking through and into Brcl\_29. Through its layout, design and landscaping, development should respond sympathetically to the rural and historic character of the settlement, and should conserve and enhance the settings of designated heritage assets.”*

While we generally support this approach to development across the two land parcels given the relationship between the two sites and the facilities within the wider settlement, LVA currently only has control over Land west of Whimple Road (ref. Brcl\_12). Notwithstanding, the proposed masterplan for the Brcl\_12 site has carefully considered the link between both sites and how they could complement each other. It also includes an indicative suggestion of how Land to east of Town End (re. Brcl\_29) could come forward alongside the wider Brcl\_12 site, to ensure they dovetail together and the development

of Land west of Whimple Road (ref. Brcl\_12) does not fetter proposals coming forward on the adjacent Brcl\_29 land.

LVA is happy to work with the adjacent landowner to allow for vehicular access for Brcl\_29 to be delivered via the LVA site. LVA has a positive track record of working collaboratively with other stakeholders and always seeks to enable the best possible spatial planning solution.

The final sentence in the policy extract above (see underlined section) has been added as part of the second regulation 19 consultation plan, and specifically seeks that development should conserve and enhance the setting of designated heritage assets. We agree that this matter should be considered as part of any development at the site, and the applicant commissioned Pegasus Group to prepare a Heritage Statement assessing the likely heritage impacts arising from the proposed development.

The assessment identified there to be ‘less than substantial harm’, to the lower end of the scale, on the setting of the Grade I Listed Church of St John the Baptist. A similar conclusion was drawn for the Grade II Listed Lake House given the glimpsed views of this asset from certain points within the site. Accordingly, in our planning statement for the application we set out that paragraph 215 of the NPPF needs to be considered, which requires the ‘less than substantial harm’ identified to be weighed against the public benefits of the scheme. In our view, the public benefits of the scheme are significant – most notably, the provision of market, affordable and self/custom-build housing, the provision of employment land, and the provision of significant public open space in the form of a new community parkland, play area and allotments. In addition, significant Biodiversity Net Gain is provided in excess of the Government’s 10% target.

Strategic Policy SD07 goes on to state that:

***Area Brcl\_12 – is to accommodate around 100 new homes and 0.6 hectares of employment land. Built form shall be focused on the land to the north-west of Winter Gardens and south of Lake Farm with lower density development forming a frontage onto the road from Burrows Cross within the field to the north-east of Winter Gardens. To the north of Brcl\_12 there is scope to provide open space and habitat and other open space areas.***

We support the general provisions of this policy for Land west of Whimple Road, Broadclyst (ref. Brcl\_12), including built form being focused on the land to the north west of Winter Gardens and south of Lake Farm, with lower density development forming a frontage onto the road from Burrows Cross within the field to the north-east of Winter Gardens, and the provision of open space, habitat and other open space areas to the north of Brcl\_12. These are elements that are featured and met through our proposed masterplan for the site.

Notwithstanding, as set out and demonstrated in previous representations to the Local Plan, we consider that the site can deliver up to 145 dwellings (including affordable housing and custom-self build plots), while still accommodating the other required and important aspects of the scheme. These include 0.6 hectares of employment land, access from Whimple Road, as well as a community play area. Significant areas of public open space are also included that are well in excess of what would be required by policy and will in effect deliver a large area of publicly accessible parkland for the whole village to enjoy.

This has been informed by technical work including highways, ecology, landscape, heritage and drainage work, all of which underpin the submitted masterplan design. Furthermore, Highways Officers have confirmed that the access design is sufficient to accommodate this number of homes and the employment provision, and no objections have been raised by the Council's placemaking team or urban designer in respect of density or overdevelopment of the site. We, therefore, consider that this is the optimal solution for the delivery of housing at Broadclyst that would see a multitude of benefits being realised without harm being caused.

We therefore respectfully continue to ask for the number of homes to be accommodated on the Brcl\_12 site to be increased to 145 dwellings, particularly given the Council is only planning for 80% of the district's overall housing requirement, and this would assist the Council in getting closer to delivering the full requirement now rather than in the future and would assist in providing a degree of contingency should other allocations not come forward or achieve a lower quantum of development.

### Mitigating Climate Change

No changes have been made to the proposed wording of Strategic Policy CC06 since the first Regulation 19 Local Plan Consultation. This policy relates to embodied carbon and states that major development will be required to undertake an embodied carbon assessment, submitted as part of the Sustainability Statement through a nationally recognised Whole Life Cycle Carbon Assessment procedure.

We continue to have no issue in principle with this policy, but it is considered that the wording should set out when this needs to be undertaken – the outline planning application stage seems too early to carry out this level of assessment, and it would be more beneficial being undertaken at the reserved matters/detailed stage when the specific credentials of the development and exact information are known and to not simply have a validation requirement which adds little to the matters that are to be determined.

### Meeting Housing Needs

Strategic Policy HN02 sets out the requirements for affordable housing. This continues to propose a requirement of 30% affordable housing for this site – Land west of Whimple Road, Broadclyst (ref. Brcl\_12). We support this provision, in order to assist in delivering the much-needed affordable housing across the district, and achieve balanced and mixed communities. As part of the planning application at the site Brcl\_12 the applicants are willing to offer 50% affordable housing, in the form of 35% on-site, with a further 15% contribution provided off-site.

As part of meeting housing needs, securing greater housing diversity and encouraging high quality design, the Council welcomes proposals for custom and self-build housing to be occupied by those persons commissioning or undertaking the construction. Policy HN05 requires at least 5% of dwellings on sites planned to accommodate 20 or more homes to be delivered as serviced custom and self-build plots. Furthermore, on sites over 100 dwellings or more, design codes should be used flexibly to encourage high quality housing design, and the agreed design code should be used to provide 'plot passports' that give a simple, succinct summary of each plot as a reference point for the purchaser.

Again, we recognise that the provision of custom and self-build plots can assist in meeting the housing needs of an area. We have, therefore, identified 5% of the proposed dwellings for the site as custom and self-build plots, and we do not have an issue with the general principle of a design code being applied before a reserved matters application is submitted.

Notwithstanding, it is considered that the policy wording needs further clarity as it is currently not clear whether the 5% requirement relates to the overall housing numbers on site or just the market housing element of the scheme. We suggest that the policy is worded to make clear that this reflects 5% of market housing only.

We also previously set out concerns with the requirement for self or custom builders to have completed their development plot within 3 years. We did not see how this could be enforced or conditioned, and in light of unforeseen market circumstances, we did not consider this to be reasonable. Given that self-builders are unlikely to be experienced in housebuilding, a 3-year limit is a short timeframe for completion and we considered that greater consideration should have been given to the wording of this policy. We therefore welcome the change in the wording of this policy under the second Regulation 19 consultation plan which has removed this requirement and consider that this is a more reasonable approach.

### Supporting the Economy

Policy SE05 relates to Employment and Skills Statements. It states that all major developments will be required to submit a basic Employment and Skills plan. Any developments over 100 homes or on employment sites of 5,000 square metres or greater will also need to provide an Employment and Skills Statement, which commits to maximising the provision of skills and employment opportunities, to benefit the local population as well as the employer. We appreciate the reasoning for this Statement, to enhance employment and skills in the area. We, therefore, continue to not have an issue with this requirement and suggest this should be applied under conditions on permissions.

### Biodiversity Net Gain

Strategic Policy PB05 relates to Biodiversity Net Gen. This states that *“Major development proposals will need to deliver (BNG) of at least 20% to be calculated using the most up-to-date statutory metric. Where there is a demonstrable viability problem to achieve this target, it will be expected that all measures to exceed the national minimum requirements are made, and evidence for not achieving the 20% target is provided in full.”*

This aspiration by the Council is laudable, and we are committed to exceeding the national minimum requirement and achieving biodiversity enhancements as far as possible on this site. It is, however, still unclear whether the draft requirement of 20% on major development sites has been viability tested, and whether any ramifications for land take on allocated sites have been carefully considered, so as not to negatively impact on the ability to deliver the required number of dwellings to meet the critical housing need.

We also set out in our previous representations that it is also highly likely to be a significant constraint to development sites which are at the lower end of the major development category. LVA is aware that in many instances achieving the statutory 10% requirement is challenging across the three BNG metrics on smaller/medium sized sites.

Central Government has set the national policy to 10% based on significant evidence and rounds of consultation undertaken with various stakeholders. Furthermore, achieving 10% BNG is already a significant challenge faced by developers, and exceeding this could seriously affect the viability of sites across the District, and/or lead to housing targets not being met due to land-take required for mitigation for net gain.

We, therefore, continue to suggest that this is investigated further by the Council, and appropriate evidence and justification for the 20% requirement is provided because at present this has not been provided and we strongly oppose this policy requirement as it is contrary to national policy.

### Land West of Whimple Road, Broadclyst – Brcl\_12

Broadclyst contains a wide range of key everyday facilities including primary (Broadclyst Community) and secondary (Clyst Community College) schools, two pubs (New Inn and Red Lion), social club, a local shop and post office (Broadclyst Stores), doctor's surgery, church (St John the Baptist), village hall (Victory) and the Broadclyst Sports Centre. All of these facilities are accessible from the proposed site.

The site has limited constraints for development and the technical work undertaken to date has not identified any significant issues that would preclude the site from development, and the technical team has prepared evidence to underpin the proposed masterplan.

As mentioned previously, the proposed masterplan for the site for the submitted outline application (25/1133/MOUT) seeks to deliver a mixed-use development of up to 145 dwellings (including affordable and self or custom build units), 0.6 hectares of commercial space (Class E) including barn style employment units, extensive open space and ecological enhancements, along with the proposed new highway, site entrances and supporting infrastructure.

The residential development will likely comprise a mix of 1, 2, 3 and 4 bedroom properties of varying styles, ranging from a small block of apartments to detached dwellings. Development will both be front-on and side-on to Whimple Road, and it is anticipated that the design would be more traditional in appearance and utilise materials found in the local area.

The employment areas proposed are located within the east of the site on the former Winter Gardens land, and are proposed to be designed to adopt a barn like style to assimilate them into the more rural environment, as opposed to converting the existing buildings.

Two accesses are proposed to be taken from Whimple Road approximately 90m apart – this is to provide separate access for the employment and residential uses. It is anticipated that pedestrian and cycle connections will be made to the existing Public Right of Way (PRoW) network on Town End and Green Tree Lane.

Circa 51% (5.6 hectares) of the site is now proposed to be provided as formal public open space for both existing and future residents. This includes a community parkland with junior grass football pitch to the north, ecological areas, a new play area, and allotments. Furthermore, informal public open space is proposed including a central green spine running north-south through the centre of the site.

Drainage in the form of two attenuation basins are proposed within the north and centre of the site, to hold surface water runoff before discharging it at a greenfield run-off rate into an existing ditch.

The benefits of the scheme are wide-ranging and substantial, and include the following:

- Provision of affordable housing
- Provision of market housing
- Provision of custom and self-build homes
- Delivery of an employment allocation
- New public open space and a community parkland, in excess of the policy requirements
- Biodiversity Net Gain in excess of the Government's 10% target
- Improvements to Whimple Road
- Jobs in construction

We have also examined other technical matters including highways safety, flood risk and drainage, ecology, landscape, heritage, trees, air quality, and health, and have identified no adverse effects that would outweigh the benefits of the scheme, and as previously mentioned we submitted a revised pack of technical information and plans to respond to consultee comments where required in December 2025.

The submitted and updated masterplan, therefore, responds to the constraints and opportunities of the site, and seeks to provide a generous landscaped edge to the north of the site to ensure a suitable transition to the rural hinterland beyond. Furthermore, it is clear that the development is deliverable, and provides a high-quality, well-balanced, sustainable community.

## Conclusion

We support the emerging Spatial Strategy and welcome the site's (ref. Brcl\_12) inclusion as an allocation to help meet the identified housing and employment needs. Overall, many of our previous comments on the first version of the Regulation 19 Local Plan still apply - we are only aware of one comment having been incorporated into the updated plan, relating to the timescale for the completion of self-build plots. We therefore continue to suggest that the Council carefully considers the constructive comments provided in relation to endeavouring to meet the full housing need for the district at this stage, particularly given the proposed changes to the NPPF for consultation, as well as other more specific policy requirements. In particular we have continued to suggest that the site should be allocated for 145 homes, as opposed to 100, in order for an effective use of land to be delivered as part of the development.

It has also been demonstrated and is recognised by East Devon District Council that Land west of Whimple Road, Broadclyst (ref. Brcl\_12) is a suitable, sustainable, accessible and deliverable site for residential and employment development, which is demonstrated in outline planning application 25/1133/MOUT.

Based on the details provided within these and previous representations, we, therefore, hope to see the allocation for the site maintained – once the Local Plan Examination begins, the planning application that is currently being determined by the Council will demonstrate the site's deliverability to the Planning Inspectorate to underpin the allocation of this land.

Should you wish to discuss this further, or have any questions or queries, please do not hesitate to contact me.

Yours faithfully,



**Coral Curtis**  
**Director**

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## **Appendix A**

Latest Proposed Masterplan for Outline planning application 25/1133/MOUT

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- Legend**
-  Site boundary
  -  Proposed all modes access
  -  Indicative pedestrian access
  -  Existing public right of way / propose pedestrian route
  -  Indicative focal buildings
  -  Indicative Development Focus
  -  Indicative Residential Development Parcel
  -  Indicative Employment Development Parcel
  -  Indicative Public Open Space including SUDS and Strategic Landscape areas
  -  Indicative SUDS
  -  Existing hedges / trees / planting
  -  Indicative trees / planting areas
  -  Indicative scrub planting
  -  Indicative hedge replacement planting
  -  Indicative wildlife corridors



client:  
**LVA**

project:  
**Land West of Whimble Road, Broadclyst**

drawing title:  
**Concept Masterplan**

job number: **LVA104**      drawing number: **3002D draft**

scale: **1:2500 @ A3**      drawn: **jvs**

date: **January 2025**      status: **Post-Submission**

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