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28 March 2025

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

Dear Sir or Madam

East Devon Local Plan: Publication Draft (Regulation 19)

Land South of A30 (Wares Farm)

Introduction

This submission has been prepared in response to the Publication Draft of the East Devon Local Plan which is subject to public consultation as part of preparing a new Development Plan. The response is prepared on behalf of our client, Chrales Kislingbury and owners of land south of the A30.

The submission focuses on the proposed spatial strategy, housing provision, the proposed new community east of Exeter and the Clyst Valley Regional Park.

Our clients welcome and support the continuing progress made by the Council in preparing a new Local Plan for East Devon and hopes the comments contained within these representations are helpful in progressing it to adoption.

These representations have been prepared having regard to the requirements of paragraph 35 of the National Planning Policy Framework (NPPF) which requires plans to be 'sound' in terms of being positively prepared, justified, effective and consistent with national planning policy. The NPPF was revised in December 2024, however, it is understood that the plan is to progress in line with transitional arrangements and therefore the relevant NPPF is that issued in December 2023. Therefore, the relevant NPPF references in this submission are those outlined in the NPPF under which the Local Plan will be examined.

Background

Our client's land interest is outlined on the attached site plan.

The subject land is situated to the east of the proposed second new community and as such, is appropriately located to provide an extension to these proposals when additional land for housing development (and supporting infrastructure) is required.

Our client would welcome the opportunity to take this work forward in collaboration with the Council and other key stakeholders.

Our client's representations to the draft Local Plan are made in this context and are set out below in the following sections.

Visions, Aims and Objectives of the Plan

Our client welcomes and share the aims and objectives of the draft Local Plan.

A core objective of the Plan is to provide high quality new homes to meet people's needs. Our client supports this ambition which represents an important step in the right direction, but this must be matched by a robust approach ensuring development will be viable and hence delivered. The delivery of much needed new homes will need to be balanced alongside other land uses including commercial and community facilities to ensure sustainable growth for all.

The Plan also seek to actively respond to the climate and ecological emergencies in securing sustainable development. These objectives are wholly supported by our client.

Policy SP01 Spatial Strategy

The NPPF (paragraph 20) requires strategic policies to set out an overall strategy for place-making, focusing significant development on sustainable locations that reduce travel needs and offer transport choices.

Draft policy SP01 sets out the proposed spatial strategy which directs new development towards the most sustainable locations in East Devon. The proposed strategy directs new development towards the West End of the district, comprising a further new community, ongoing development of Cranbook and other strategic developments.

The 'West End' comprises a highly sustainable area that has seen significant development since 2010, with substantial residential growth, employment opportunities, and strong functional links to Exeter. This zone offers extensive infrastructure, proximity to urban services, and efficient transport connections, making it a prime location for strategic and new development.

The draft Local Plan therefore promotes a sustainable pattern of development that aligns growth with infrastructure. Our client supports East Devon District Council's approach to the spatial strategy which focuses new development at the West End of the district as soundly based in accordance with national planning policy and guidance.

Policy SP07 – Delivery of infrastructure

Draft policy SP07 outlines the requirement for infrastructure provision in new development proposals.

The policy outlines a series of policy requirements planning applications will be required to demonstrate in ensuring that proper infrastructure provision is delivered to support the creation of sustainable communities and that meets the needs of residents and businesses. The objective and thrusts of this policy are noted and supported.

Greater flexibility should, however, be introduced into policy SP07 in order to ensure that infrastructure delivery and obligations do not render new development unviable. NPPF paragraph 35 states that policies in local plans should not undermine the deliverability of the plan.

An additional reference should be introduced into the policy wording which reads “*Where developers consider that scheme viability may be affected by the above policy’s requirements, they will be expected to demonstrate whether particular circumstances justify the need for a viability assessment and provide full development appraisals to demonstrate an alternative provision.*”

The suggested additional policy wording noted above would ensure that the policy is effective and consistent with national policy, as required by the NPPF under paragraph 35.

Policy WS01 – Development of a second new community east of Exeter

To accommodate significant housing growth, the Local Plan allocates land for a new community at the West End. Our client supports the principle of the proposed new community as identified on the policies map and outlined in draft policy WS01.

Draft policy SW01 states that “*the new community will need to accommodate at least 10,000 new homes and associated mixed use development. In the first instance, the land allocated in this plan further to this policy is for the new community to accommodate at least 8,000 new homes, some to be completed before 2042 and some after. The further land to be allocated to accommodate greater housing number and associated mixed use development and infrastructure so the new community can accommodate at least 10,000 new homes will be determined through further work and set out in subsequent development plans.*”

For the first 8,000 new homes, and supporting facilities and development, land is allocated, as shown on the Policies Plan. This policy sets out requirements to get to this scale of development but all planning and infrastructure capacity and needs work for the new community should take account accommodating greater levels of development, to accommodate at least 10,000 new homes and associated development.”

Without the identification of the land required to support the additional 2,000 homes to meet the 10,000-home aspiration, it is not clear how the proposed planning, infrastructure capacity and needs work will be undertaken. The strategy as proposed is therefore not justified or effective having regards to the soundness tests outlined in the NPPF.

Furthermore, it is understood that a further Regulation 19 consultation on the new community will follow this current Local Plan consultation in May-June 2025.

The additional land required to form part of the proposed new community, to deliver at least 10,000 dwellings, should be considered as part of the forthcoming masterplanning process to ensure a comprehensive and coordinated approach to placemaking is undertaken and the full potential of the new settlement realised.

Our client's land is situated to the east of the proposed new community as outlined on the attached site location. The land comprises c.64 hectares which has potential to deliver 1,000-1,500 new homes alongside suitable supporting infrastructure, subject to masterplanning.

The land that is put forward represents a suitable and sustainable location for the expansion of the proposed new settlement in accommodating residential mixed-use development.

The land is not the subject of any national policy or designations that would preclude new development. The land has existing vehicular access points from the B3184. Access to the highway network is therefore readily available from the subject sites. The site lies largely in Flood Zone 1. The land is subject to Flood Zone 2 and 3, where a watercourse associated with the River Clyst crosses the land to the south.

The site is not within a National Landscape. The subject site is not situated within a conservation area and there are no listed buildings within the site. The site is not situated within a Locally Listed Park and Garden.

The subject land is suitable, available and achievable as a potential development site and presents a logical extension to the proposed new settlement which is to occupy land to the west.

This land should form part of the proposed new community to realise the 10,000-home aspiration. Draft policy WS01 and the associated policies map should therefore be updated to include the land at Wares Farm as part of the proposed new settlement.

Furthermore, the Government's emerging new towns programme has an expectation of proposals reaching a minimum size threshold of 10,000 new homes. Under this programme there would be the potential for substantial support in planning work, financial and other workstreams which it would be desirable for East Devon District Council to take advantage of. This provides a compelling reason as to why it would be advantageous to identify the land required for the delivery of the 10,000 new homes in full.

If the land at Wares Farm is not included in the new community designation, then at the very least, it should be subject to a safeguarding designation to provide certainty around the comprehensive form of development to be delivered. It is important that the land required to meet the full 10,000 quantum should be identified to allow the subject land to be considered as part of ongoing evidence gathering work and future masterplanning activities.

Policy WS09 Clyst Valley Regional Park

The Clyst Valley Regional Park is an area of green and blue infrastructure covering approximately 6,000 acres in the west of East Devon and to the north and east of the city of Exeter. Draft policy WS09 supports plans to deliver high quality, nature-rich public open spaces, improvements to water quality and to integrate and enhance green infrastructure provision. The draft Local Plan proposes an expansion of the Clyst Valley Regional Park further to that which is outlined in the adopted Development Plan.

The adopted East Devon Local Plan (2016), included the following text within the supporting text for Strategy 10 (Green Infrastructure in East Devon's West End), when explaining the Clyst Valley Regional Park:

“The Clyst Valley Regional Park proposal does not establish a ‘policy boundary’ that prevents or ‘says no’ to development. It sets out where particular emphasis will be attached to establishing high quality landscape and settings for development, people and wildlife”.

The above text, or similar, should be included in the supporting text of policy WS09 to make clear the nature, scope and intention of the Clyst Valley Regional Park, which is not a protectionist designation.

Furthermore, the extent of the park, in the vicinity of Wares Farm, should be defined through the master planning process associated with the New Community. Currently, the extent of the designation does not appear to follow clearly defined boundaries on the ground and is therefore unclear as to its extent. The allocation of the land at Wares Farm for housing should include this land within the New Community boundary, and thereafter masterplanning to support the delivery of the land should consider the suitable boundary of the Clyst Valley Regional Park.

Criteria 'F' of policy WS09 outlines a series of quantitative targets which new development will be expected to contribute to or make proportionate contributions towards. It is not clear how these targets are to be proportionally divided on a site-by-site basis. As such, the wording “proportionate contributions” should be deleted from the policy wording as it is unclear.

The final section of the policy reads *“Where major development occurs outside of but close to the allocated park, we would wish to see all the above policy tests addressed and also green space provision associated with or required for the development should, where possible, be linked to and provide pedestrian and cycle access into the CVRP.”*

The language used within the policy may lead to uncertainty in policy interpretation with regards to what constitutes a site being “close to the allocated park”. This wording should either be deleted or clarified, in order to ensure a more precisely worded policy in line with The NPPF (16), so it is evident how a decision maker should react to development proposals. Plans and policies are required to be consistent with national policy in order to be found sound having regard to paragraph 36 of the NPPF.

Summary

On the whole, our client is supportive of the direction of the draft Local Plan. However, it is important that the emerging policy requirements do not constrain growth and looks to support the delivery of new development.

I trust careful consideration will be given to these representations.

If you have any queries, please do not hesitate to contact [REDACTED]
[REDACTED] or [REDACTED] in the first instance.

Yours faithfully

Jones Lang LaSalle Ltd

JLL