



East Devon Local Plan
Publication Stage (Regulation 19
Stage 2) Representation Form

Ref:

**(For official
use only)**

Name of the Local Plan to which this representation relates: East Devon Local Plan 2020-2042

Please return to East Devon District Council, Local Plans Team, Blackdown House, Border Road, Honiton, EX14 1EJ, upload onto our consultation portal at: <https://eastdevonlocalplansecondreg19.commonplace.is> or email: localplan@eastdevon.gov.uk by **26th January 2026**

Part B – Representation

Please use a separate sheet for each representation

1(a). To which part of the East Devon Local Plan does this representation relate? Please write down the paragraph or policy number that your representation relates to.

Paragraph

3.1 – 3.14

Policy

SP01 & SP02

Policies Map

1(b). Does your comment relate to one of the changes made to the first Regulation 19 plan?

Yes

No

Please note if you responded to the first regulation 19 consultation in early 2025, those representations remain valid and will be submitted to the Planning Inspector. **Do not resubmit previous comments.** Only make new representations if you are commenting on the specific changes listed in the Schedule of Changes, or if you did not respond to the first consultation.

1(c). If the comment is related to a site, please state the site reference here:

Site Ref

2. Do you consider that this part of the East Devon Local Plan is legally compliant

Yes

No

2 (a). If yes, and you wish to support the legal compliance of this part of the East Devon Local Plan, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

2 (b). If no, please give details of why you consider this part of the East Devon Local Plan is not legally compliant. Please be as precise as possible.
(Continue on a separate sheet if necessary)

2 (c). Please set out the modification(s) you consider necessary to make this part of the East Devon Local Plan legally compliant, in respect of any legal compliance matters you have identified at 4(b) above. You will need to say why each modification will make this part of the East Devon Local Plan legally compliant. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.
(Continue on a separate sheet if necessary)

3. Do you consider that this part of the East Devon Local Plan is Sound?

Yes No

3 (a). If yes, and you wish to support the soundness of this part of the East Devon Local Plan, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

3 (b). If no, please give details of why you consider this part of the East Devon Local Plan is unsound. Please be as precise as possible.

We have through earlier representations made on the emerging Local Plan raised concerns regarding the overall strategy of the Plan, particularly in terms of approach to meeting housing needs and an inherent imbalance towards constraint and matters that ultimately constrain growth opportunities and the delivery of sustainable development. Some of those issues unfortunately still remain apparent in the Regulation 19 Part 2 version of the Plan with no substantive changes being made to the overall Plan strategy and how levels of future housing delivery will be managed.

Policy SP01 – Spatial Strategy

We continue to broadly support the spatial strategy outlined in Policy SP01 which continues to recognise the role of Honiton as a Main Centre where significant development can be accommodated, although we do consider that the level of actual provision is too low and is not sufficient to address the historic lack of delivery of new homes at Honiton.

There are further site opportunities that continue to be overlooked as raised further in representations in relation to Policy SD03 (Honiton and its Development Allocations) which could contribute to addressing these needs. My clients' site at Heathfield Manor, Honiton is one such site, providing a logical extension to the town and forming a significantly improved landscape and habitat relationship between the urban edge and National Landscape.

We also remain concerned regarding the continued reliance on the new community in respect of this Plan period. The experience of Cranbrook demonstrates the long lead-in times in respect of delivery, with first occupations at Cranbrook occurring some 20 years post allocation (having been arguably a more defined proposal than the new Marlcombe community at that stage). We provide additional comments on this in relation to Strategic Policy WS01. None of the changes within the Part 2 version address the risks to delivery. Indeed, increased aspirations for affordable housing and higher densities at Marlcombe increase the likelihood of delivery rates not being achieved.

We also consider it to be shortsighted not to consider further provision at Cranbrook beyond the adopted Cranbrook Plan area, given it clearly would be a sustainable option for delivering additional growth and infrastructure is already in place or planned. This alongside other deliverable sites would provide the opportunity for contingency and bring much needed resilience to the Plan.

Policy SP02 – Levels of Future Housing Development

We are greatly concerned that the Council has not sought either to revisit the stepped approach to housing delivery or provide any further justification for its approach within the Part 2 Reg 19 consultation. We have set out in our previous reps that this is unjustified, will simply defer housing delivery and will widen the gap between supply and unmet need.

This is in the context of the Plan already seeking to under provide on its strategic housing requirement by utilising the NPPF transitional arrangements to reduce this by 20%. This is despite the clear intention of the transitional arrangements being to provide the opportunity for advancing Local Plans quickly after the publication of the revised NPPF and issue a Regulation 19 Plan by March 2025. Nearly a year on from this the Council remains unsettled on its Regulation 19 Plan (as evidenced by this Part 2 consultation) with fundamental questions remaining regarding its soundness and around the delivery of key sites.

The stepped housing delivery approach proposed within SP02 will instead defer the issue of under delivery to the later parts of the Plan at which point unmet needs will be substantial with little prospect of addressing any shortfall. Therefore, rendering the Plan ineffective and failing to deliver sustainable development in order to meet the needs of its community consistent with national policy.

The stepped approach will have the effect that for more than half of the Plan period housing delivery will be proposed at 71% of the new standard method, a reduction of more than a quarter of the local housing needs target. Resulting in substantial unmet need and, critically, a substantial shortfall with no certainty that the Plan will address this in the later Plan period.

That the Part 2 Regulation 19 Plan does not address this issue or justify its approach does nothing to suggest that the proposed stepped approach is not simply a contrived way of firstly attempting to benefit from the transitional arrangements and secondly, avoiding making the important and difficult decisions required to meet the District's substantial level of housing need.

We set out in our previous representations that the circumstances where a stepped approach might be appropriate are not relevant in East Devon, this is because:

- Required housing numbers are not significantly different to those within the previous Local Plan (indeed they are the same under the transitional arrangements);
- Many of the allocated sites within the Plan are not 'strategic' in the sense of the PPG;
- The uncertainties around the delivery of Marlcombe at the latter part of the Plan period suggests the Plan should look to maximise delivery of non strategic sites in the earlier stages of the Plan period;
- The nationwide Lichfield report relied upon by the Council identifies that smaller sites (under 100 dwellings) which make up a significant proportion of the Plan's allocation are capable of being delivered in 4 years; and
- Environmental constraints and planning challenges are not unique to East Devon.

The Council's attention is drawn to the Inspector's Detailed Stage 2 Post Hearing Letter following the Examination of the Wiltshire Local Plan in December 2025 which heavily criticises the stepped housing approach for the reasons outlined above. The Inspector further questioned why the stepped housing approach was not tested as part of the Sustainability Appraisal of the Plan (see [Wiltshire Local Plan Examination](#)). These same criticisms that such an approach is neither positively prepared nor justified are equally relevant to the East Devon Plan.

Rather than justify a stepped approach, we consider the above factors should lean towards a Plan that seeks to frontload and maximise delivery from a range of sites rather than metaphorically 'kicking the can down the road' by delaying delivery and then over relying on the latter part of the Plan period.

Some of the concerns the Council now raise in respect of early delivery are a direct consequence of the decisions made which saw some larger sites allocated on capacity grounds without due regard to constraints such as securing appropriate access, ecology impacts, heritage impacts and land ownership and the unjustified removal of other sites which could have contributed to housing delivery in the earlier stages of the Plan. We outline these concerns in representations to Policy SD03 in respect of our clients' site at land at Heathfield Manor, Honiton which was not carried forward from the Regulation 18 Plan, contrary to officers recommendations .

There were a wide range of opportunities for further allocated sites as evidenced by the Regulation 18 version of the plan and site selection processes, which identified a number of suitable and available sites that would not have high infrastructure burdens and could come forward quickly. It is regrettable that the inconsistencies of the Regulation 19 site selection process have meant that some sites considered suitable at Regulation 18 (and more deliverable in many cases) were removed at Regulation 19, whilst other sites, with more challenging constraints, not previously considered were allocated in their place.

The Council had in front of them a range of sites in key settlements identified as available and suitable which have not been taken forward, but if they were, they could still provide significant resilience to the Plan strategy by supporting early and increased delivery rates, negating a flawed stepped housing approach.

3 (c). Please set out the modification(s) you consider necessary to make this part of the East Devon Local Plan sound, in respect of any soundness matters you have identified at 5(b) above. You will need to say why each modification will make this part of the East Devon Local Plan sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.

(Continue on a separate sheet if necessary)

As we have set out above the Plan's approach in setting a stepped housing target is unjustified, goes against the spirit of the NPPF transitional arrangements and seeks to effectively push the matter of delivering housing to meet local needs into the next local plan cycle. The Government have been clear that in introducing the transitional arrangements they expect the progress of plans to be maintained, whilst maximising proactive planning for the homes communities need. We consider the stepped approach does not support the Government's intentions.

Therefore, currently this approach risks rendering the Plan unsound in our view. To address this the Plan will need to be the subject of fundamental modification. This will include removing all reference to the stepped approach within Policy SP02 and instead including a consistent housing requirement of 950.4 dwellings per annum over the entire Plan period.

In addition, to provide greater resilience against the delivery issues the Council has identified in relation to larger sites, modifications should be made to include a range of sites that can support greater resilience for early Plan delivery. This includes reviewing and allocating opportunities already previously considered through the site selection process where sites were previously proposed to be allocated in earlier stages of the Plan and/or where they have not been discounted on deliverability grounds.

These Modifications are essential for addressing the unjustified stepped approach towards housing delivery and ensuring the Plan can be found sound. Otherwise, the Plan as it stands would not be positively prepared in that it fails to deliver the housing required to meet local needs. Its approach is not justified by the evidence base nor is it consistent with national policy. The result will be an ineffective Plan that fails to deliver for the needs of its community.

Do you consider that this part of the East Devon Local Plan complies with the Duty to Co-operate?

Yes No

4 (a). If yes, and you wish to support this part of the East Devon Local Plan's compliance with the duty to co-operate, please use this box to set out your comments.
(Continue on a separate sheet if necessary)

4 (b). If no, please give details of why you consider this part of the East Devon Local Plan fails to comply with the duty to co-operate. Please be as precise as possible.
(Continue on a separate sheet if necessary)

Please note that non-compliance with the duty to co-operate is incapable of modification at examination.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Continue on a separate sheet if necessary)

To elaborate further on these and previous representations made on the Plan, including providing evidence to support the necessary Modification of the Plan.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

For more information on how we use your data – please read the privacy notices at the following links: <https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notice>

<https://www.commonplace.is/privacy-policy>

7. If you would like to make representations on the Sustainability Appraisal (SA) please provide your comments here, stating to which part of the SA your comments relate.

(Continue on a separate sheet if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.