



Reg 18 East Devon Local Plan

Greenhayes New Town Option 1 and Option 2

Written Representation

Ref: CP0053 Greenhayes Reg 18 Response

Date: 13 January 2023

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Client: Greendale Group & Crealy Ltd

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A	13.01.23	Planning Statement	<i>AT</i>	13.01.23

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Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

Contents

1.	Introduction	2
2.	Executive Summary.....	4
3.	The Greenhayes Development Opportunity.....	6
	3.1 Greenhayes Land Control	
	3.2 Key Attributes for the land south of A3052	
	3.2 Proposed Modification to Option 1	
4.	Delivering New Towns.....	10
	4.1 Housing Delivery	
	4.2 Infrastructure Delivery and Viability	
	4.3 Net Zero Carbon Ambitions	
	4.4 Other Reg 18 Plan Policy	
5.	Assessing CBRE New Town Options Appraisals Document.....	15
6.	Conclusions.....	25
7.	Appendix 1 – Greenhayes Vision Document Extract.....	26

1. Introduction

1.1 Overview

- 1.1.1 This Regulation 18 Planning Consultation response has been prepared by Copperfield Land and Planning Limited on behalf of the Greenhayes site, herein referred to as “the site”, on behalf of the joint owners, Greendale Group and Crealy Ltd.
- 1.1.2 The site is located within part of New Town Option 2 and immediately adjacent to the southern boundary of New Town Option 1. A development vision statement has been prepared and extracts of this are included with Appendix 1 to inform the Council on the sites potential inclusion in any future plan review.
- 1.1.3 The site has been identified previously and through the current local plan review with reference code GH/ED/64. It should be noted that the full scope of the development opportunity being promoted by Greenhayes is identified in the appended information.

1.2 Consultation Documents

- 1.2.1 The Council are currently consulting on the Regulation 18 version of the local plan setting out issues and options for a future East Devon Local plan covering the 20 year period between 2020 to 2040.
- 1.2.2 The Council have published a draft Local Plan and Sustainability Appraisal Report alongside a number of evidence base documents including a CBRE Report titled ‘East Devon - Options for a New Settlement’. These documents and the associated appendices form the basis for our response in this representation.

1.3 A Sound Plan

- 1.3.1 In due course the Councils Local plan will be examined to assess whether it has been prepared in accordance with legal and procedural requirements, and whether it is sound.
- 1.3.2 NPPF para 35 states that plans are ‘sound’ if they are:
 - a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

1.4 Contents of this Report

1.4.1 Section 2 of the report includes an Executive Summary setting out the main points of representation on behalf of the Greenhayes site.

1.4.2 Section 3 of the report provides a summary of the key opportunities relating to the development of land south of the A3052. It also identifies an alternative Option 1 modified land solution that we believe provides a better spatial strategy for the New Town proposed by the Council.

1.4.3 Section 4 of the report provides representations on the Council's spatial approach to the new Local Plan and specifically comments on Housing and Infrastructure Delivery alongside Net Zero Carbon ambitions.

1.4.4 The policy's set out below are referenced in section 4.1 to 4.3. All relate to the approach being taken to New Town identification and the key principles of successful delivery:

- Draft Strategic Policy 1 – Spatial Strategy
- Draft Strategic Policy 2 – Housing Distribution
- Draft Strategic Policy 3 – Levels of Future Housing Growth
- Draft Strategic Policy 8 - Development of a second new town east of Exeter
- Draft Strategic Policy 27 – Climate Emergency
- Draft Strategic Policy 28 – Net Zero Carbon

1.4.5 The following policies are also reviewed and referenced in this consultation response in section 4.4.

- Draft Strategic Policy 19 to 24 – Main Settlements x 6
- Draft Strategic Policy 25 – Local Centres x 5
- Draft Strategic Policy 26 – 23 Villages
- Draft Strategic Policy 39 – Housing to Address Needs
- Draft Strategic Policy 40 – Affordable Housing
- Draft Strategic Policy 62 – Design and Local Distinctiveness
- Draft Strategic Policy 65 - Walking, cycling, and public transport
- Draft Strategic Policy 87 – Biodiversity Net Gain

1.4.4 Section 5 of this report reviews the CBRE Report titled 'East Devon - Options for a New Settlement' and applies our assessment of the proposed modification to option 1 which scores favourably when compared to Option 1 and Option 3.

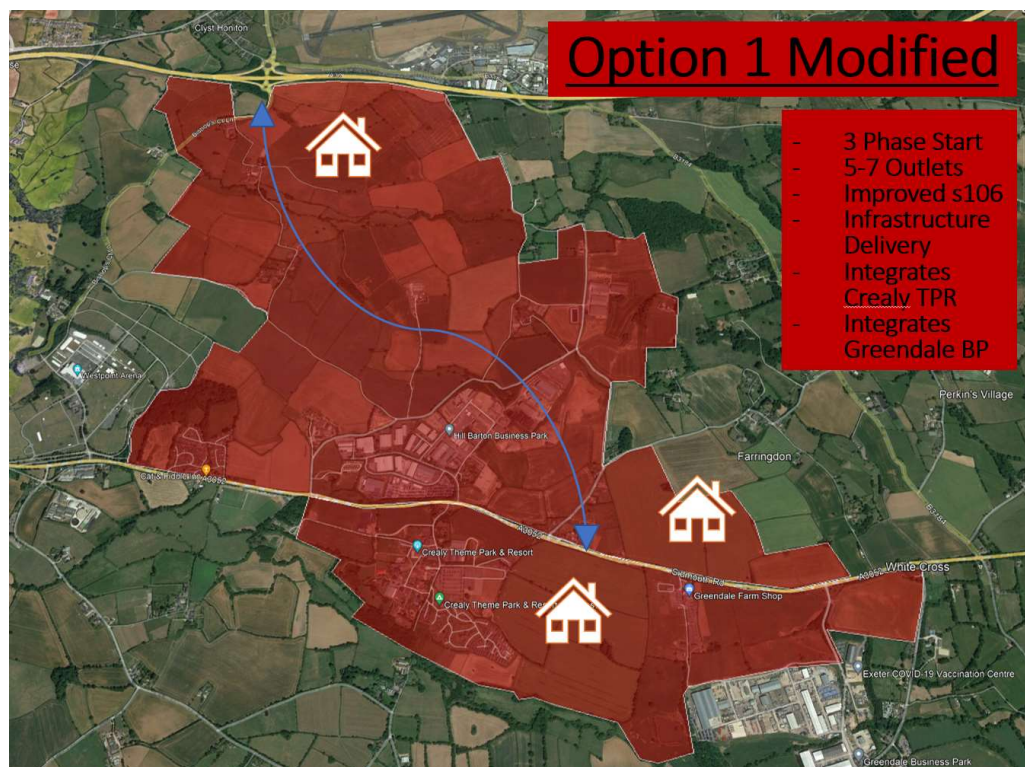
1.4.5 Section 6 of the report draws conclusion and recommendations for how the Reg 18 plan can be adapted to ensure it meets the NPPF tests of soundness. We have also included an appended summary version of the Greenhayes Vision Document for reference.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

2. Executive Summary

- 2.1 The Greenhayes site is a highly sustainable development opportunity as a stand alone new village or as part of a larger 8000 dwelling New Town for East Devon. Its inclusion in the new Local Plan as part of a modified Option 1 solution is necessary to enhance the potential to achieve housing delivery targets, delivery key infrastructure viably, and provide the appropriate opportunity to integrate existing employment and leisure land uses within any new settlement.
- 2.2 Greenhayes support the approach being taken in Policy 2 and Policy 8 which identify a New Settlement which has the potential to deliver significant amounts of new housing for East Devon. This approach is considered preferential to a dispersed strategy of many smaller development sites linked to lower tier settlements across the District. If supported in the right way, the New Town policy has the potential to provide more than 2500 new homes and reduce the pressure for housing on existing settlements and villages across the District
- 2.3 Delivery methodology is critical if Policy 8 is to be successful. The Councils preference for the current Option 1 risks repeating the housing delivery mistakes of the Last Local Plan when the Council nominated one location for a New Town at Cranbrook.
- 2.4 The Council should give careful consideration to its New Town strategy and we would support the expansion of the Option 1 area to include land owned by Greenhayes Team to enhance housing delivery. The preferred approach is set out in diagram form below.



Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

- 2.5 Adopting this approach will provide an opportunity to deliver higher levels of affordable housing, improve viability by building more houses faster and allow the delivery of key infrastructure earlier in the process. It would also include sustainable non-motorised links to Greendale Employment Area and Crealy Adventure Park along with park and ride and public transport links to the wider Exeter City area.
- 2.6 The report to committee dated 1st November 2022 which set out officers recommendations in support of Option 1 New Town. The assertion that Option 2 scores notably worse than Option 1 when over 50% of the land area assessed are identical does not represent a fair and balanced scoring approach.
- 2.7 The conclusions of our own assessment using the CBRE applied methodology have accurately and fairly assessed Option 1 and Option 3 New Settlements against a modified Option 1 scenario as shown above. The results show a clear scored preference for the modified Option 1 scenario below:

Assessment Category	Option 1	Option 1 Modified	Option 3
Landscape Sensitivity	2	2	3
Ecological Impact/Biodiversity*	3.4	3.6	3
Flood Risk	4	4	4
Minerals	4	4	5
Historic Environment	3	3	3
Sustainable Accessibility*	3.3	3.3	3.8
Highways*	4.9	4.9	4.9
Utilities*	3	3	2.3
Net Zero Carbon*	3.3	3.3	3
Climate Resilience*	2.7	3.4	2.7
Deliverability*	4	5	2
TOTAL	37.6	39.5	36.7

Table 2 – Modified Option 1 Scoring Matrix

- 2.8 It should also be noted that all land within the modified option 1 is being actively promoted and has been declared available by the respective owner or land promoter. There is significant areas of land within Option 1 and Option 3 that has not been declared available. This should be a material consideration in the review of the draft policy following the conclusion of the consultation process and avoid Option 1 and Option 3 where land is included that has not been made available for housing.
- 2.9 Section 4.4 of this report includes specific representation to Local Plan draft policy on affordable housing delivery, 20 minute neighbourhoods and the distribution of growth policy. Our comments on these all support the potential for an enhanced and modified option 1 new town solution supporting the Councils ambitions for sustainable growth I the new Local Plan.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

3. The Greenhayes Development Opportunity

3.1 Greenhayes Land Control

3.1.1 The land being promoted for inclusion as part of the New Town for East Devon is fully in Greenhayes Control and shown on the aerial image below:



3.1.2 The Greenhayes proposal is the vision of two local farming families, the Carter family (FWS Carter & Sons Limited) and the Down family (Crealy Farms) who have been working together for many years to bring forward a carefully designed and sustainable residential-led housing development to integrate with their existing employment sites at Greendale Business Park, Greendale Farm Shop and Crealy Theme Park and Resort.

3.2 Key Attributes for the land south of A3052

3.2.1 Through a carefully considered and evidence led process, a masterplan has emerged which demonstrates that there is an opportunity to deliver:

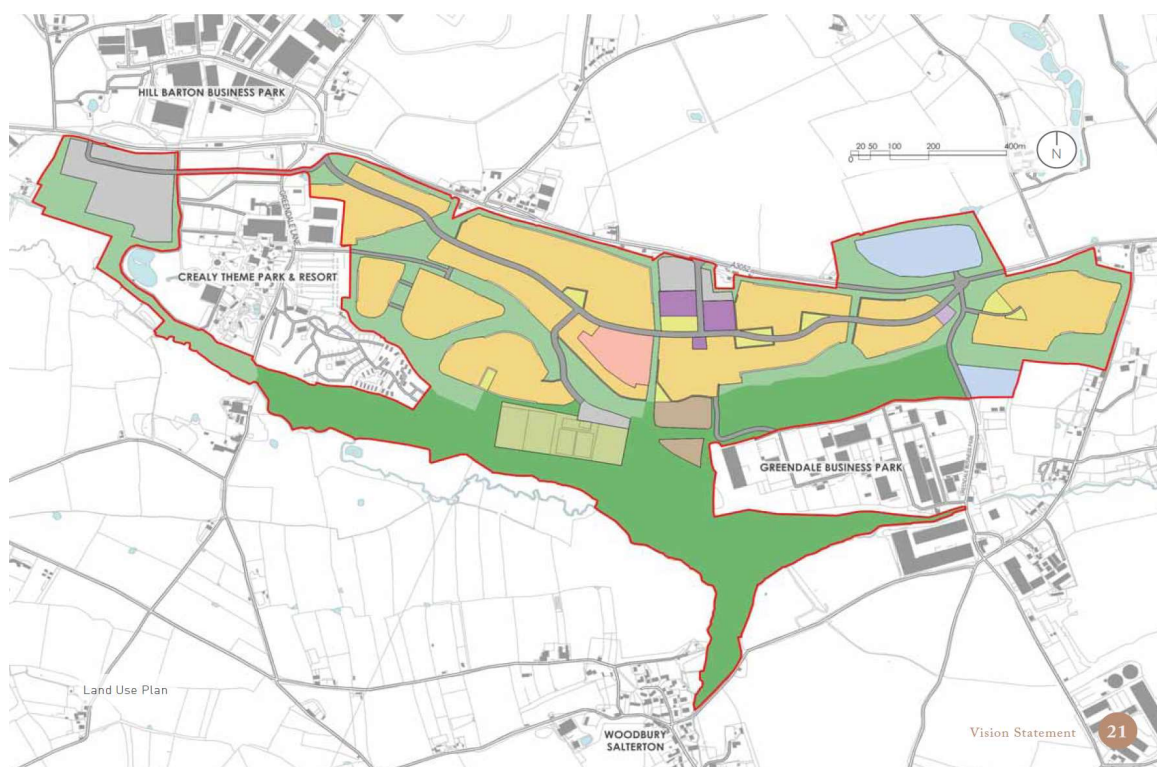
- a new local rural community south of the A3052 of circa 1300 -1500 homes (including affordable and self/custom build properties);

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

- a newly designed and enhanced Farm Shop and café/restaurant, with future opportunity for regular farmer’s markets;
- a new community work hub positioned alongside the new Farm Shop, encouraging home working and mitigating unnecessary and unsustainable commuting;
- a range of additional shops and services, to meet existing local requirements and the needs of the new community;
- a two-form entry primary school; significant Green Infrastructure, including an extension to the proposed Clyst Valley Regional Park, with delivery of Suitable Alternative Natural Greenspace (SANG), tree and new hedgerow planting, with protection of much of the existing vegetation;
- community “grow-your-own” opportunities, including allotments and an orchard;
- a fantastic new health and sports club, with playing pitches, gym, facilities, and events venue;
- the provision of enhanced sustainable modes of transport, with active travel (walking and cycling routes); and
- a park and ride facility to provide local services and mitigate any perceived impact on the local road network.

3.22 The high level masterplan outputs of Greenhayes work to dates promote a c130 Ha parcel of land with c38Ha or residential and c 8Ha of employment, community hub and primary school buildings. Integration of this land with the Option 1 New Town proposals would be easily achievable.



Project ref: CP0053

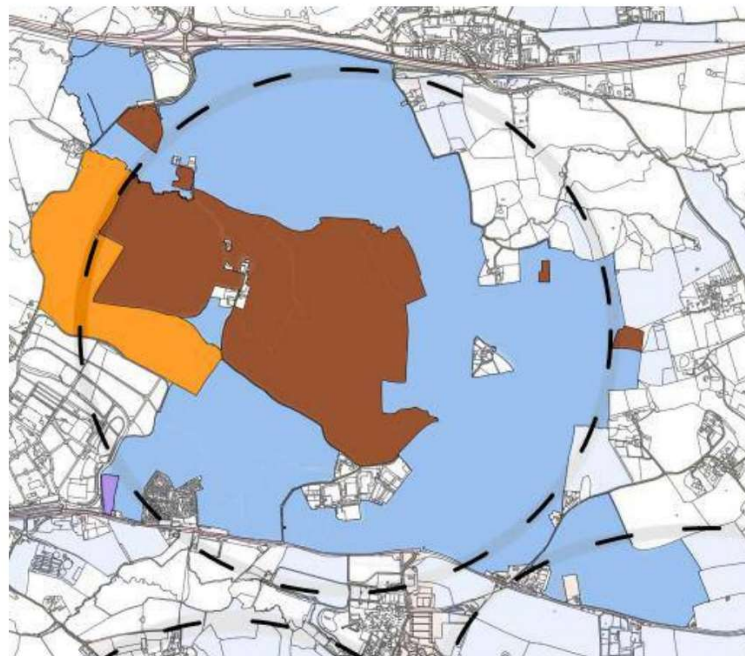
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3.3 Proposed Modification to Option 1

3.3.1 The CBRE report Figure 3.2 shows the origins of land control for Option 1. It identifies that the majority of the land has been promoted for housing development in the new Local Plan.

3.3.2 Within the Figure 3.2 diagram below is a highlighted orange section measuring 42Ha which is labelled as ‘Indicative additional land required not currently included in call for sites’.

Figure 3.2 – Option 1 Land Take



KEY

- 2017 Call for site submission
- 2021 Call for site submission
- 2022 Call for site submission
- Indicative additional land required not currently included in call for sites

Source: Tibbalds (2022)

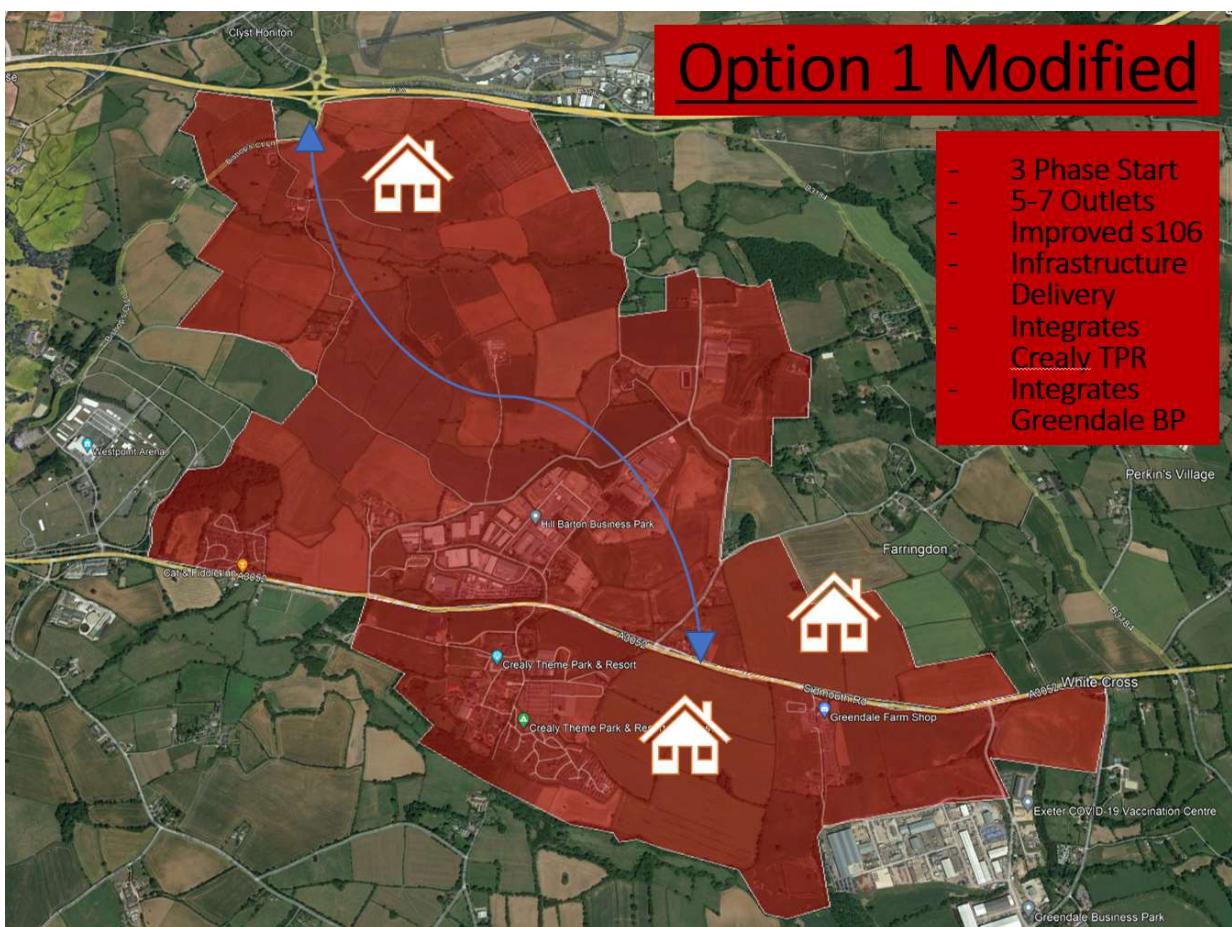
3.3.3 The NPPF Para 68 states “Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.”

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

3.3.4 In this instance it is unclear why land on the western peripheral edge of the Option1 site was included as part of the development option. Similar land ownership plans were identified for option 2 where all of the land included within the potential New Town has been offered to the Council as available for housing.

3.3.5 To meet the tests of the NPPF and to ensure a New Town is deliverable, land must be available for development. As identified, the promoters of Greenhayes would propose the following modified Option 1 for inclusion in any future Local Plan review. All land within the red line has been declared through the SHLAA as available.



4. Delivering New Towns

4.1 Housing Delivery

- 4.1.1 At Strategic Planning Committee on the 8th March 2022 Members considered a report detailing work to date on proposals for a further new community as part of the spatial strategy for the new Local Plan. The option to proceed with Local Plan allocations was taken by Strategic Planning Committee on 1st November 2022 following publication of a range of supporting technical papers.
- 4.1.2 Greenhayes fully support the need for a New Town in East Devon to underpin housing delivery for East Devon and the ambitions of the new Local Plan in the period 2020 to 2040 and beyond. We believe the modified Option 1 approach we have identified provides many advantages to the Council when considering good master planning principles and that our approach offers significant advantages in terms of housing delivery.
- 4.1.3 In the Councils evidence base document EDDC Housing Need paper (Nov 22) paragraph 6.36 states that ***“The Council is mindful of delays on some previous strategic site allocations in East Devon. Although the large Cranbrook Expansion Areas are now allocated, they still have to proceed through the development management process before housebuilding commences. The Plan also proposes a New Town, and although only part of this would be developed and probably not start to deliver completions until possibly 2030/31 the Council still needs to be mindful of the potential for slippage.”***
- 4.1.4 The council is right to be wary of placing the success of its Local Plan on one New Town location given its previous experiences at Cranbrook.
- 4.1.5 To inform the Councils consideration of the right land allocation and delivery policy for the East Devon New Settlement we would offer the following guidance related to methodology based on Copperfield and Greenhayes experience and other available evidence such as the Letwin Review and Litchfield Report.
- 4.1.6 The 2018 Letwin Review was a Government commissioned Independent Review of Build Out on major large scale housing schemes. Letwin’s report was presented to parliament in October 2018 to establish whether land banking within the industry was occurring.
- 4.1.7 His analysis focused on the issue of the build out rate of fully permitted new homes on the largest sites in areas of high housing demand. Approximately 92 sites of over 1,500 dwellings were reviewed with an average site size of 3,327 new homes. Data found that the average length of the build out was 15.5 years equating to an average large site size delivery of 214 homes per annum. Letwin excluded periods of enabling works and planning promotion or application periods in this assessment.
- 4.1.8 It should be noted that the data set used by Letwin was national and included many projects in London and the south east of the country and in larger population centres

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

where higher consumer demand and absorption rates would be experienced than East Devon.

4.1.9 Further research on the enabling of large site delivery was captured in Lichfields 'Start to Finish' 2020 Report documenting the challenges of consenting, enabling and delivering large scale housing schemes. The report highlighted the following key findings:

- From the date at which an outline application is validated, the average figures can be 5.0-8.4 years for the first home to be delivered;
- Their analysis suggests that having additional outlets on site has a positive impact on build-out rates. Interestingly, Lichfields found that schemes with more affordable housing (more than 30%) built out at close to twice the rate as those with lower levels of affordable housing as a percentage of all units on site.

4.1.10 As published in the Councils evidence base, the last 5 reporting years 2016/17 to 2020/21 saw Cranbrook as a New Settlement deliver 1132 new dwellings at an average delivery rate of 226 plots per year.

4.1.11 To mitigate risks of delays and enhance the potential for housing delivery Greenhayes believe that the identification of two or three meaningful development phases in the New Town growth zone will maximise the chances of delivery success. These areas are:

Delivery Area 1 - A development area to the north of the Option 1 area accessing the A30;

Delivery Area 2 - An enhanced delivery area based around land to the north and south of the A3052 captured within a modified Option 1.



Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

4.1.12 It is our view based on Letwin’s experience that only looking at one delivery area or one lead promoter or housebuilder will limit delivery to similar rates as witnessed by East Devon at Cranbrook in the last 5 years. Based on current 2022 delivery rates, the Cranbrook experience would highlight risks for the 3 Outlet option in the table below, especially if lower levels of affordable housing formed part of the policy approach.

4.1.13 The table below shows how proceeding with two or three delivery areas could enhance delivery to between 5 and 7 outlets with the all the enabling benefits that higher levels of housing can bring.

4.1.14 In the three scenarios below the table shows around 1500 new homes being delivered in the plan period if development starts from only one phase or delivery area. This would be enhanced to 5 or 7 outlets on two or more delivery Areas with the potential for 2500 to 3500 dwellings under these scenarios.

HOUSING DELIVERY MODEL FOR NEW SETTLEMENT				
Yr	Timeline Event	Without Greenhayes 3 Outlet	Including Greenhayes 5 Outlet	Including Greenhayes 7 outlet
2022/23	Reg 18	0	0	0
2023/24	Reg 19	0	0	0
2024/25	Reg 22	0	0	0
2025/26	Local Plan Adoption	0	0	0
2026/27	Application Submission	0	0	0
2027/28	Application Approval	0	0	0
2028/29	Application Approval	0	0	0
2029/30	Infrastructure Delivery	0	0	0
2030/31	Year 1 delivery	78	130	182
2031/32	Year 2 delivery	156	260	364
2032/33	Year 3 delivery	156	260	364
2033/34	Year 4 delivery	156	260	364
2034/35	Year 5 delivery	156	260	364
2035/36	Year 6 delivery	156	260	364
2036/37	Year 7 delivery	156	260	364
2037/38	Year 8 delivery	156	260	364
2038/39	Year 9 delivery	156	260	364
2039/40	Year 10 delivery	156	260	364
	Total Delivery	1482	2470	3458

Table 4.1 – Outlet Based Housing Delivery Potential

4.1.16 Slow delivery also has implications for infrastructure and viability that are explored in section 4.2 below.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

4.2 Infrastructure Delivery and Viability

4.2.1 The following are key infrastructure elements of any New Town as set out in Strategic Policy 8 of the Draft Local Plan:

- Accommodate a full range of social, leisure, health, community and education facilities (including new schools) to meet the needs of all age groups that will live at the new town. To specifically include 23 hectares of land for education provision.
- Infrastructure provision will need to come forward with overall development proposals. This will include at least 254 hectares of land for green infrastructure provision. The Council will produce an Infrastructure Delivery Plan that will set out key requirements recognising the need for improved transport links and road improvements, district heating connections, new education provision, high speed broadband and other services and facilities to ensure sustainable development is delivered.

4.2.2 The draft Strategic Policy 8 also states that developments shall be developed in a phased and co-ordinated manner alongside the required infrastructure and in accordance with parameter plans for the new town which will be developed in partnership with the developers and the community.

4.2.3 Delivery rates for housing are the single most significant issue for the proposed New Settlement given the heavy infrastructure costs and the risk of under delivery, housing could lead to significant delays in getting key infrastructure, such as the new link road and the schools, delivered in the plan period.

4.2.4 No evidence has been provided in the consultation relating to the viability, phasing or deliverability of the proposed favoured Option 1 development.

4.2.5 Further evidence must be provided by the Council ahead of any Regulation 19 consultation on the financial appraisal and delivery economics of the preferred New Town Policy and site allocation to ensure key outcomes are achievable.

4.3 Net Zero Carbon Ambitions

4.3.1 Strategic Policy 27 Climate Emergency states that the East Devon target is to become carbon neutral by 2040, this overarching strategic policy for climate emergency requires developments to support East Devon becoming carbon neutral by 2040.

4.3.2 Strategic Policy 27 Net Zero Carbon states that all new residential and commercial development will deliver net-zero carbon emissions.

4.3.3 Greenhayes fully supports the ambitions of the Council on Climate Change and believes that land being promoted by them represents a significant opportunity to achieve the ambitions of the Council on major residential site delivery and Net Zero Carbon.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

4.4 Other Reg 18 Plan Policy

- 4.4.1 In addition to the specific New Town and Climate Change policy referenced above Greenhayes have the following points to reference in relation to other Regulation 18 draft local plan policy.
- 4.4.2 Draft Policy 19, 20, 21, 22, 23, 24, 25 and 26 all relate to future development in Main Settlement, local centres and the villages. Should the council wish to review its distribution of growth strategy we believe that a more concentrated policy seeking to delivery higher levels of housing growth in the plan period is possible at the New settlement if the Councils adopts the multi-phased delivery area approach advocated by Greenhayes. This could relieve development pressures on other settlements in East Devon.
- 4.4.3 Greenhayes fully supports Draft Strategic Policy 39 which looks to address housing need. The policy wording 2a seeks to maximise the delivery of affordable housing across East Devon in order to meet identified needs of people who are not able to access the general housing market. This policy signposts the levels for affordable housing under Draft Strategic Policy 40.
- 4.4.4 Greenhayes disagrees in Strategic Policy 40 that the delivery of the New Settlement should start from the premise of a viability impacted delivery model with reduced affordable housing. The Lichfield report findings on enhanced delivery by utilising higher amounts of affordable housing should be embraced by East Devon. The Council must robustly assess housing delivery and viability with a view to supporting a minimum of 35% affordable housing for the New Settlement or it will be in conflict with the stated aims of other key Council draft policy slowing down delivery and will risk failing to meet the needs of the people of east Devon who required affordable housing.
- 4.4.5 Greenhayes supports the Draft Local Plan Strategic Policy on Design and Local Distinctiveness and has sought to embrace the 8 stated principles of this policy in its design Vision for the site south of the A3052. A summary version of the vision for Greenhayes is appended.
- 4.4.6 Greenhayes also support the principles of Strategic Policy 65 and the 20 minute neighbourhood idea. We would identify the opportunities to link Hill Barton, Greendale and Crealy Leisure Park through new housing led development as a unique and highly attractive feature of the site. The Greenhayes site inclusion in the New Settlement will enhance the walking, cycling and public transport potential of any development going forward.
- 4.4.7 Greenhayes acknowledged the desire by East Devon to go beyond the 10% Biodiversity Net Gain targets currently set by 2021 Environment Act regulations. Greenhayes would support the Councils 20% position if the Council can show it to meet the NPPF tests of soundness and are confident the site being promoted by them would accord with this policy requirement.

5 Assessing CBRE East Devon – Options Appraisal for a potential New Settlements

5.1 CBRE Scoring Matrix

5.1.1 The table extract below shows the scoring approach taken by CBRE to inform the Councils choice of preferred new settlement option.

Options Appraisal Technical Assessment – Scoring Summary

Assessment Category	Option 1	Option 2	Option 3
Landscape Sensitivity	2	2	3
Ecological Impact/Biodiversity*	3.4	3.6	3
Flood Risk	4	4	4
Minerals	3	1	5
Historic Environment	3	3	3
Sustainable Accessibility*	3.8	1.8	4.3
Highways*	4.8	4.1	4.6
Utilities*	3	2.3	2.3
Net Zero Carbon*	3.3	2.3	3
Climate Resilience*	2.7	3.4	2.7
Deliverability*	4.5	3	2.5
TOTAL	37.5	30.5	37.4

Source: CBRE (2022) Note: a higher score represents lower potential adverse impact/ higher benefit of each Option.

Key: *Where a number of assessments inform a technical category the average score per Option is rounded to one decimal point and feeds through to the cumulative assessment in Section 12.

5.1.2 The conclusions from this table appear clear and taken at face value supports officers report to the Strategic Planning Committee on 1st November that Option 2 should be removed from consideration as the Plan progresses.

5.1.3 Given that 50% of the land area of Option 1 and Option 2 are the same areas of land the high scoring differential warrants further investigation. The key criteria based areas of differentiation are Minerals (see 5.2 below), Sustainable Accessibility (see 5.3. below), Utilities (see 5.4 below), Net Zero Carbon (see 5.5 below) and Deliverability (see 5.6 below).

5.1.4 This section of our report concludes by scoring Modified Option 1 to include the Greenhayes site and provide a standout New Settlement Option for consideration at Regualtion 19 Local Plan stage and beyond.

5.2 CBRE Scoring - Minerals

5.2.1 The table extract below summarises the scoring approach taken by CBRE on Minerals.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

Table 6.5 – Minerals Presence

Option	Impact	Score
1	Outside of coal mining affected areas. No nitrate and phosphates identified Mineral safeguarding Zone at Hill Barton Business Park (Policy M2 of the Devon Minerals Plan) Established Strategic Waste facility at Hill Barton Business Park (Policy W10 of Devon Waste Plan)	3
2	Outside of coal mining affected areas Within water source protection zone Within nitrate vulnerable zone Medium priority phosphates Mineral safeguarding Zone at Hill Barton Business Park (Policy M2 of the Devon Minerals Plan) Established Strategic Waste facility at Hill Barton Business Park (Policy W10 of Devon Waste Plan) Established Strategic Waste facility at Greendale Barton (Policy W6 of Devon Waste Plan)	1
3	Outside of coal mining affected areas No nitrate and phosphates identified	5

Source: CBRE (2022)

5.2.2 The Devon Minerals Plan 2011 – 2031 was adopted in February 2017. The document was subject to examination in public and sufficient evidence on minerals and minerals safeguarding. The CBRE Report makes no effort to explain the reasoning within the evidence base to differentiate between the 3 options.

5.2.3 We would draw the Council to the CBRE table 6.5 highlighting the following as scoring differentiators:

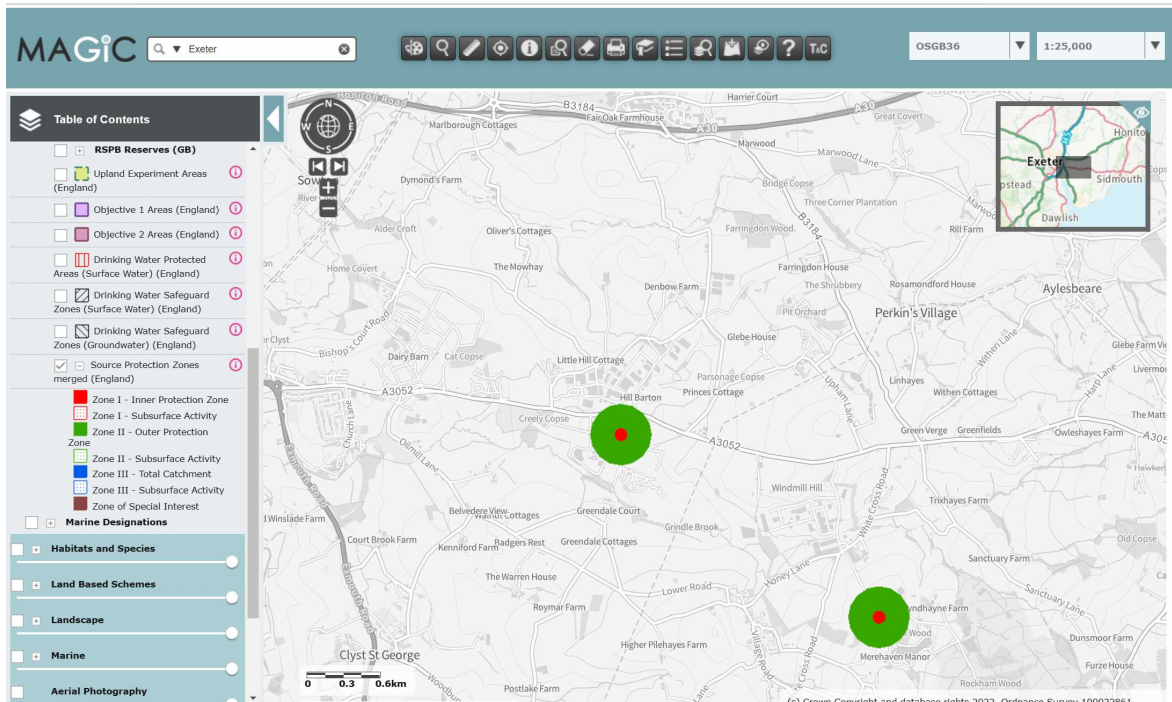
1. Within Water Source Protection Zone;
2. Within Nitrate Vulnerable Zone;
3. Medium Priority Phosphates;
4. Established Greendale Wate Facility – Policy W6 of the Waste Plan;

5.2.4 No justification is offered within the CBRE report for the scoring impact or approach of the above 4 identified differentiating items. Our initial non-technical review suggest that the above factors have not been properly assessed when applying such prejudicial scoring criteria.

5.2.5 The map extract below shows Water Source Protection Zones with one centred on Crealy Park. The Gov.UK website states *“Source Protection Zones (SPZs) are defined around large and public potable groundwater abstraction sites. The purpose of SPZs is to provide additional protection to safeguard drinking water quality through constraining the proximity of an activity that may impact upon a drinking water abstraction.”*

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

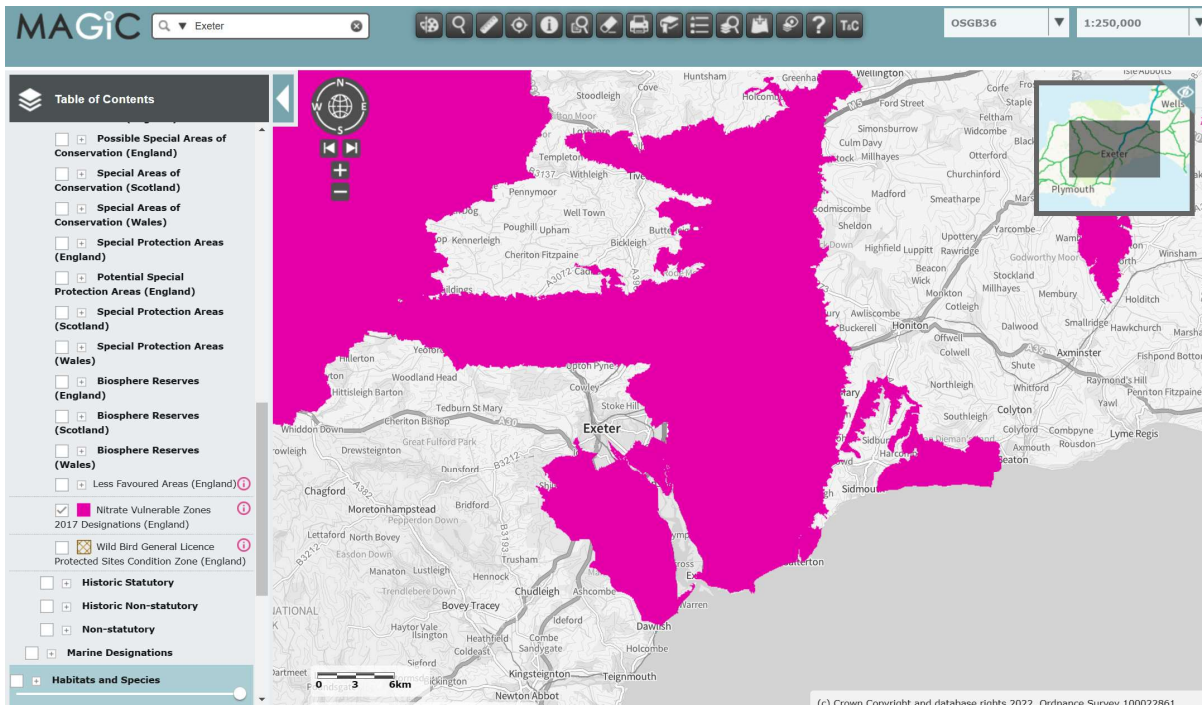


5.2.6 It is unclear why the presence of a SPZ over Crealy would create a scoring impact reducing the appraisal scoring for this reason. A justified explanation as to how this could not be mitigated or integrated within technical assessments, master planning layouts or good planning practice should be provided.

5.2.7 Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. The designations are made in accordance with the Nitrate Pollution Prevention Regulations 2015. The extract below is linked from the Gov.uk. It clearly shows all 3 development options being reviewed as within the NVZ. Appropriate mitigation has proven to be appropriate for all new development sites across the SW and South of England where extensive nitrates issues are located. CBRE have omitted to reference options 1 and 3 in relation to Nitrate issues.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response



5.2.8 The CBRE Report and East Devon established evidence base do not include any Phosphates related mapping to show how Option1, 2 and 3 impact on phosphates and why differentiated scoring would apply. The only phosphate related matter recorded on the East Devon website relates to the River Axe which would not be impacted adversely by any of the development options. CBRE or the Council need to publish information that supports this as a differentiating factor when assessing site suitability.

5.2.9 Reference to the Greendale Waste Facility has no more relevance to large scale development of the Option 2 site than the facilities listed at Hillbarton in Option 1. Neither preclude appropriate development and neither should be used to reduce scoring criteria without reasoned justification.

5.2.10 Given that 50% of the Option 1 and Option 2 lands are overlapping and given the lack of reasoned justification in the scoring we believe both options and any Option 1 Modified to include Greenhayes should score 4 in any assessment.

5.3 CBRE Scoring - Sustainable Accessibility

5.3.1 The CBRE Report para 7.7 states that each of the 3 Options have been scored across four key areas; walking, cycling, public transport and proximity to employment. The table scoring extract is shown below. We raise significant issues with the approach to scoring and take each matter in turn.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

Table 7.6 – Sustainable Accessibility Scoring – all modes

Assessment Category	Option 1	Option 2	Option 3
Walking	3	1	4
Cycling	3	2	4
Public Transport	4	2	5
Employment	5	2	4
TOTAL	15	7	17
AVERAGE	3.8	1.8	4.3

- 5.3.2 On walking, table 7.6 above suggests that the preferred Option 1 scores significantly better than Option 2. The only differentiating factor offered to support this conclusion is the relative proximity of the Clyst Valley Trail and that Option 2 topography poses a challenge to walkers.
- 5.3.3 In analysis, the Clyst Valley trail provides a recreational route running north to south. Whilst it will provide some limited connectivity the distances involved could not be considered to offer any viable walking options for commuting. The Clyst Valley trail does not run through any of the 3 options with no explanation offered by CBRE as to how or why walkers would connect to or access this route on a regular basis.
- 5.3.4 Land form either side of the A3052 conforms to similar topographical traits. Neither land to the north or south of the A3052 presents an overriding challenge to pedestrian movements to support the prejudicial scoring criteria being applied.
- 5.3.5 In all other respects the CBRE correctly identified the need to prioritise and plan for effective pedestrian and motorised users in any masterplan. This is something the master developers and promoters of Greenhayes have promoted in their vision for the site.
- 5.3.6 For cycling we agree with CBRE that an appropriate cycling strategy, mobility hubs and a dedicated cycle network will form part of any Newtown development. To assess the current access to cycle networks without considering mitigation is considered to be highly prejudicial to Option 2 in isolation. Greenhayes position remains that the inclusion of land to the south of the A3052 working with a modified Option 1 will offer the most beneficial cycle connectivity in future.
- 5.3.7 On Public Transport the scoring shown in table 7.6 above draws conclusions that diminish Option 2 and do not accord with the supporting text. The CBRE report paragraph 7.37 and 7.38 states the following:

The A3052, which bisects Option 2 and runs adjacent to the Southern Boundary of Option 1 and the northern boundary of Option 3, is a primary east/west bus corridor into Exeter, and contains stops in close proximity to all three Options. (7.37)

As such, all three Options have a good level of existing connectivity by bus (7.38).

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

- 5.3.8 There is no clear explanation for the above scoring when the only option with a main bus route through the centre of it carries a lower score than the other options. References to connectivity to Exeter and Cranbrook railway stations are fully reliant on mitigation and transport links enhancement that could be offered alongside a modified Option 1 or through Option 2 alone.
- 5.3.9 The CBRE report fails to point out that Cranbrook station is approximately 3.2km walking distance from the A30 junction which is the nearest point of Option 1. This can't be considered an acceptable walking distance without public transport enhancements to support these movements.
- 5.3.10 Likewise, Topsham Station is also 2km walking distance from the Clyst St George roundabout.
- 5.3.11 Access to Employment Opportunity scoring criteria (see table 7.6 above) has been assessed by CBRE and is also illogically scored. Option 2 contains two good sized employment zones in Hill Barton and Greendale Business Parks along with proximity access to Crealy Leisure Park. All three employment areas provide easy pedestrian and non motorised user access and connectivity opportunity.
- 5.3.12 To assess the Option 2 land as significantly worse than Option 1 and 3 is neither substantiated or fair in CBRE's assessment.
- 5.3.13 Allowing for our assessment of we would score Option 1 as 3.3, Our proposed modified Option 1 the same 3.3 and option 3 as 3.8.

5.4 CBRE Scoring - Highways

- 5.4.1 The CBRE report acknowledges that the DCC commissioned work completed by WSP only reviews 2500 new dwellings. Para 8.9 summarises the review of 8000 dwellings based on a 'vision and validate' approach. There is a suggestion that once a preferred option is identified then a suitable mitigation strategy will be developed.
- 5.4.2 Given the above statement of 'vision and validate' intent it is unclear how using any of the applied modelling would assist an Inspector or the Local Authority in determining a clear Option preference. If East Devon District Council are confident that any 8000 dwelling New Town can address Highways impacts then the CBRE assessments should exclude any highways based assessment as a differentiating scoring criteria.
- 5.4.3 Section 8.21 of the CBRE Report documents several Clyst St Mary highways improvement options. Para 8.39 concludes that a number of potential options for improvement to the junction are available and that no third party land is required to effect these improvements.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

- 5.4.4 It is also worth noting that the Greenhayes vision document includes its own option for Park and Ride on land to the west of Crealy which would be accessible by new residents via non motorised uses as well as by other commuters looking to access Exeter from East Devon. We remain very confident that Greenhayes development would deliver transport and highways capacity solutions to equal any of the alternative Options being assessed.
- 5.4.5 We would also draw your attention to what we assume is a typographical error in paragraph 8.40. The paragraph references East of Exeter highways issues and Option 2 when we believe the assessment was referring to Option 3. This has reflected in a scoring assessment of (1) for Option 2 and (5) for Option 3 in table 8.3.
- 5.4.6 The above error creates numerical scoring issues where Option 2 scored lower and Option 3 scored higher than it should be. This error should be corrected along with other factual and subjective amendments when all consultation comments are reviewed and before any final decisions are made on the selected New Town option.
- 5.4.7 We support the assertion that overall, on Highways networks all three Options can be adequately mitigated. The scoring approach taken by CBRE is set out below:

Table 8.3: Highways Delay Impact and Mitigation Summary

Assessment Category	Option 1		Option 2		Option 3	
	Impact	Deliverability	Impact	Deliverability	Impact	Deliverability
M5 J29	5	5	5	5	5	5
M5 J30	5	5	4	5	4	5
M5 J31	5	5	5	5	5	5
A30	5	5	5	5	5	5
A3052	4	5	4	5	4	5
A38 & A380	5	5	5	5	5	5
Clyst St Mary junction	3	4	1	4	1	4
East of Exeter Network Impacts	5	5	1	2	5	5
TOTAL	37	39	30	36	34	39
IMPACT & DELIVERABILITY AVERAGE	38		33		36.5	
AVERAGE	4.8		4.1		4.6	

- 5.4.8 Our scoring approach would be to correct the East of Exeter Network Impacts and Clyst St Mary Impacts for a Modified Option 1 solution. Assume mitigation can be provided as per the CBRE conclusions and all three options could be assessed as 5 on impact and 5 on deliverability.
- 5.4.9 This scoring appraisal would result in Option 1 scoring 39.5/4.9, Modified Option 1 scoring 39.5/4.9 and Option 3 scoring 39/4.9.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

5.5 CBRE Scoring - Utilities

5.5.1 In assessing the impact on utilities it is important to note that new development projects can and do accommodate services diversions, capacity upgrades and suitable mitigation or avoidance measures to allow new development to come forward.

Table 9.2: Utilities – scored assessment

Assessment Category	Option 1	Option 2	Option 3
Utility capacities and opportunities for connection	4 Good opportunity	4 Good opportunity	2 Limited opportunity
Foul Drainage capacities and opportunities for connection	2 Limited opportunity	2 Limited opportunity	2 Limited opportunity
Existing Infrastructure Impact	3 Medium impact	1 Significant impact	3 Medium impact
TOTAL	9	7	7
AVERAGE	3	2.3	2.3

5.5.2 For Option 2 the CBRE report table 9.2 assesses existing infrastructure impacts as (1). I believe this relates to the presence of a High Pressure Gas Main on the south east edge of the site several hundred meters away from any proposed new housing development (see Greenhayes Vision Document).

5.5.3 If the southeast area and HSE exclusion zone are factored into any sensible assessment then these areas are easily avoided and would not prejudice the site being delivered.

5.5.4 Scoring a modified Option 1 area on Existing Infrastructure as medium impact would align with option 1 scoring of 3.

5.6 CBRE Scoring - Net Zero Carbon

5.6.1 The CBRE report only differentiates in scoring terms on the approach to Low or Zero Carbon mix. No justification is given within the main body of the report (para 9.112 to 9.114) and the assessment in achieving future standards appears arbitrary at best, especially considering Option 1 and Option 2 are 50% the same site.

5.6.2 Reference is made to Technical Report Appendix F in para 9.144. Assessing the 5 identified low and zero carbon technology potential the CBRE report concluded the following:

- Option 2 has no potential for Ground Source Heat Pumps with Options 1 and 3 having ‘some’ potential;
- Option 2 has ‘good’ potential on Energy from Waste. Option 1 was considered excellent and Option 3 only ‘some’;

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

- Option 2 has ‘good’ solar PV potential . Option1 was ‘good’ and Option 3 ‘excellent’;
- Option 2 has ‘limited’ wind potential. Options 1 and 3 have no wind potential;
- All Options have ‘good’ battery storage potential;

5.6.3 The conclusions for contributions to Low or Zero Carbon Energy Technology are set out in CBRE Appendix F Zero Carbon Assessment. Table 8 scoring assessment is included below for reference.

Table 8 - Contribution to Net Zero - scored assessment

Assessment Category	Option 1	Option 2	Option 3
Network Capacity (Generation)	2	2	2
Low or Zero Carbon Energy Technologies	5	2	4
Energy Storage	3	3	3
Overall (/15)	10	7	9

Source: Hydrock (2022)

5.6.4 Based on the above conclusions from the same report we cannot understand why Option 2 would score so low for Low or Zero Carbon Technologies. The Greenhayes vision document shows every intention to respond positively to the declared climate emergency and is focussed on delivering Net Zero Carbon outcomes for any new development alongside broader principles of sustainability.

5.6.5 Our proposed modified Option 1 site should be scored in line with Option 1 scores lifting the overall score to 10 / 3.3 on the scoring matrix.

5.7 CBRE Scoring - Deliverability / Land Ownership

5.7.1 The CBRE report indicated in table 10.2 (see below) that Option 1 is more deliverable than Options 2 and 3.

5.7.2 There is no evidence that the Council has sought to agree Statement of Common Ground on the deliverability of any of the 3 options. At 520+ Hectares of land it is inevitable that all site Options will required land assembly, collaboration and Local Plan Policy support to be delivered.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

Table 10.2: Deliverability of the Land – scored assessment

Assessment Category	Option 1	Option 2	Option 3
Land Ownership	4	3	2
Existing Land Use	5	3	3
Total	9	6	5
AVERAGE	4.5	3	2.5

5.7.3 We have identified elsewhere in the report that only Option 2 has all land identified and promoted through the 2017,2021 and 2022 SHLAA studies. Options 1 and 3 both have significant areas of land not identified as available. This information is highlighted in Figure 3.2, 3.4 and 3.6 of the CBRE Report.

5.7.4 The CBRE conclusion offers no insight to differential scoring on existing land uses. We cannot identify any reasonable impediment to any of the three options from existing land uses and believe this should be removed from the assessment scoring.

5.7.5 Applying a common sense approach to land ownership aligned to NPPF guidance on land availability would score option 1 as a 4 with 42Ha of land not identified as available. Option 1M or 2 should be scored 5 with all land promoted for development purposes and Option 3 scoring 2 as several land parcels are not confirmed as available.

5.8 Scoring Assessment

5.8.1 Applying our judgements to the scoring matrix based on section 5.2 to 5.7 above results in the following scoring matrix applied to all options and allowing Option2 to be replaced by a hybrid or modified Option 1. This shows a clear preference for the modified Option 1 approach being adopted.

Assessment Category	Option 1	Option 1 Modified	Option 3
Landscape Sensitivity	2	2	3
Ecological Impact/Biodiversity*	3.4	3.6	3
Flood Risk	4	4	4
Minerals	4	4	5
Historic Environment	3	3	3
Sustainable Accessibility*	3.3	3.3	3.8
Highways*	4.9	4.9	4.9
Utilities*	3	3	2.3
Net Zero Carbon*	3.3	3.3	3
Climate Resilience*	2.7	3.4	2.7
Deliverability*	4	5	2
TOTAL	37.6	39.5	36.7

6 Conclusion

- 6.1. Greenhayes supports the emerging Local Plan vision and Policy 2 and 8 which identify the delivery of a second New Town for East Devon. It is our view that the Local Plan has the potential to deliver a sustainable solution in addressing the Council growth requirements whilst remaining committed to tackling the declared climate emergency.
- 6.2. The Greenhayes site is a highly sustainable development opportunity as a stand alone new village or as part of a larger 8000 dwelling New Town for East Devon. Its inclusion in the new Local Plan as part of a modified Option 1 solution is necessary to make the Plan sound and achieve housing delivery targets. It will also enhance delivery of key infrastructure viably, and provide the appropriate opportunity to integrate existing employment and leisure uses within the new settlement.
- 6.3. The Councils evidence base identifies that under delivery by the current new settlement of Cranbrook has exacerbated housing delivery in the current plan period. Having assessed the consultation documents and supporting evidence it is our view that the Council risks repeating the mistakes of the past if it pursues its current preferred Option 1 focussed strategy. A viability and deliverability assessment of any Regulation 19 New Town proposal should be completed.
- 6.4. Greenhayes has identified that a modified Option 1 solution would have scored better against the CBRE methodology, would be easier to justify against the NPPF requirements of sound plan making and be more effective in its delivery of the housing that East Devon needs. It would also offer the opportunity to integrate Crealy and Greendale business park sustainably into the New Town providing enhanced access to jobs for the new settlement as part of a phase 1 for the development.
- 6.5. It should also be noted that all land within the modified Option 1 solution is being promoted for development. The proposed modified Option 1 plan and updated scoring matrix is included in the Executive Summary and shows an improved New Town opportunity from those assessed by the Council.
- 6.6. Section 4.4 of this report includes specific representation to Local Plan draft policy on affordable housing delivery, 20 minute neighbourhoods and the distribution of growth policy. Our comments on these all support the potential for an enhanced and modified option 1 new town solution supporting the Councils ambitions for sustainable growth in the new Local Plan.
- 6.7. Extracts of the vision for Greenhayes land is included in Appendix 1 and should be considered carefully ahead of the release of any Regulation 19 Local Plan.

Project ref: CP0053

Doc ref: Greenhayes Reg 18 Response

Appendix A - **Greenhayes Vision Document Extract**