

Filtered Data Export

**Full name:** Phillippa Gatehouse

**Organisation (where relevant):** C G Fry & Son Ltd

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:**

1. Introduction

**1. To which part of the Introduction chapter does your representation relate?:**

Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:**

1.1

**1(b). Does your comment relate to one of the changes listed above?:** No

**2(b). If no, please give details of why you consider this part of the Introduction chapter is not legally compliant. Please be as precise as possible.:**

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**3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.:** C G Fry & Son welcome the opportunity to respond to the East Devon Local Plan 2020-2040 Second Regulation 19 Publication Draft, recognising the importance of a genuinely led system to provide a positive vision for the future of each area. C G Fry & Son Ltd (C G Fry) are working in partnership with the landowners Mr & Mrs \*\*\* Personal details have been removed \*\*\* of two sites in Hawchurch (HAWK-01 and HAWK-02). Mr & Mrs \*\*\* Personal details have been removed \*\*\* have been residents of Hawchurch for over 60 years and are vested in ensuring the future vitality of the village including the key assets within it such as the primary school, village pub, village hall, church and the village shop which they have granted a 20 year lease for on their land at HAWK-01 (Norton Store). C G Fry are a regional housebuilder based in West Dorset and operating across the southwest from Cornwall to Hampshire. The Company is in the ownership and control of the Managing Director, \*\*\* Personal details have been removed \*\*\*, and employs around 200 people across many disciplines from site operatives to professional design, surveying, planning and project management staff. Craftsmanship and quality have always been the hallmarks of our work, earning the Company an enviable reputation. The emphasis is on high quality design and materials, with a finish that can only be achieved by craftsmen working in the traditional way, with the sort of attention to detail which sets our work apart. Our aim at C G Fry is to work in partnership with our landowners and key stakeholders to create developments that everyone involved with can be proud of leaving behind. This representation responds only to amendments to the 'original plan'

and should be read in conjunction with our representation submitted in March 2025 in response to the first regulation 19 local plan consultation [Appendix A]. Policy Context

C G Fry & Son reiterates their support for the aspirations of the plan to raise standards and deliver high quality development and good design and the need to assess and mitigate the impacts of development, subject to the following caveats:

- All proposed local policies must meet the NPPF tests of soundness by being Positively Prepared, Justified, Effective, and Consistent with National Policy.
- Potential impacts on viability and deliverability must be properly understood.
- Policies should not seek to unnecessarily replicate the NPPF or Building Regs (or other regulatory regimes).
- Policies should not be drafted in such a way that they hinder or discourage development.
- Where any standards or thresholds are set out there needs to be flexibility built into the policy to take account of site specific, technical feasibility and viability considerations. Consultation Draft NPPF (December 2025)

It is acknowledged that the 2nd Reg 19 draft LP will be examined against the provisions of the NPPF December 2023. However, the direction of travel of the current draft NPPF is material insofar as the national DM policies contained in the consultation draft NPPF will prevail if there is a conflict with Local Plan policies. There seems little point in finding local plan policies sound that we already know will ultimately attract only limited weight in the planning balance if/when the new NPPF is published – which is likely to be before the examination of this plan. A prime example of this is the proposed blanket 20% BNG requirement on all sites, as set out in Strategic Policy PB05: Biodiversity Net Gain (BNG).

**Full name:** Phillippa Gatehouse

**Organisation (where relevant):** C G Fry & Son Ltd

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:** 11. Sustainable Transport and Communications

**1. To which part of the Sustainable Transport and Communications chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** TR04

**1(b). Does your comment relate to one of the changes listed above?:** No

**3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** The previous comments about the parking standards have not been addressed so remain valid.

Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA.

As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies.

Requirements for developers to encourage electric vehicle use are also not considered reasonable or necessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any**

**matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter 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.:** Any standard needs to be properly justified.

Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to.

Delete reference to electric vehicle charging.

**Full name:** Phillippa Gatehouse

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**Proposal:** 13. Our Outstanding Biodiversity and Geodiversity

**1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** PB09

**1(b). Does your comment relate to one of the changes listed above?:** Yes

**3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.:** Deletion of the requirement for a financial bond supported but the requirements set out at A and B are still considered unnecessary for both the applicant and the Council. No evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority following the introduction of a standard landscape planning condition.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter 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.:** This policy should be deleted.

**Full name:** Phillippa Gatehouse

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**Proposal:** 13. Our Outstanding Biodiversity and Geodiversity

**1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** PB05

**1(b). Does your comment relate to one of the changes listed above?:** Yes

**3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.:** The additional supporting text which refers to the “significant nature conservation assets” and “environmental designations” within East Devon are not considered sufficient justification for the higher BNG % being proposed as these assets and designations are protected through other mechanisms and polices in the draft EDLP.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter 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.:** Policy should be deleted

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**Proposal:** 13. Our Outstanding Biodiversity and Geodiversity

**1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** PB01

**1(b). Does your comment relate to one of the changes listed above?:** Yes

**3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.:** These polices have been significantly amended.

Strategic Policy PB01 is not considered necessary as it simply restates the existing requirements of the Habitat Regulations.

Strategic Policy PB04 has been significantly amended with the expanded reference to mitigating vehicle emissions on protected areas and in particular the Pebblebed Heaths (as referenced above in respect of Policy TR04).

The additional text effectively sets out:

- That development in large parts of the district could impact the Pebblebed Heaths.
- Application of a policy beak clause which could see development refused.
- Requirements for assessment and monitoring.
- Requirement for financial contributions to offsite mitigation measures.

The policy does not identify any catchment or impact zone for these impacts which introduces significant uncertainty for new developments as to whether or not they will be affected and there is inconsistency across the relevant documents.

The Technical Assessment which underpins this new requirement concludes that:

“In summary, for the EDLP in isolation and in-combination, any LSE from airborne NOx can be discounted for all qualifying features across the site. For the remaining pollutants, LSE can be completely discounted for some features and some areas of the site, however the potential for adverse impacts remains in some areas of the site, for European dry heaths, the European nightjar and the Dartford warbler.

A mitigation strategy (“ED21793\_East Devon Pebblebed Heaths\_Mitigation Strategy\_i1”) has been developed in parallel with and drawing on the outputs from the HRA Stage 1 screening undertaken in this technical report, focussing on the following features:

- European dry heaths
- European nightjar *Caprimulgus europaeus*
- Dartford warbler *Sylvia undata* In the following area of the site:
- North/South along the B3180, < 400 m from the road (SSSI units 1, 6, 7, 9, 10, 11, 14);
- East/West along the A3052 Exeter Road, < 600 m from the road (SSSI units 7,8); Bystock Nature Reserve & Withycombe Raleigh Common adjacent to B3179, < 300 m from the road (SSSI units 15, 16); and
- Dalditch Common, < 150 m from the road (SSSI unit 13)”

However, the preliminary Mitigation Strategy (the detailed mitigation strategy is noted as still being in production) refers to proposed allocations in Sidmouth and Seaton, as well as service centres in East Budleigh, Woodbury and Otterton, and Tipton St John as being likely to be the allocations that contribute the most traffic to roads passing through the SAC and SPA.

The Viability Addendum notes that the mitigation will not be required across of all East Devon.

As such the policy wording, technical evidence, and viability report are inconsistent and contradictory in terms of the scope and application of this new policy requirement.

Reference is made in the Mitigation Strategy to consultation with Stakeholders, but this did not include any representatives from the development industry or members of the public. As such this has not been properly scrutinised or independently assessed.

A “long list” of potential mitigation measures are identified at Section 13.20 of the draft EDLP supporting text but the majority of these measures will be reliant on third party delivery. It is not clear who will be responsible for monitoring impacts and how the mitigation measures will be implemented in the absence of the detailed mitigation strategy.

The Viability Assessment Addendum does address the additional costs of this mitigation using a ‘reasonable allowance’ agreed with the Council of £112 per dwelling however, as noted above, this has not had any inputs from the development industry. The listed measures are very broad in their scope and so could have significantly varied costs which need to be properly tested.

There are serious concerns about such a significant piece of work with potentially serious implications on development viability and delivery being introduced almost by stealth at such a late stage in the LP process.

This does not amount to “limited new material” as stated at the start of the consultation draft.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter 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.:** The additional reference to the 'Pebblebed Heaths Air Quality Mitigation Strategy' should be deleted.

**Full name:** Phillippa Gatehouse

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**Proposal:** 16. Community Facilities

**1. To which part of the Community Facilities chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** CF02

**1(b). Does your comment relate to one of the changes listed above?:** No

**3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.:** The footnote reference to the Marketing Statement Guidance which sets out a minimum of 12 months marketing is noted. "Community value" is a subjective term and is not defined. An alternative wording could be "...and is at least a like for like replacement in terms of size and facilities."

**3(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Community Facilities chapter 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.:** Policy should be amended to provide greater clarity.

**Full name:** Philippa Gatehouse

**Organisation (where relevant):** C G Fry & Son Ltd

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:**

2. The Vision

**1. To which part of the Vision chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:**

2.1

**1(b). Does your comment relate to one of the changes listed above?:** No

**3(b). If no, please give details of why you consider this part of the Vision chapter is not sound. Please be as precise as possible.:** C G Fry & Son maintain that the Vision Statement is innately unbalanced, indicating that the draft LP places higher priority on environmental consideration than on addressing the national housing crisis.

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**Proposal:**

3. The Spatial Strategy

**1. To which part of the Spatial Strategy chapter does your representation relate?:**

Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** SP08

**1(b). Does your comment relate to one of the changes listed in the table above?:** No

**3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:**

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**3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter 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.:** C G Fry & Son suggest that wording is streamlined, removing reference to single or multiple developers; It should read; “Developments that are being brought forward in phases or parcels must be designed so that each phase or parcel provides pedestrian, cycling and vehicular access up to the boundaries of each development parcel / phase.”

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**Proposal:**

3. The Spatial Strategy

**1. To which part of the Spatial Strategy chapter does your representation relate?:**

Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** SP08

**1(b). Does your comment relate to one of the changes listed in the table above?:** No

**3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter 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.:** C G Fry & Son suggest that wording is streamlined, removing reference to single or multiple developers; It should read; “Developments that are being brought forward in phases or parcels by multiple developers or single developers must be designed so that each phase or parcel provides pedestrian, cycling and vehicular access up to the boundaries of each development parcel / phase.”

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**Proposal:**

3. The Spatial Strategy

**1. To which part of the Spatial Strategy chapter does your representation relate?:**

Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** SP07

**1(b). Does your comment relate to one of the changes listed in the table above?:** Yes

**3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:** C G Fry & Son consider Part E of strategic Policy SP07 to be overly wordy, being neither clear nor effective, which was expressed as the reason for the change.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Spatial Strategy chapter 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.:** 'Include a mechanism for the long-term maintenance and management of new infrastructure supported by high quality public services through a management regime that is predicated upon the creation of social value' should revert to 'Include a mechanism for the long-term maintenance and management of new infrastructure'.

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**Proposal:**

3. The Spatial Strategy

**1. To which part of the Spatial Strategy chapter does your representation relate?:**

Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** SP02

**1(b). Does your comment relate to one of the changes listed in the table above?:** No

**3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:** The proposed housing targets and stepped trajectory have not been amended and so our previous comments regarding the validity of this approach remain valid. While associated paragraph 3.8 has been amended to identify that the plan will be reviewed/updated if housing delivery falls short or future housing needs change, this is not considered sufficiently robust or clear as to how and when this would take place. Paragraph 3.9 refers to addressing housing needs by establishing a clear housing requirement based on the New Standard Method. To clarify, the 2nd Reg 19 draft LP only has to meet 80% of the New Standard Method housing need as a minimum. As noted above, the identified 'headroom surplus' for housing supply has increased to 12.18% but this is due to the accounting period being adjusted to 2025 rather than additional allocations being identified. The previous comments and concerns about the identified number and stepped trajectory remain and it is considered a 20% buffer would be more robust and in line with national policy.

**Full name:** Phillippa Gatehouse

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**Proposal:**

5. Development in the Towns and Villages

**1. To which part of the Development in the Towns and Villages chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** SD19

**1(b). Does your comment relate to one of the changes listed above?:** Yes

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

Hawk\_01

**3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?:** No

**3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.:**

While C G Fry & Son remain supportive of the principle of the allocation of the site for development, it is disappointing given the availability, suitability and deliverability of the wider site (refer to Appendix B), that there have been no alterations to the extent of the site allocation since the first regulation 19 consultation. As such, and for reasons set out in the Regulation 19 stage 1 representation, C G Fry & Son maintain that Policy SD19 is not justified. The site has capacity to deliver up to 38 dwellings, including a mix of affordable homes. The wider site is both;

- Suitable, available and deliverable
- Consistent with the objectives of the emerging local plan
- Well-related to the existing built form of the settlement
- Capable of contributing to identified housing needs, including affordable housing.

C G Fry & Son are cognisant of the need to bring forward a design that respects the local character, integrates with the existing settlement and seeks to deliver green infrastructure alongside biodiversity enhancements. The wider site would provide development that accords with the aims and objectives of the emerging local plan,

seeking to provide development which is 'balanced, sustainable and beneficial to our communities'. Additional wording has been included to policy SD19 requiring a contamination assessment to be provided as part of any planning application. C G Fry & Son consider this to be superfluous given that this requirement is clearly set out within the East Devon's validation checklist and similarly repeats paragraph 196 of the NPPF resulting in unnecessary duplication of policy. This inclusion of this additional wording clearly demonstrates that there is understanding of potential contamination on site and need for remediation measures. The significant upfront costs associated with such works have not however been accounted for in policy.

**Full name:** Phillippa Gatehouse

**Organisation (where relevant):** C G Fry & Son Ltd

**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:**

7. Adapting to Climate Change

**1. To which part of the Adapting to Climate Change chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** AR02

**1(b). Does your comment relate to one of the changes listed above?:** Yes

**3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter 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.:** The following amendments are required for the policy to be considered sound: A – delete B – delete C - amend as follows: Developers are encouraged to, wherever possible, seek opportunities to implement water efficiency, water storage and water recycling measures. All new dwellings should achieve at least the Optional Technical Housing Standard of 110 litres per day per person for water efficiency as described by Building Regulation subject to considerations of viability. D – delete E - delete

**Full name:** Phillippa Gatehouse

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**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:**

7. Adapting to Climate Change

**1. To which part of the Adapting to Climate Change chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** AR02

**1(b). Does your comment relate to one of the changes listed above?:** Yes

**3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.:** This policy has been significantly expanded to include 4 additional requirements in relation to water efficiency. Our comments on these additional points are set out below:

A – Sets out circumstances when Planning Permission will not be granted due to adverse impacts on the water environment but does refer to the use of Grampian conditions

Comment – In respect of the reference to planning permission being refused for development that would overload the foul sewer network (A.3) this is not a land use planning matter for consideration on an application-by-application basis and should not therefore be a requirement set out in local plan policy.

Water companies are subject to statutory duties under Section 94 of the Water Industry Act 1991 (WIA 1991), which imposes a fundamental duty to provide, improve and extent public sewer systems to ensure their area is “effectively drained”. Section 106 of the WIA 1991 confers a power to connect to a public sewer. Section 106(1) states that the owner of any premises or the owner of any private sewer which drains premises, shall be entitled to have its drains or sewer communicate with the public sewer of any sewerage undertaker and therefore discharge foul water and surface water from those premises or that private sewer.

Specifically, in relation to wastewater, the Supreme Court considered this matter in 2009 – see Barratt versus Welsh Water [2009] UKSC 13. Paragraph 23 of the decision is salient. Given its importance in the context of wastewater it is recited in full below:

“The right to connect to a public sewer afforded by section 106 of the 1991 Act and its predecessors has been described as an “absolute right”. The sewerage undertaker cannot refuse to permit the connection on the ground that the additional discharge into the system will overload it. The burden of dealing with the consequences of this additional discharge falls directly upon the undertaker and the consequent expense is shared by all who pay sewerage charges to the undertaker. Thus, in *Ainley v Kirkheaton Local Board* (1891) 60 LJ (Ch) 734 Stirling J held that the exercise of the right of an owner of property to discharge into a public sewer conferred by section 21 of the 1875 Act could not be prevented by the local authority on the ground that the discharge was creating a nuisance. It was for the local authority to ensure that what was discharged into their sewer was freed from all foul matter before it flowed out into any natural watercourse.”

Consequently, it is inappropriate and unsound to include a policy requirement in the local plan that would prevent development from progressing in relation to a matter that is not the developer’s responsibility to resolve nor that they are legally responsible for. Rather it is the responsibility of water companies, working with local authorities and the Environment Agency, to plan for the future demand for water services relating to the development requirements proposed in local plans.

B – Appropriate Assessment where likely significant effect on a European Wildlife Site  
Comment – The requirement for an Appropriate Assessment is governed by the Habitat Regulations and so does not need to be repeated in the policy.

C – Water efficiency measures and Optional Technical Housing Standard of 110 litres per day per person  
Comment - Concerns were raised previously that the specified standard of 110 litres per day per person of water usage was not evidence or justified as the Water Cycle Study (WSC) which the supporting text identified as the evidence for this higher standard, had not been published at the time. The WCS has now been published and is referenced at Section 7.4 of the draft EDLP referencing water quality and supply with improved water efficiency measures playing a key role in reducing demand on water resources.

In terms of the WCS Section 3.2.1 confirms that East Devon is a 'Not Serious' water stress area by the EA with water bodies in East Devon being classified as having 'low' or 'medium' stress and so being comparable to areas outside of East Devon. However, at Section 4.1.4 the WCS does refer to predicted water supply deficits for water abstraction and that reducing per person consumption is one of the ways this can be addressed and is set as a target by 2050 in SWW's draft Water Management Plan and the West Country's Water Resources Group (WCWRG's) 2050 draft regional resources plan. As such a policy requiring the higher technical standard is recommended by the WCS at 7.2. However there remains a concern that the mandatory wording of the policy could cause issues with viability and delivery and so a more flexible wording should be applied.

D - All development proposals to demonstrate and incorporate measures that can reasonably be taken to enhance the water environment, Comment – This is a very vague requirement so could risk uncertainty and confusion over what is required, and the level of assessment and mitigation.

E - Developers shall undertake thorough risk assessments of the impact of proposals on surface and groundwater systems considering avoidance and mitigation. Comment – This is also very vague and is a matter covered by other legislation. While noted that it may not apply to the draft EDLP if it remains under the transitional arrangement the direction of travel in the current NPPF consultation re-iterates the position that LP policies should not duplicate other regulations.

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**Other party name (if relevant):** Mr & Mrs Cowling

**Proposal:**

8. Meeting Housing Needs

**1. To which part of the Meeting Housing Needs chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** HN04

**1(b). Does your comment relate to one of the changes listed above?:** Yes

**3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:** 50% M4(2) While we welcome the reduced requirement for M4(2) standards down to 50% there would still be concerns with meeting this on some sites. Additionally, the added reference to “or higher standards” creates uncertainty and undermines the clarity of the policy.

As set out previously many sites do not have suitable topography to fully meet the M4(2) standards, M4 (2) external parking standard has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality and for flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens.

A more reasonable and achievable level would be 30%.

It is also maintained that mandating M4(2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

15% affordable rent M4 (3) (a) or affordable homeownership M4 (3) (a) or (b) Reference to the provision of either M4 (3) (a) or (b) welcomed but need should be evidenced. For all the reasons set out previously the provision of M (3) units raise issues of viability and site coverage, and such a high percentage is not considered justified.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Meeting Housing Needs chapter 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.:** The following amendments are required for the policy to be considered sound:

Point A: A further reduced percentage requirement (e.g. 30%) for M4 (2) dwellings would be more acceptable and reasonable for the reasons set out in previous representations. Delete “or higher standards than this” at point A Flats, 1 bed units, and self and custom build plots should be excluded entirely.

Point D: M4 (3) a or b only where up to date evidence of need and subject to appropriate testing of viability through the Local Plan process including what assumptions have been made in relation to the requirement for M4(3)(2)(a) (wheelchair adaptable) vs M4(3)(2)(b) (wheelchair accessible), the latter of which is considerably more expensive.

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**Proposal:**

8. Meeting Housing Needs

**1. To which part of the Meeting Housing Needs chapter does your representation relate?:** Policy

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** HN02

**1(b). Does your comment relate to one of the changes listed above?:** No

**3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.:** The previous comments about the apparent conflict between Strategic Policy HN02 (Affordable Housing), and Policy SP06 regarding the certainty of windfall development also remain valid. Viability

It is noted that financial implications of the Building Safety Level are now addressed in Viability Addendum.