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Shane Rabik

Full name: Shane Rabik

Proposal:

5. Development in the Towns and Villages

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection.

It is a site of Specific Scientific Interest (SSSi), it is a Special Protection Area (SPA), Special Area of Conservation (SAC), It is a Statutory Nature Area (SNA), it is protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) and it is a Natural Nature Reserve (NNR), (which incidentally is the highest level of conservation protection available under UK legislation.)

The Common is also in the process of being included in the local nature recovery strategy of Devon as high value land.

This is one of the most highly designated conservation areas in the South West of England.

Not to mention that the actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic natural area for its importance as a link between The Common and The Sea.

To consider placing a major housing development on the edge of Woodbury Common is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law.

The Mitigation Hierarchy which I'm sure the committee is familiar with, asks first and foremost; can another site provide the same outcome with less harm?

This proposed site, adjacent to an Extremely protected landscape surely fails that basic test.

The Woodbury Common is not just a local treasure it forms part of the network of Rare Lowland Heath, which is home to species found nowhere else in Britain, making it critical to our national biodiversity strategy.

To build 700 houses, and all the Infrastructure and support systems that those houses would need, with the inevitable impacts of noise pollution, light pollution, traffic, not to mention domestic animals and human pressure, all so close to this important, sensitive and rare habitat runs counter to the very purpose of its protected status.

Let us not forget that the damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

Saying no to the allocation of this site is not a rejection of progress. True progress means choosing sites that allow us to meet our housing needs without undermining the fragile natural world of which we have a duty as educated civilised, moral and hopefully responsible citizens to protect.

If the site were to be given a greenlight by the committee what precedent would it set for property developers in the future wishing to build large scale projects at the doorstep of highly sensitive and protected conservation areas?

What Hope will nature have if the leaders of today do nothing to protect it?

It is clear for all to see that we are living in a time when so many global leaders are choosing to make short sighted, irrational decisions that are not only illogical but laugh in the face of the incredibly hard work of so many predecessors whose tireless efforts built systems, not only for conservation, but also to create checks and balances for the protection of all going forward.

Surely, as the living custodians of this land, it is our duty to preserve the significance and power of those systems and protections. May it not be us that the finger of future generations gets pointed at along with the slur “it was they that let us down”.

I live in hope that the committee will choose not to align itself with the kind of illogical and immoral decision making and behaviour that is creating unprecedented destruction the world over.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area.

If the committee truly honours mitigation hierarchy and the values behind SSSI, SPA, SNA, LNRA, and NNR protections then I believe the only reasonable decision is to seek an alternative location.

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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.: To consider placing a major housing development on the edge of The Woodbury Common (which is In fact one of the most highly designated conservation areas in the South West of England.) is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law. The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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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.: The Woodbury Common is a Special Protection Area (SPA) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Shane Rabik

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.: SD01

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:: Exmo_20

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.: The Woodbury Common is a Special Protection Area (SPA) The Mitigation Hierarchy asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to this Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Shane Rabik

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.: SD01

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:: Exmo_20

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.: The Woodbury Common forms part of the network of Rare Lowland Heath, which is home to species found nowhere else in Britain, making it critical to our national biodiversity strategy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Carey A Ratcliffe

Full name: Carey A Ratcliffe

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Building on land at Littleham defies logic. The nature of the terrain, water distribution & failing sewage structure in and around Exmouth, says a giant NO. The need for burial space with Littleham cemetery adjacent suggests that allowing for additional space & planting a National Forest would make this space an enhancement to the already established Coastal Protection Scheme. The cycle path is used by those seeking a respite from traffic overload, many using it as a way to get to & from work. It is a corridor of peace & nature. It is accessible for those of us who find it difficult to negotiate pavements & roads.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete Exmo_17

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.: Building on land at Littleham defies logic. The nature of the terrain, water distribution & failing sewage structure in and around Exmouth, says a giant NO. The need for burial

space with Littleham cemetery adjacent suggests that allowing for additional space & planting a National Forest would make this space an enhancement to the already established Coastal Protection Scheme. The cycle path is used by those seeking a respite from traffic overload, many using it as a way to get to & from work. It is a corridor of peace & nature. It is accessible for those of us who find it difficult to negotiate pavements & roads.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete Exmo_17

Patricia Clare Ratcliffe

Full name: Patricia Clare Ratcliffe

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.: SD07

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:: Brcl_12, Brcl_29

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.: To whom it may concern, Please accept this e mail as my written objection to both amendments submitted under regulation 19 for the above planning application. Firstly may I tell you how difficult I found the online consultation to read and understand and I feel you should be concerned that not everybody can navigate/complete complicated digital forms even though they would like to contribute to the demographic decision making. I being one of these people will not be filling the form.

Objection to amendment 1. Some people did not object to the initial consultation for this development on the grounds that it was to provide light industry units. If the units were taken out of the equation the developers would have more land space to build more houses. As it is the development proposed area is too overbearing for the size of the village, the consequences of even more residential building will worsen the issues of overstretched public services and put a unreasonable burden on a community that is already struggling to cope.

Objection to amendment 2. Most of the hedges and narrow lanes are historical in this area they should be preserved rather than destroyed to make room for the increased and heavier traffic.

Please register my strong objection to these two amendments and the direction of this application.

Jo Ravanello

Full name: Jo Ravanello

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.: SD01

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:: Exmo_20

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.: Please submit my objection to the mega housing development EXMO 20 near Budleigh Salterton.

We are losing our beautiful countryside that makes Devon, Devon, at an alarming rate with endless ruinous and harmful housing developments taking over green and pleasant land. Greenbelt land that should be used for nature protection and food production.

We are experiencing a catastrophic loss in wildlife habitat and biodiversity with many species facing serious threat and extinction. Sewage is dumped into our beautiful rivers and polluting our seas.

Community services are overwhelmed. Roads are heaving with traffic. Budleigh Salterton will be harmed and overwhelmed.

I implore you to protect our natural world.

Full name: Jo Ravanello

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_04

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.: Please submit my objection to the housing development EXMOUTH 04.

We are losing our beautiful countryside that makes Devon, Devon, at an alarming rate with endless ruinous and harmful housing developments taking over green and pleasant land. Greenbelt land that should be used for nature protection and food production.

We are experiencing a catastrophic loss in wildlife habitat and biodiversity with many species facing serious threat and extinction. Sewage is dumped into our beautiful rivers and polluting our seas.

Community services are overwhelmed. Roads are heaving with traffic.

I implore you to protect our natural world.

Billy reed

Full name: Billy reed

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.: SP01

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

Full name: Billy reed

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. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

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)

Full name: Billy reed

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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.: Significantly reduce housing allocations for Exmouth and relook at housing need.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce or remove EXMO_20 from local plan.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: EXMO_20 should be significantly reduced and access to the B3179 should be withdrawn.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: EXMO_20 should be removed from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce or remove EXMO_20 from local plan.

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)

Full name: Billy reed

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove EXMO_20 from local plan.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is alsoin conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduced size of EXMO_20. More green space amongst houses, no street lighting.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove access from the B3179 and significantly reduce the size of EXMO_20

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove EXMO_20 from local plan or significantly reduce and limit easy access to the pebblebed heaths removing access to the B3179.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove EXMO_20 from local plan or revert to EXMO_20B and significantly reduce size.

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)

Full name: Billy reed

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove EXMO_20 from local plan

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)

Full name: Billy reed

Proposal: Sustainability Appraisal

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.: Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound.

Full name: Billy reed

Proposal: Sustainability Appraisal

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.: On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Billy reed

Proposal: Sustainability Appraisal

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.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: Billy reed

Proposal: Sustainability Appraisal

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.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Billy reed

Proposal: Sustainability Appraisal

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.: On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Billy reed

Proposal: Sustainability Appraisal

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.: On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Jennifer Rewcastle

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: xmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed -Do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jennifer Rewcastle

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Robert Richards

Full name: Robert Richards

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.: SD01

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:: Exmo_20

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.: Insufficient appropriate public consultation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo 20 from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Robert Richards

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.: SD01

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:: Exmo_20

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.: Too big. Reduce the size of Exmo 20 or remove Exmo 20 from local plan. Too big. Wrong area for this size of development. Wilderness area with grade 11* listed church and churchyard being too close to proposed plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo20 from local plan, or reduce the size greatly of Exmo20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: One feels more presence with such an option.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: One feels more of a presence with such an option.

Pauline Ann Richards

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would Overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when Considering the Exmo_20 allocation. The site's and the local area's Topography makes the potential cycling and walking options less viable, Which is not apparent on the policy maps. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was Calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence Documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing

policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not Employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181,185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of reeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)].Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be

applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the Priority habitats contained within the protected site vulnerable to Degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively Communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan.There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179,but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly

needed local services can be ccessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving everytime residents went anywhere and returned home.I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: From what I can see no consideration has been given to the massive impact the proposals will have on the already overstretched services such as doctors, schools, sewers,dentists, policing, waste disposal the list is never ending. We are being encouraged to save the environment and our very delicate ecosystem, frankly this proposal rides roughshod over the whole idea of everything we are being told that is the cornerstone to the future of our environment and community.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

courtney Richards

Full name: courtney Richards

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.: SD01

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:: Exmo_20

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.:

1. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. In view of the above,

East Devon Natural Landscape does not support the adoption of this land as an area for development. 2. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

1. My preferred option would be to remove EXMO_20 from the Local Plan. Local facilities are already stretched to breaking point and more houses will exacerbate the situation. Also, sewerage facilities at Exmouth and Budleigh Salterton are already subject to major failures (Exmouth's failings have attracted national interest) . An increase in housing stock will cause yet more failures as SouthWest Water are already fighting a losing battle against failure of parts of their infrastructure 2. If this is not possible, then reduce the size of EXMO_20. 3. Site should not be accessed from the B3179. Road is not suited to the potential increase in traffic 4. Have a much more distant boundary from the valuable natural amenity of the Heathland Pebblebeds

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Pauline Ann Richards

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.: SD01

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:: Exmo_20

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.: This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. I

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: courtney Richards

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.: SD01

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:: Exmo_20

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.:

1. This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 Mitigation Hierarchy as set out in NPPF para 32. The LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. 2. Little consideration has been given to how the already overloaded sewerage system for Exmouth will be able to cope with this increased flow. 3. Policy TR03 of the NPPF December 2023 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account…the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand (the B3179 is a narrow road which is already heavily used and large lorries already cause problems for oncoming traffic) and it is not possible to address such impacts planning permission should be refused.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

1. The size of Exmo_20 should be reduced 2. The site should not be accessed from the B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Jack Richards

Full name: Jack Richards

Proposal:

6. Mitigating Climate Change

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC04

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:: No

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter 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.: Paragraph 165 of the NPPF requires authorities to 'consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development'. The proposed wording suggests that Energy Storage schemes should be located within or on the edge of built-up area boundaries. This wording is still vague and leaves much to be seen with regard to where such developments can be considered. The evidence base that informs the proposed policy includes a document called '2020 Low Carbon and Climate Change Evidence Base for the Greater Exeter Strategic Plan'. It is not clear how battery storage or any renewable energy infrastructure based policy has been informed by this document. This document includes a series of maps that identify suitable areas for renewable energy infrastructure with and without site constraints. These maps have not been used to inform policy wording that is required by the NPPF to identify suitable areas for renewable and low carbon development. There are two active appeals against refused applications for BESS. There are currently action groups that oppose Energy Storage developments and developers who are receiving refusals for schemes that are considered 'Critical' by the government. A more specific policy that identifies specific areas (such as those identified within the aforementioned evidence base) will provide clarity to local stakeholders and to

developers who seek to deploy critical infrastructure and ultimately save the council considerable money in allowed applications for costs.

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: A more specific policy that identifies specific areas (such as those identified within the aforementioned evidence base) will provide clarity to local stakeholders and to developers who seek to deploy critical infrastructure and ultimately save the council considerable money in allowed applications for costs.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating 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 Mitigating 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 evidence base that informs the proposed policy includes a document called '2020 Low Carbon and Climate Change Evidence Base for the Greater Exeter Strategic Plan'. This document includes a series of maps that identify suitable areas for renewable energy infrastructure with and without site constraints. These maps should be used to inform sound and specific policy wording that is required by the NPPF.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

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)

Pamela Rink

Full name: Pamela Rink

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.: SD18

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

1(c). If the comment is related to a site, please state the site reference here:: Feni 08, Feni 11, Feni 05

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Permission has been given via the inspectorate for Application ref 24/0431/MOUT for 86 dwellings (Feni 11). This needs to be taken into consideration before the Local Plan is approved. If consideration is not given to this, the policy for tier 4 villages has been ignored, allowing an unreasonable and unsustainable increase in development to take place.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Feni 08 (60 dwellings) should be removed and Feni 11 added.

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.: The inclusion of Feni 05 and Feni 08 - a total of 102 houses - reflected the strategy to allow limited development sufficient to meet local need. The approval of Feni 11 has increased the number of houses to far in excess of this (123), thus there is no

justification for continuing to include Feni 08 within the plan. Its continued inclusion makes the allocation for Feniton contrary to the plan's special strategy for tier 4 villages.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Feni 08

Hilary Robarts-Arnold

Full name: Hilary Robarts-Arnold

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.: SP05

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: I notice that the latest plan has increased the number of houses for Seaton. This is very bad news for Seaton.

Reading Strategy Policy SP05 it states the development should be of a high quality (the developers in Seaton do not have a good record of high quality)

Houses should be in a sustainable location with sufficient infrastructure and services. The proposed number of houses in Seaton is excessive and are likely to be a huge burden on our infrasture - transport, medical facilities and school.

Flooding on some of the sites is already a huge issue and no amount of promises of mitigating this will actually be implimented. Theory and reality are not compatible.

The town centre will suffer when we need to support all our local shops and businesses.

We already have a number of empty houses, flats, unfinished properties within the town boundary, we do not need to spread beyond it.

The decision not to allocate Clay Common is a very sound one for a great many reasons and for that alone one can be grateful.

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)

Justin Roberton

Full name: Justin Roberton

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.: SD01

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:: Exmo_17

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.: I would like to appose planning in Exmo - 17 that large housing estates should not be built on National Landscape. The building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes. The exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users.

Annika Roberts

Full name: Annika Roberts

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.: SD01

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:: Exmo_04a

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.: I am emailing in connection with the local plans to build new homes within Exmouth. I might have already done it. Sorry if I have.

I object to the proposed plans of part 04 on the Local Plan (known as the lawn) for the following reasons:-

1) It is a Wood Pasture Priority Habitat that has many ancient trees and is home to many endangered species, some of them on the red list.

2)The parkland was probably laid out when ‘Whimsey’ house was built in mid 1700s. Some of the oldest Luccombe Oaks in country are on this site.

3)The National Planning Policy Standing Advice is that planning should be refused because there is narrow field with ancient woods each side, this is a corridor for the wildlife.

4) I also understand that the plan is to alter a stream, which runs underground through the middle of field. This currently takes run off from commons. Therefore any hard landscaping could lead to serious flooding into Exmouth. We already have enough excrement going into the sea. We don't want this to get even worse. Not only does it affect the Marine life that lives in the sea, but local residents and businesses too.

5) The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: I don't envy your job of trying to find land that is ok to use for much needed affordable and sustainable housing.

Tamsin Robertson

Full name: Tamsin Robertson

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.: TR01

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

3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?: 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.: Chapter 11: Sustainable Transport

The proposed estate on Exmo_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.

Full name: Tamsin Robertson

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL03

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

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.: Chapter 12: Landscape

Exmo_17 had two protections until EDDC , without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents. It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (*** Personal details have been removed *** on behalf of the Housing Minister, *** Personal details have been removed ***, has confirmed this in a letter to our MP, *** Personal details have been removed ***, of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it.

There is no reason to build the proposed industrial units on this land. Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes. This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters. We think this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17. Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Full name: Tamsin Robertson

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE05

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: Chapter 15: Historic Environment

The proposed estate would be close to Littleham's medieval church where *** Personal details have been removed *** is buried. There is also an old farmhouse on the perimeter.

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

Clinton Devon ended the lease to Woodlands farm, of fields around Quentance farm, some 84 acres. There's a rumour that Clinton Devon is selling this land to Bloor Homes. If this is true, it indicates that Clinton and Bloor are confident that EDDC will allow them to build on another large tranche of protected National Landscape. This is the domino-effect that could happen if Bloor Homes are allowed to build a big estate on Exmo_17. This land is too precious to present and future generations for it to be destroyed.

I beg you not to build on our beautiful land.

Full name: Tamsin Robertson

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.: SD01

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:: Exmo_17

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.: Myself and my family have lived at XX (for data protection reason) Capel Lane, Exmouth for the past 11.5 years. What once was a quiet, safe area has become saturated with housing estates on every available green space. In the last few years in excess of 3000 houses have been built in one square mile of here, and yet you now propose to build even more on what was an area of outstanding natural beauty. I strongly oppose this ridiculous proposal to build 410 houses on the fields to the left and right of the Littleham cycle track for several reasons. I must use my democratic right to object to the destruction of our precious National Landscape.

Full name: Tamsin Robertson

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(c). If the comment is related to a site, please state the site reference here:: Exmo_17

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?: 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.: Chapter 8: Housing Needs

The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages. Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area. If estates were built outside the National Landscape, the land would be cheaper, giving scope for building a bigger percentage of the affordable/rentable houses we need.

Past experience tells us that the number of affordable houses will likely be fewer than proposed.

Angela Robinson

Full name: Angela Robinson

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_04a, Exmo_20, Lymp_14

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Exmo_04a Exmo_20 & Lymp_14 are all developments on the very edge of Exmouth. These contravention the EDDC policy statements that state - TR01 - developments will prioritise walking, cycling & public transport - Development should be located and designed to ensure that walking, wheeling, cycling and public transport should bear the natural first choice for short local journeys, or as part of a longer journey. Walking and cycling routes must be prioritised in new development (specifically including where land is allocated for development) – such routes should be coherent, direct, safe, comfortable and attractive. Where appropriate, cycle paths should be segregated from pedestrians to reduce the potential for conflict (for example, where high usage levels are anticipated). Proposals for walking and cycling routes should be aligned with the Local Transport Plan and, where relevant, the Clyst Valley & New Communities and Countywide Local Cycling and Walking Infrastructure Plans. New development (specifically including where land is allocated for development) should facilitate access to high quality public transport through its location, layout, and, where necessary, contributions to public transport services and/or facilities TR03 - Where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they are supported by a transport statement or transport assessment, and a subsequent travel plan In relation to the 3 sites, all located on the very outskirts of Exmouth; All are located at least 3 miles from Exmouth Centre & the Railway station The 3 sites proposed will all rely on the use of the car, completely going against the Strategic policy that EDDC has outlined. 1. They are not within easy public

transport reach 2. if you can get to them - The existing bus routes are infrequent with most having an hourly service at best 3. the planned access to these sites have no pathways or cycleways and has no space to create them 4. all developments proposed are on already narrow country lanes that are over used and even now are not fit for purpose 5. The proposed developments may lead to increased isolation & costs for those that do not have the use of a car. Undertaking basic tasks - shopping, visiting Doctors, dentists etc and socialising - will all increase costs eg the use of Taxi and are not sustainable.

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)

Full name: Angela Robinson

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.: SD01

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:: Exmo_04a, lymp_14

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

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.: The proposed inclusion of Exmo_04a & Lymp_14 in the EDDC local plan is ill thought through & detrimental to the local area for the following reasons; Access to the 2 combined sites via Higher Marley Rd is unsafe with what is currently a country lane. It has no pedestrian pathway & is too narrow to accommodate one. The proposed access is on a bend in the road & this road is already used as a dangerous rat run from the B3179. The junction to the B3179 is also on a bend with poor visibility & is dangerous in itself! The B3179 is already very busy and narrow in places & is not fit for purpose without any further development. The width of the Higher Marley Road does not permit the Highway code recommendation of passing a cyclist (or pedestrian) by a width of 2 meters. Any improvements would involve removal of mature protected trees & hedgerows. Police are already aware of the speeding issues along this road and adding further traffic is unacceptable & dangerous. The development itself encroaches on the countryside buffer between Exmouth & the Pebblebed Heaths which is designated a SSSI site. The site itself is home to protected animal & bird life which are known to live here, not least the Barbastelle bat, one of the rarest mammals in the UK. The entire site is home to many trees subject to TPO's. There are ancient, veteran & many mature trees not least wonderful examples of the Lucombe Oak, so special to this part of Devon. Any felling & disturbance of these trees will be unacceptable. Having a root protection area around these trees will not be sufficient for the real & lasting damage that will be caused to the wildlife & the tress by digging attenuation ponds, building a foul water pumping station & giving public access to the site. The site already has drainage issues with

discharges from the higher grounds of Pine Ridge & Black Hill. Flooding in gardens & fields on the edge of this site is a regular known feature. There is currently no mains drainage (or mains gas) available to existing properties in Higher Marley Rd who use septic tanks/cesspools. Additional houses will only add to Exmouth's already overloaded sewage systems, so evident in the town over the last 12 months. The increased risk of flooding to the already built up Goodmores Estate would increase. The development, with lack of pedestrian & cyclist access is far from the rail and bus services network, with the town centre over 3 miles away, requiring the need to use a car. The lack of local infrastructure and the burden on schools, health centres etc is also of concern. I also note that this was not a development for the preferred category (1) when the Local plan was being considered (and was rejected for the last Local Plan) I therefore ask that these sites be removed from the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Nil - these sites should be removed from the local plan for the reasons outlived above.

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)

Neill Robson

Full name: Neill Robson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change

of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Karen Robson

Full name: Karen Robson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Nicholas Rorke

Full name: Nicholas Rorke

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Andrea Rorke

Full name: Andrea Rorke

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Full name: Andrea Rorke

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: Paragraph 3.1 and 3.4 need to be changed. Just because Exmouth is the largest town in East Devon and classed as the only tier 1 in East Devon, does not mean that it is suitable, sustainable or viable to take the highest levels of growth outside of the West End. It is time that the the issues surrounding any new developments within Exmouth and its surrounding areas were taken into account and not just ignored. The existing sewerage issues and the fact that the existing, and only, Secondary School in Exmouth is working beyond its capacity, are the tip of the iceberg. Exmouth lies on a peninsula, it has the sea on one side to the South, the estuary on another side to the West, and the SSSI Pebblebed Heaths on another side to the East. The only available land for development is to the North, which is the furthest away from the town centre and its services. There are two main access roads into Exmouth, with both already being noted for their congestion which is only exacerbated at weekends and during the holiday seasons. In addition to this, one of these routes is the main access route to the North of Exmouth where the majority of development is planned, and also the main access point for Woodbury and Budleigh Salterton. These access routes cannot be improved, if even possible, without major development and infrastructure improvements and the necessary investment required. In addition to the above, where are the residents of the new community at Marlcombe and all of the other new developments in East Devon and beyond going to go if they want to visit a beach in this area. It will not be Exmouth if we continue to build at this level.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Andrea Rorke

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.: SP01

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

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

Full name: Nicholas Rorke

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.: SP01

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Sam Rorke

Full name: Sam Rorke

Other party name (if relevant): N/A

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. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

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.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Sam Rorke

Other party name (if relevant): N/A

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Nicholas Rorke

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.: SP01

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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.: Reduce the size of Exmo_20. Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

Full name: Andrea Rorke

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. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

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.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Andrea Rorke

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Full name: Andrea Rorke

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.: SP01

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified.

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.: Consider reducing the size of Exmo_20 Avoid access to the B3179 as it will adversely impact the natural habitat of the pebblebeds and the dependant wildlife.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Full name: Nicholas Rorke

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. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

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.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Full name: Nicholas Rorke

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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.: Consider reducing the number of houses for Exmo_20 and finding another smaller site to accommodate the remainder. Spread the load. This is ltgether too much burden on Exmouth which is unable do develop evenly s it is bordered by the sea and the River Exe.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

Kirsty Rorke

Full name: Kirsty Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingl.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan,

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant

detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed

development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly

designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

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.: SD01

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:: Exmo_20

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

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Sam Rorke

Other party name (if relevant): N/A

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leads,cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

Proposal:

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in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

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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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Kirsty Rorke

Proposal:

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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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Kirsty Rorke

Proposal:

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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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

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it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: llocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Kirsty Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingl.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Kirsty Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Beth Rorke

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

- -Do not access the site via B3179, -Move the settlement boundary away -Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this

proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Beth Rorke

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Jodie Rorke

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

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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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

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it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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:: Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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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.: llocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jodie Rorke

Proposal:

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in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Joseph Rorke

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

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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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

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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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

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Full name: Joseph Rorke

Proposal:

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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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Joseph Rorke

Proposal:

5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Joseph Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Joseph Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Joseph Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Joseph Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Joseph Rorke

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

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Re-Do not access the site via B3179, -Move Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Andrea Rorke

Proposal:

5. Development in the Towns and Villages

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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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

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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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

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5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Andrea Rorke

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

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)

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

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)

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands rising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Andrea Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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)

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the democratic process is followed. The current process of placing objections is so obscure and difficult for ordinary members of the public to follow that it is cannot be described as democratic.

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the democratic process is followed. So far I feel the process of placing objections is so obscure and difficult for ordinary members of the public to follow that it is not very democratic.

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20 -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The Local Planning Authority has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below:

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the democratic process is properly observed.

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Nicholas Rorke

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.: SD01

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:: EXmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously propose

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the See Stop Exmo.20 Facebook page for full comments SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the size of

Exmo-20. Do not access the site via B3179. Move the settlement boundary further away from the Pebblebed Heaths. evert to 20b as previously proposed.

Full name: Nicholas Rorke

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Make Exmo-20 a smaller develoment. Use an access other than onto the B3179.

Anna Ross

Full name: Anna Ross

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.: SD01

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:: Exmo_20

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.: There is already a massive issue with sewerage in the area, spoiling our natural beaches and sea. Adding further development to an area which is already over subscribed will increase this problem.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove exmo_20 from any local development plans, plus improve sewerage in the area to stop dumping raw sewerage in the sea.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Micheal Rosser

Full name: Micheal Rosser

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.: SD01

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

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.: I do not represent the town council but ask as an individual town councillor for consideration of my concerns about some of the major proposals within the plan.

- The proposal to build 22000 new dwellings in East Devon by 2042 is an increase of 33% on the 66786 dwellings in East Devon recorded in the 2021 census. It has been stated that this is a requirement of government policy. I question this interpretation of government policy. If in fact this is a requirement of government policy I think it is a bad policy, which will result in significant harm to the environment of East Devon and significant carbon emissions, which will contribute to global warming. https://democracy.eastdevon.gov.uk/documents/s25869/App1Housing%20Strategy%202025-30%20consultationdraftdec24.pdf .

- It is proposed that !3000 of these new homes will be built in and around Exmouth, while an estimated1248 homes in the town have “no usual residential household” e.g. . second homes/ holiday lets.

- In order to build these 13000 new homes, it is proposed to build on and destroy some of our heritage of beautiful rural areas around the town, including areas within the National Landscape.

- Social housing need will not be met in spite of the proposed house building . Within East Devon Currently 6000 people are on the social housing waiting list. Only 4000 ‘affordable homes’ are planned to be built.

- Infrastructure is unable to meet the needs of the current population The population of Eat DEvon increased by 13.8% between 2011 and 2021, More thanin any other area in Devon and Cornwall. This has resulted in increased road congestion, increased discharges of sewage into the sea, rivers and estuaries and increased pressure on health, social care and education services. Exmouth can only be accessed by one frequently gridlocked A road and a half hourly rail link. There is no indication within the current infrastructure plan - https://eastdevon.gov.uk/media/2270747/idp-review-2017_report.pdf of needs of the proposed increase of population being met.

Michael Patrick Rothera

Full name: Michael Patrick Rothera

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.: SD01

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:: Exmo_20

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.: I moved to this area of East Devon 3 years ago having worked in Salford and Greater Manchester for 35 years. I am sure you all recognize what a beautiful area this is but as some coming from outside, what you have here is completely unique and priceless and the jewel in the crown I'd the Pebbled Heath. I have lived all over the UK and there is no other area that I have found that is such a large area of natural heathland , so filled with biodiversity and yet affording access to the local population for recreation. It's a very fine balance but remarkably you have succeeded in achieving this. Much of that success is due to the hard work of environmental protection legislation and the work of dedicated people wanting to preserve this natural sanctuary for future generations. I met Karim Rabik very soon after moving here and he and I have identical views on this development so I'm submitting his letter (a transcript of one of the best speech's I've heard give at a planning meeting) as my argument for changing the planning committee's decision on Exmo-20. The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection. It is a site of Specific Scientific Interest (SSSi), it is a Special Protection Area (SPA), Special Area of Conservation (SAC), It is a Statutory Nature Area (SNA), it is protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) and it is a Natural Nature Reserve (NNR), (which incidentally is the highest level of conservation protection available under UK legislation.) The Common is also in the process of being included in the local nature recovery strategy of Devon as high value land. This is one of the most highly designated conservation areas

in the South West of England. Not to mention that the actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic natural area for its importance as a link between The Common and The Sea. To consider placing a major housing development on the edge of Woodbury Common is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law. The Mitigation Hierarchy which I'm sure the committee is familiar with, asks first and foremost; can another site provide the same outcome with less harm? This proposed site, adjacent to an Extremely protected landscape surely fails that basic test. There are other locations that do not carry the same level of Ecological Sensitivity where development could proceed with significantly less risk to Wildlife, Habitat and the integrity of a protected area. The Woodbury Common is not just a local treasure it forms part of the network of Rare Lowland Heath, which is home to species found nowhere else in Britain, making it critical to our national biodiversity strategy. To build 700 houses, and all the Infrastructure and support systems that those houses would need, with the inevitable impacts of noise pollution, light pollution, traffic, not to mention domestic animals and human pressure, all so close to this important, sensitive and rare habitat runs counter to the very purpose of its protected status. Let us not forget that the damage done by proximity is not easily mitigated by buffer zones and fences, and won't undo the stress placed upon a fragile ecological system by such a scale of development. Saying no to the allocation of this site is not a rejection of progress. True progress means choosing sites that allow us to meet our housing needs without undermining the fragile natural world of which we have a duty as educated civilised, moral and hopefully responsible citizens to protect. If the site were to be given a greenlight by the committee what precedent would it set for property developers in the future wishing to build large scale projects at the doorstep of highly sensitive and protected conservation areas? What Hope will nature have if the leaders of today do nothing to protect it? If the committee truly honours mitigation hierarchy and the values behind SSSI, SPA, SNA, LNRA, and NNR protections then I believe the only reasonable decision is to seek an alternative location. It is clear for all to see that we are living in a time when so many global leaders are choosing to make short sighted, irrational decisions that are not only illogical but laugh in the face of the incredibly hard work of so many predecessors whose tireless efforts built systems, not only for conservation, but also to create checks and balances for the protection of all going forward. Surely, as the living custodians of this land, it is our duty to preserve the significance and power of those systems and protections. May it not be us that the finger of future generations gets pointed at along with the slur "it was they that let us down". I live in hope that the committee will choose not to align itself with the kind of illogical and immoral decision making and behaviour that is creating unprecedented destruction the world over. Sincerely Karim Rabik

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To make sure this unique site is protected for future generations

Full name: Michael Patrick Rothera

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: remove Exmo_20 from the local plan

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)

Sue Rothera

Full name: Sue Rothera

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Sue Rothera

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Sue Rothera

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.: SD01

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:: Exmo_20

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the size of Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Sue Rothera

Proposal:

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precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Sue Rothera

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Just such an important issue for future generations and to make sure environmental protection for this vital site is respected.

Full name: Michael Patrick Rothera

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.: SD01

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development in the Towns and Villages chapter's compliance with the duty to co-operate, please use this box to set out your comments.: The Woodbury Common is a site that carries not just one but several layers of national and international ecological protection. It is a site of Specific Scientific Interest (SSSi), it is a Special Protection Area (SPA), Special Area of Conservation (SAC), It is a Statutory Nature Area (SNA), it is protected as part of the Local Nature Recovery Strategies (LNRS, sometimes referred to in context with nature-based actions as LNRA) and it is a Natural Nature Reserve (NNR), (which incidentally is the highest level of conservation protection available under UK legislation.) The Common is also in the process of being included in the local nature recovery strategy of Devon as high value land. This is one of the most highly designated conservation areas in the South West of England. Not to mention that the actual site that has been put forward for the development of Exmo_20, has itself has been designated as a strategic natural area for its importance as a link between The Common and The Sea. To consider placing a major housing development on the edge of Woodbury Common is quite simply a huge step in the wrong direction not only for Biodiversity but also for our Obligations under National Planning Policy and Environmental Law.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: such a vital issue needs local representation to ensure environmental policy and laws are given sufficient consideration for future generations

Jo Rowbotham

Full name: Jo Rowbotham

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.: SD06

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:: Sidm_06a

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.: I am writing to express my serious concern regarding the proposed development on the green wedge between Sidbury and Sidford. This area is a vital part of the local environment and character of these villages. Building here would cause irreversible damage to the natural landscape and detract from the green tourism for which East Devon is rightly renowned. The preservation of such green spaces is essential not only for wildlife but also for the wellbeing of our communities and visitors. Furthermore, the current infrastructure is inadequate to support a large influx of new homes. There are already significant challenges, including insufficient school places, increased flood risk, and heavily congested roads. These issues make the proposal untenable without substantial and costly improvements. I understand that East Devon Council has targets to meet for new housing, but I believe that every option should be looked at to avoid compromising precious green spaces that contribute so much to the character and economy of our district. Thank you for considering my concerns. I urge the Council to carefully weigh the environmental and infrastructural impacts before proceeding with this proposal.

Simon Rowland

Full name: Simon Rowland

Organisation (where relevant): Wollens

Other party name (if relevant): Francesca Johnson

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.: SD06

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:: Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Based on the representation provided, the following legal compliance concerns arise:

1. Inadequate consideration of statutory AONB (National Landscape) duties

- Sidm_31 lies entirely within the East Devon AONB, meaning “great weight” must be given to conserving and enhancing its landscape and scenic beauty.
- The representation states that the Plan fails to demonstrate the required degree of justification for encroachment into a nationally protected landscape.

2. Inaccurate or misleading evidence base (highway safety)

- The Plan’s supporting text is said to incorrectly describe the Burscombe Lane / A3052 junction as “safe.”
- The representation describes this as factually wrong and contrary to local evidence, undermining the robustness of the evidence base.

3. Lack of certainty over deliverable access

- Access via Windsor Mead would likely require a Compulsory Purchase Order (CPO).

- The representation argues that this legal mechanism must be confirmed before allocation; otherwise, no lawful access strategy exists.

4. Failure to properly consider flood risk and drainage evidence

- Recently obtained video evidence shows significant runoff, blocked drainage pipes, and overtopping infrastructure on Burscombe Lane.

- The Plan does not appear to consider this new evidence, raising concerns about compliance with national flood risk requirements.

5. Conflict with adopted development plan components

- Sidm_31 is outside the current Built-up Area Boundary (BUAB), conflicting with Strategy 7 (countryside protection).

- Strategy 46 (AONB protection) is also said to be breached, with no overriding justification provided.

- The allocation conflicts with the Sid Valley Neighbourhood Plan (Policy 10), which does not support market housing development on this site. Together, these matters indicate flawed, incomplete or inaccurate evidence and insufficient regard to statutory duties, rendering the allocation not legally compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Primary Modification (as requested in the representation): Remove Site Sidm_31 from Strategic Policy SD06 and from the Local Plan's set of housing allocations. This removes the legal compliance risks relating to AONB policy, highway safety inaccuracies, CPO uncertainty, flood risk considerations, and conflicts with the adopted plan framework.

If the Council insists on retaining Sidm_31, the following modifications are needed to achieve legal compliance:

1. Correct the inaccurate statement describing the Sidford High Street / Burscombe Lane junction as "safe". o Replace with wording that accurately reflects visibility constraints, geometry, traffic conditions, and collision records.

2. Demonstrate and secure lawful, deliverable access before allocation. o Confirm whether the use of Windsor Mead requires a CPO. o If yes, demonstrate that such a CPO is realistically achievable and in the public interest. o If no, identify the alternative access strategy with supporting evidence.

3. Update the evidence base to incorporate local drainage/flooding data. o Include the provided video evidence. o Demonstrate that SUDS/attenuation systems can avoid off site flood risk increases, particularly down-slope into Windsor Mead.

4. Provide justification for development in the AONB in line with national policy tests. o Including whether exceptional circumstances exist, and whether development is demonstrably in the public interest. Without these, the allocation remains legally deficient.

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.:

1. Not Justified

- The representation argues that Sidm_31 is one of the least suitable sites around Sidmouth/Sidford: it lies in the AONB, has severe access constraints, and generates only 12–15 dwellings, a negligible contribution to district housing needs.
- Reasonable alternatives exist outside sensitive landscapes with fewer constraints.

2. Not Effective (undeliverable)

- Access via Windsor Mead is inappropriate for a cul de sac and may depend on a CPO.
- Burscombe Lane is too narrow, lacks footways, and has a constrained junction with the A3052.
- Flooding and drainage failures are already occurring in heavy rainfall.
- These constraints may prevent the site from ever securing planning permission.

3. Not Consistent with National Policy

- The site is inside a nationally designated AONB—development here contradicts NPPF paragraphs 176–177 unless exceptional circumstances exist.
- Access / highway issues conflict with the NPPF policies on safe and suitable access (para 110).

- Flood risk concerns contradict NPPF para 167.

4. Not Consistent with the Development Plan (Neighbourhood Plan & Adopted Local Plan)

- Sid Valley Neighbourhood Plan does not allocate or support this site.
- Adopted Strategy 7 and Strategy 46 weigh strongly against allocating this part of the countryside/AONB.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Primary modification (recommended): Delete Site Sidm_31 from Strategic Policy SD06. Alternative modifications if retention is attempted: To achieve soundness, all of the following would be required:

1. A fully evidenced, deliverable and safe access solution that does not rely on altering Windsor Mead's character or using Burscombe Lane in its current form.

2. Correction of the Plan's highway evidence to eliminate the inaccurate description of the A3052/Burscombe Lane junction as "safe".

3. A comprehensive drainage solution, including enlargement/upgrade of local infrastructure and credible long term maintenance guarantees.

4. A robust AONB justification demonstrating genuinely exceptional circumstances and public interest (unlikely for 12–15 dwellings).

5. Reconciliation with the Sid Valley Neighbourhood Plan, or evidence explaining why its strategy should be overridden.

lisa Rutter

Full name: lisa Rutter

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.: SD06

1(c). If the comment is related to a site, please state the site reference here:: Sidm_06a

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.: Please could this objection be placed on common place. I only have a phone and therefore finding it difficult to use the website. This objection is to housing development on Sidmouth 6a and any future plans to development on 6b - Land west of Two Bridges road - Sidford. I strongly object to the above being included in the local plan and should note that to include the area is contradictory to the Green Wedge policy and NPPE. This a beautiful natural landscape that attracts numerous rambles from far and wide to the area. I am a local resident and witness directly its popularity and the advantages such visitors bring to our local tourism trade. Residential development would undoubtedly impact, destroying the villages infrastructure and rural charm. This is a green wedge site and it is the duty and care of our local council to ensure it is protected. Not only is the landscape of this site beautiful it provides a diverse habitat for wildlife. The proposed sites are arable land. It is essential we collectively protect local farming communities and rural craftsmanship. Sustainability depends on food and plant production. Bringing high density housing to the local area with result in increased traffic, air - noise and light pollution: all detrimental to the health and wellbeing of local residents and a drain on public services - health and education. The impact on local wildlife would be catastrophic. By developing 6a a gateway would open for site 6b. It is essential that BOTH sites be removed from the local plan. The Council should hold true to its commitment to Biodiversity Met Gain and ensure that this green wedge designated area be preserved for future generations. The village of Sidbury must keep its identity as a rural community and our arable and wildlife lands remain PROTECTED.

Helena Ryan

Full name: Helena Ryan

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.: SD26

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:: Sidm_34

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: 1) The cycle route has not been altered from the first proposed route using Ebdon Lane. As previously noted, this is about 15% (1 in 7) which is considerably steeper than the absolute maximum gradient of 8% specified in LTN 1/20 (Local Transport Note on Cycle infrastructure design, Para 10.8.21), so how can you still be considering the same route? 2) It is a statutory duty under Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act2 in December 2023) requiring relevant authorities, in exercising or performing any function that affects AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty,” and the LPA will need to be able to demonstrate how it has done this. The changes listed are; a) higher parts of the site remaining undeveloped, b) restrictions on building heights, c) materials used in the buildings, and d) planting along field boundaries. a) The top of the site was always shown as being undeveloped except for an attenuation pond to catch runoff. b) The height of buildings on a hill will probably make little to no difference as to their visibility unless the top row of planned houses is moved a very long way further down the site and the height of the houses and flats is kept to a single level. c) Unless the new houses are cob and thatch or replicas of the Victorian and Edwardian brick houses opposite how will they fit in? d) Aside from the fact that trees planted along the Chapel Street boundary will cause issues as they mature because of the numerous overhead power lines, they will also cause a light loss to the houses opposite. Will any of these proposed alterations either conserve or enhance the

landscape? No, of course they won't. How could any of this enhance a rolling green field? And new build properties on virgin land is diametrically opposite to the meaning of conserve' The joining of two separate areas of the village by removing the few remaining green field wedges that currently break up the largely, newer end of the village from the oldest parts, will destroy the remnants of ancient field systems. We should be preserving these opens spaces not allowing the village to coalesce into one continuous settlement.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: The planning team have not in any way shown how this proposal, even with these amendments, will conserve and enhance the landscape - They can't because it won't. The only solution is to find a more suitable place for this development to be built.

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.: The planning team have not in any way shown how this proposal, even with their amendments, will conserve and enhance the natural beauty of the landscape - They can't because it won't. This is not legal under Section 85 of the Countryside and Right of Way Act 2000 (CRoW Act) (as amended by the Levelling-up and Regeneration Act2 in December 2023)

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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 planning team have not in any way shown how this proposal, even with their amendments, will conserve and enhance the landscape - They can't because it won't. The only solution is to find another site for this development.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please

be as precise as possible.: The planning team have not in any way shown how this proposal, even with their amendments, will conserve and enhance the landscape - They can't because it won't. The only solution is not to build in an AONB

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: A wish is not a necessity. This makes no sense whatsoever.

Yvonne Salmon

Full name: Yvonne Salmon

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.: SD04

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:: Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

a) Chronic congestion in the historic town centre,

b) High car dependency.

c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

a) Ottery St Mary has no capacity for additional residential development.

b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.

c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.

d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Hugh Salmon

Full name: Hugh Salmon

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.: SD04

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:: Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

a) Chronic congestion in the historic town centre,

b) High car dependency.

c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

a) Ottery St Mary has no capacity for additional residential development.

b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.

c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.

d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is:

- Unsustainable
- In conflict with national, local, and neighbourhood policies
- Environmentally harmful
- Infrastructure-constrained
- Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Reece & Jo Salter

Full name: Reece & Jo Salter

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.: SD06

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:: Sidm_06a

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.: Please find below my reasons for objection to the proposed building.

We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

• Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

• Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

• Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

• Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets.

• Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.

• Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower-quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

• Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.

• Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.

• Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village." Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

Anton Schwarzin

Full name: Anton Schwarzin

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.: SD07

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:: Brcl_12, Brcl_29

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.: I wish to object to the two amendments submitted under Regulation 19 in relation to planning application 25/1133/MOUT.

The proposed removal of the employment land raises serious concerns about the soundness of the scheme. It indicates that the site was never of sufficient size to realistically support both the scale of housing proposed and the employment provision originally claimed, calling into question whether the development has ever been properly justified.

No alternative employment provision has been identified, and the amendment appears simply to create scope for additional housing, further undermining the sustainability of the proposal.

The surrounding infrastructure is already under significant strain, including local roads, drainage, and access to services. These constraints exist regardless of whether employment land is included, and in my view the area is not capable of supporting development of this scale.

In addition, the scale of the development would cause lasting harm to the historic landscape and rural character of the village, which cannot be preserved in the context of such extensive building.

For these reasons, I strongly object to the Regulation 19 amendments and to the application as a whole.

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)

Melanie Schwarzin

Full name: Melanie Schwarzin

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.: SD07

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:: Brcl_12, Brcl_29

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.: I wish to formally object to the two amendments submitted under Regulation 19 in relation to planning application 25/1133/MOUT.

The proposed removal of the employment land is of serious concern. It appears to confirm that the site was never of sufficient size to realistically accommodate both the scale of housing proposed and the employment provision originally put forward. If the site cannot support employment use now, then it raises fundamental questions about whether the original scheme was ever sound or properly justified.

This amendment exposes an internal inconsistency at the heart of the proposal. The employment land appears to have been included initially to support the scale of residential development, yet is now being removed because it is no longer deliverable. This suggests that the housing quantum itself may be excessive for the site and that the scheme was not based on a robust or realistic assessment of capacity.

Furthermore, the removal of employment land does nothing to address and in fact exacerbates the wider sustainability concerns. No alternative employment provision has been identified, increasing the likelihood of out-commuting and reinforcing the

creation of a dormitory development, contrary to the principles of sustainable development.

In addition, the scale of the development would cause lasting harm to the historic landscape and rural character of the village, which cannot be preserved .

Crucially, the infrastructure surrounding the site is already demonstrably overstretched. Local roads, drainage, flood resilience, and access to services are under pressure, and this is well known to local residents. The site is therefore not suitable for development at this scale in the first place, regardless of whether employment land is included or removed. The amendments fail to resolve this core issue and instead appear to prioritise development convenience over infrastructure reality.

Taken together, these amendments do not improve the scheme. Rather, they underline its lack of soundness, poor justification, and failure to respond to the genuine constraints of the site and its surroundings.

For these reasons, I strongly object to the Regulation 19 amendments and to the application as a whole.

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)

Claudia Lambeth Scott

Full name: Claudia Lambeth Scott

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.: SD24

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

1(c). If the comment is related to a site, please state the site reference here:: Payh_03a

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.: Dear *** Personal details have been removed ***, I wish to register a formal objection to the proposed development at the above site. Having considered the application in detail, it is clear that the proposal raises serious and unresolved concerns relating to highway safety, environmental protection, land suitability and planning policy compliance. For these reasons, I believe the development should not be permitted. The most immediate concern relates to access and highway safety. The proposed exit from the site would be onto a narrow single-track road subject to a 60mph speed limit, with a blind bend and summit severely restricting visibility. Any attempt to achieve acceptable visibility splays would require the removal of long stretches of established hedgerow, causing harm to protected landscape features while still failing to address the inherent dangers of the location. It is particularly relevant that a previous planning application from previous owners of our property, Glebe Farm, involving the conversion of existing outbuildings, was refused on highway safety grounds. That proposal would have generated significantly fewer vehicle movements than the current scheme and benefited from a wider road with clearer sightlines. Allowing a more intensive development onto a more constrained and hazardous section of road would represent an inconsistent and unsafe planning decision. Beyond highway issues, the land itself is fundamentally unsuitable for development. Local knowledge confirms that the field is affected by numerous natural springs, several of which feed existing ponds, while others create persistent areas of marshy ground. An underground spring runs east to west across the site and discharges onto the road at the north-west boundary. This

water flow is continuous throughout the year, including during periods of prolonged dry weather, raising serious concerns regarding drainage, flooding risk and ground stability. In addition, it is understood that the existing treatment infrastructure cannot accommodate any further surface water or effluent. This places further doubt on the practicality and sustainability of the proposal. The site is bounded by mature trees and hedgerows that are subject to protection. Development would inevitably place pressure on these features, either directly through construction or indirectly through access requirements, lighting and ongoing activity, resulting in unacceptable harm to the character of the area. It is also important to note that during the East Devon District Council Development Plan Survey in 2022, this site was identified as unsuitable for development. There has been no material change in circumstances since that assessment. The same environmental, infrastructural and locational constraints remain firmly in place. Furthermore, the proposal conflicts with Devon County Council's Environment Strategy, which seeks to protect and enhance the county's distinctive landscapes, wildlife, and geological features. Developing this site would run counter to those objectives and result in permanent environmental damage. Taken together, these issues present a clear picture of a site that is inappropriate for development in planning, environmental and safety terms. These longstanding constraints explain why the land has not previously been developed, and they remain compelling reasons for refusal today. I respectfully request that the planning authority gives full weight to these considerations and rejects the application. Yours faithfully, *** Personal details have been removed ***

Christine and Kim Scratchley

Full name: Christine and Kim Scratchley

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.: SD06

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

1(c). If the comment is related to a site, please state the site reference here:: Sidm_06a

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.: It has come to our attention that Site 6a is now in the preferred category in the Sidmouth Local Plan.

This site is on the Green wedge and should have double protection as part of the National Landscrape. If 35 houses are built on this site it sets a precedent for building considerably more houses on Site 6b.

Building in the Sid Vallley has already put stress on the current infrastructure and services are barely coping.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Site 6a should NOT be considered.

Clare Sexton

Full name: Clare Sexton

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.: SD01

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:: Exmo_20

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.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site

currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town

settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other

development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) …. we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored…Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then

the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with

paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st & 2nd Regulation 19 evidence library falsely claiming to be, with no record of the May 2022 version. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected since the site failed the HELAA stage, being not suitable or achievable. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs

assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Robert Shand

Full name: Robert Shand

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.: I am writing to register my opposition in the strongest possible terms to the above. I believe the plan is far in excess of the amount of housing that is required because we have already had the Cranbrook development and Exmouth has expanded greatly over recent years. East Devon is supposed to be an area of outstanding natural beauty yet the council seems intent on concreting much of it. Also, I believe the land is prime farming land and, as a country, we are unable to feed ourselves so I think we should utilise as much farm land as possible and not build on it as far as is practical. Where are all the jobs for the people going to come from ? In addition, where will also the extra water supply be found and, just as importantly, how will all the extra sewage be disposed of ? How about all the extra infrastructure that would be needed - houses, schools, health centres etc. and where would the staff be found ? Really, I feel East Devon is busy enough as it is although I accept development is necessary but it is the scale of this plan which is unacceptable. I hope it is not approved.

Fiona E Shaw

Full name: Fiona E Shaw

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.: SD01

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:: Exmo_20

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.: This proposed development is a greenfield site which is just 400 metres from a Site of Special Scientific Interest (SSSI) which forms the core of a much larger protected area that is also a Special Protection Area (SPA), a Special Area of Conservation (SAC) and a National Nature Reserve (NNR). The East Devon Pebblebed Heaths which are located just a few miles outside Budleigh Salterton are a site of critical importance for rare habitats, diverse species like Dartford warblers and nightjars, and unique geological features like the pebblebed ridge. The infrastructure of Budleigh Salterton is unable to cope with any more development. Budleigh is a seas side town with limited employment options. The roads in this area are not suitable for an increase in vehicular traffic.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan as this site is totally unsuitable for a development of this size.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Hannah Shaw

Full name: Hannah Shaw

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.: SD29

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:: Whim_11

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: I do not believe that the flood risks have been adequately addressed. I am concerned for properties at risk of flooding down from the site.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Land at risk of flooding should not be built on.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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)

Full name: Hannah Shaw

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.: SD29

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:: Whim_08

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The views of the residents have not been taken on board despite following the procedure and commenting on the Reg 19.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: I believe Whim_08 needs looking at in more detail, fully taking on board the views of the residents and amending the document.

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.: Many of the comments made by the public regarding the suitably of Whim_08 have not been addressed at all. For example the increase in traffic through narrow roads, the road safety for pedestrians, the loss of habitats and the erosion of the green wedge.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: I believe the whole section needs revising, taking into account all the points raised by the concerned villagers. I also think the word ‘mandatory’ should be added when explicitly asking for works to be undertaken, to ensure it happens. The wording ’where development cannot be located outside of the area at risk of flooding….’ highlights what is wrong with the soundness of this plan. Development should not happen where there is a risk of flooding and potential knock-on effects to nearby properties.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I do not believe that the council have fully co-operated and listened to the voices of the local residents.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am willing to speak for the residents of Whimple.

Cheryl Shayler

Full name: Cheryl Shayler

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.: SD04

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

1(c). If the comment is related to a site, please state the site reference here:: Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of Otry_21 site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. 1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria. 2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the

emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character. 3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning. 4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow. 5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats. 6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver and Otter populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development. 7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8.

Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: ? Unsustainable ? In conflict with national, local, and neighbourhood policies ? Environmentally harmful ? Infrastructure-constrained ? Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Otry_21 from the emerging Local Plan.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I am not convinced that democracy is being served.

Thomas Shillitoe

Full name: Thomas Shillitoe

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.:

1.14

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

2. Do you consider that this part of the Introduction chapter is legally compliant?: 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.: Air quality mitigation strategy is required and still outstanding. This will likely need agreement with neighbouring LPAs, so needs to be consulted upon in Reg19 with neighbouring authorities in accordance with Duty to Cooperate compliance.

2(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction.: Cannot comment further until air quality mitigation strategy is provided by the LPA

3. Do you consider that this part of the Introduction chapter is sound?: No

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.: Air quality mitigation strategy is required and still outstanding. This will likely need agreement with neighbouring LPAs, so needs to be consulted upon in Reg19 with neighbouring authorities in accordance with Duty to Cooperate compliance.

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction 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 Introduction 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.: Cannot comment further until air quality mitigation strategy is provided by the LPA

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Air quality mitigation strategy is required and still outstanding. This will likely need agreement with neighbouring LPAs, so needs to be consulted upon in Reg19 with neighbouring authorities in accordance with Duty to Cooperate compliance.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To understand how the LPA believes it has complied with its duty to cooperate with a potential cross-authority air quality mitigation strategy which is not yet known.

Full name: Thomas Shillitoe

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.:

1.14

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

2. Do you consider that this part of the Introduction chapter is legally compliant?: 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.: There is insufficient clarity and information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if its reach is similar to the existing recreational impacts mitigation strategy.

2(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction.: air quality mitigation strategy required to be provided to neighbouring authorities.

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.: There is insufficient clarity and information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has

implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if its reach is similar to the existing recreational impacts mitigation strategy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction 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 Introduction 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.: air quality mitigation strategy required to be provided to neighbouring authorities.

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Introduction chapter fails to comply with the duty to co-operate. Please be as precise as possible.: There is insufficient clarity and information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if its reach is similar to the existing recreational impacts mitigation strategy. [attached: map of existing recreational impacts mitigation strategy]

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Air quality mitigation strategy required to be provided to neighbouring authorities. Currently not possible as Plan has no agreed air quality mitigation strategy and no supporting HRA. How can the Plan be considered sound, legally complaint and that the LPA have complied with their duty to cooperate.

Full name: Thomas Shillitoe

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?: Figure/Image

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

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

2. Do you consider that this part of the Introduction chapter is legally compliant?: 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.: Map should show international site designations and national site designations. Misleading and contrary to the hierarchy of designations as explained in paragraph 181 of the NPPF December 2023.

2(c). Please set out the modification(s) you consider necessary to make this part of the Introduction chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Introduction.: Update map and undertake the site selection process and and plan production without a cavalier attitude regarding the Habitats Regulations and consideration of these international sites. Undertake a mitigation hierarchy assessment.

3. Do you consider that this part of the Introduction chapter is sound?: No

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.: Map should show international site designations and national site designations. Misleading and contrary to the hierarchy of designations as explained in paragraph 181 of the NPPF December 2023.

3(c). Please set out the modification(s) you consider necessary to make this part of the Introduction 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 Introduction 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.: Update map and undertake the site selection process and and plan production without a cavalier attitude regarding the Habitats Regulations and

consideration of these international sites. Undertake a mitigation hierarchy assessment.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Why has the LPA, the competent Authority behaved with a cavalier attitude regarding the Habitats Regulations and consideration of international sites. Why is there no mitigation hierarchy assessment.

Full name: Thomas Shillitoe

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 11.22

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

2. Do you consider that this part of the Sustainable Transport and Communications chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.: 11.22 stating "Encouraging developments that exceed such standards" is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

2(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter legally compliant, 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 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.: Awaiting air quality mitigation strategy to comment further

3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?: 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.: 11.22 stating "Encouraging developments that exceed such standards" is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for

examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

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.: Awaiting air quality mitigation strategy to comment further

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Awaiting air quality mitigation strategy to comment further

Full name: Thomas Shillitoe

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?: Yes

2. Do you consider that this part of the Sustainable Transport and Communications chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.: TR04 now states “Should aim to exceed” which is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?: 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.: TR04 now states “Should aim to exceed” which is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

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.: This cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission 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)?: Yes, I wish to participate in hearing session(s)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: There is currently no agreed air quality mitigation strategy to inform this chapter. too many unknowns/variables.

Full name: Thomas Shillitoe

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.: PB04

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: Not using correct anticipated emission/traffic figures for B3179 as based on former wording of access arrangements prior to February 2025 significant amendment.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Use correct figures and reassess and/or remove Exmo_20

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.: Not using correct anticipated emission/traffic figures for B3179 as based on former wording of access arrangements prior to February 2025 significant amendment.

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.: Use correct figures and reassess and/or remove Exmo_20

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Require clarification of data used for emissions / access to Exmo_20

Full name: Thomas Shillitoe

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: As there is no Pebblebed Heaths air quality mitigation strategy provided, it is not possible to comment fully on Chapter 13 and Policy PB04, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Awaiting air quality mitigation strategy to comment in full

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.: As there is no Pebblebed Heaths air quality mitigation strategy provided, it is not possible to comment fully on Chapter 13 and Policy PB04, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination.

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.: Awaiting air quality mitigation strategy to comment in full

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Awaiting air quality mitigation strategy to comment in full. I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

Full name: Thomas Shillitoe

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.: PB04

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: As there is no Pebblebed Heaths air quality mitigation strategy provided, it is not possible to comment fully on Chapter 13 and Policy PB04, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Awaiting air quality mitigation strategy. Currently not legally compliant.

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.: As there is no Pebblebed Heaths air quality mitigation strategy provided, it is not possible to comment fully on Chapter 13 and Policy PB04, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination.

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.: Awaiting air quality mitigation strategy. Currently not sound.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

Full name: Thomas Shillitoe

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.: PB04

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: Paragraph 13.20 concentrates on Nitrogen deposits, which I understand to be the correct emission, yet Policy PB04 now mentions "(NOx) and/or ammonia (NH3) or other polluting emissions", firstly this appears grammatically incorrect and secondly appears to take the focus away from Nitrogen as stated in 13.20. This is significantly misleading, as modern cars seek to turn NOx into Nitrogen and therefore modern Euro 6 car emissions are causing a significant increasing in Nitrogen deposits. These modern cars will likely be in use for most, if not the entire life of the Plan. The wording in PB04 needs correcting to not be misleading to accord with Paragraph 13.20.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Nitrogen (which modern euro6 cars produce when reducing NOx emissions)

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.: Paragraph 13.20 concentrates on Nitrogen deposits, which I understand to be the correct emission, yet Policy PB04 now mentions "(NOx) and/or ammonia (NH3) or other polluting emissions", firstly this appears grammatically incorrect and secondly appears to take the focus away from Nitrogen as stated in 13.20. This is significantly misleading, as modern cars seek to turn NOx into Nitrogen and therefore modern Euro 6 car emissions are causing a significant increasing in Nitrogen deposits. These modern

cars will likely be in use for most, if not the entire life of the Plan. The wording in PB04 needs correcting to not be misleading to accord with Paragraph 13.20.

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.: Nitrogen (which modern euro6 cars produce when reducing NOx emissions)

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No air quality mitigation strategy, so potentially further comments to be made. Current wording is misleading.

Full name: Thomas Shillitoe

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.: PB04

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: Regarding changes to Policy PB04, it is not possible to fully consider this Policy in the absence of the HRA and Pebblebed Heaths air quality mitigation strategy which are still absent (the HRA having an “inherent conflict”). Much of the Policy appears to have been rewritten in an attempt to address those shortcomings. I am unsure what the green writing is for. There is mention of a “break clause” if there are “failings in respect of assessment under the Habitat Regulations”. My understanding is that the LPA are failing already at Plan preparation stage as: 1. No mitigation hierarchy assessment for proposed allocations in the draft Local Plan has been undertaken and the LPA believe it is not required, contrary to the Habitat Regulations. The mitigation hierarchy assessment should consider avoidance of the known existing South East Devon European Wildlife - Joint Habitats Sites Mitigation Strategy, which has two 10km radii to be considered. Furthermore the Plan now refers to an emerging Pebblebed Heaths air quality mitigation strategy (TR04 and elsewhere), so this should be included in the Mitigation Hierarchy assessment once it is confirmed in the Plan, prior to submission for examination. 2. Sites were selected based on assumed but unknown mitigation and prior to an Appropriate Assessment, contrary to the Habitat Regulations and CJEU case law “People over Wind”. 3. The Plan progressed to Regulation 19 without a supporting HRA but one which stated an “inherent conflict”, contrary to Section 1.1 of the Planning Inspectorate Procedure Guide which states “the LPA should rigorously assess the plan before it is published under Regulation 19 to ensure that, in their view, it is sound and meets all the necessary legal requirements” 4. The emissions assessment for the air quality impacts from Exmo_20 are based on former access arrangements for Exmo_20, prior to the February 2025 amendments, which would have had a significantly lesser impact.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Awaiting air quality mitigation strategy to comment further. No evidence of mitigation hierarchy assessment.

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.: Regarding changes to Policy PB04, it is not possible to fully consider this Policy in the absence of the HRA and Pebblebed Heaths air quality mitigation strategy which are still absent (the HRA having an "inherent conflict"). Much of the Policy appears to have been rewritten in an attempt to address those shortcomings. I am unsure what the green writing is for. There is mention of a "break clause" if there are "failings in respect of assessment under the Habitat Regulations". My understanding is that the LPA are failing already at Plan preparation stage as: 1. No mitigation hierarchy assessment for proposed allocations in the draft Local Plan has been undertaken and the LPA believe it is not required, contrary to the Habitat Regulations. The mitigation hierarchy assessment should consider avoidance of the known existing South East Devon European Wildlife - Joint Habitats Sites Mitigation Strategy, which has two 10km radii to be considered. Furthermore the Plan now refers to an emerging Pebblebed Heaths air quality mitigation strategy (TR04 and elsewhere), so this should be included in the Mitigation Hierarchy assessment once it is confirmed in the Plan, prior to submission for examination. 2. Sites were selected based on assumed but unknown mitigation and prior to an Appropriate Assessment, contrary to the Habitat Regulations and CJEU case law "People over Wind". 3. The Plan progressed to Regulation 19 without a supporting HRA but one which stated an "inherent conflict", contrary to Section 1.1 of the Planning Inspectorate Procedure Guide which states "the LPA should rigorously assess the plan before it is published under Regulation 19 to ensure that, in their view, it is sound and meets all the necessary legal requirements" 4. The emissions assessment for the air quality impacts from Exmo_20 are based on former access arrangements for Exmo_20, prior to the February 2025 amendments, which would have had a significantly lesser impact.

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.: Awaiting air quality mitigation strategy to comment further. No evidence of mitigation hierarchy assessment.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Air quality mitigation strategy may have implications for neighbouring LPAs. Awaiting air quality mitigation strategy to comment further.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Air quality mitigation strategy may have implications for neighbouring LPAs. Awaiting air quality mitigation strategy to comment further. No mitigation hierarchy assessment undertaken.

Full name: Thomas Shillitoe

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.: PB03

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: PB03 now states lowland heathland specifically as well as Section 41 Habitats of Principal Importance. There is no Pebblebed Heaths air quality mitigation strategy provided, so it is not possible to comment fully on Chapter 13 and Policy PB03 in the absence of this, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: awaiting air quality mitigation strategy to comment further. evidence of mitigation hierarchy assessment required.

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.: PB03 now states lowland heathland specifically as well as Section 41 Habitats of Principal Importance. There is no Pebblebed Heaths air quality mitigation strategy provided, so it is not possible to comment fully on Chapter 13 and Policy PB03 in the absence of this, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination.

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.: awaiting air quality mitigation strategy to comment further. evidence of mitigation hierarchy assessment required.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: awaiting air quality mitigation strategy to comment further. evidence of mitigation hierarchy assessment required.

Full name: Thomas Shillitoe

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.: PB02

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: Policy PB02 now includes Section 41 Habitats of Principal Importance of which lowland heathland, the Pebblebed Heaths is classified as. Therefore points A and D should ensure that at strategic plan level housing allocation sites should be considered against the mitigation hierarchy, which the LPA has yet to do, in the belief it does not apply to the development of Local Plan.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Awaiting air quality mitigation strategy and HRA to comment further. Evidence of mitigation hierarchy assessment required.

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.: Policy PB02 now includes Section 41 Habitats of Principal Importance of which lowland heathland, the Pebblebed Heaths is classified as. Therefore points A and D should ensure that at strategic plan level housing allocation sites should be considered against the mitigation hierarchy, which the LPA has yet to do, in the belief it does not apply to the development of Local Plan.

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.: Awaiting air quality mitigation strategy and HRA to comment further. Evidence of mitigation hierarchy assessment required.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Awaiting air quality mitigation strategy and HRA to comment further. Evidence of mitigation hierarchy assessment required.

Full name: Thomas Shillitoe

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.: The rewriting of Policy PB01 does not follow the wording of the Mitigation Hierarchy in paragraph 13.5 of avoidance over mitigation, which was PB01 point A & C, now deleted. Secondly, there is no public benefit to outweigh the impact, or over-riding public interest, as this 2nd Regulation 19 draft Local Plan has a significant oversupply of housing allocations, such that sites with clear adverse affects, such as Exmo_20, as noted in the HRA, cannot be justified. Furthermore there is no Pebblebed Heaths air quality mitigation strategy provided, so it is not possible to comment fully on Chapter 13 and Policy PB01 in the absence of this, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination. In 13.8, what is the test underlined in green? Is this new or otherwise, please confirm so that I may comment in full. The draft Local Plan has an inherent conflict as identified in the HRA.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter legally compliant, 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 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.: Evidence of mitigation hierarchy assessment required. Awaiting air quality mitigation strategy and HRA to comment further.

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.: The rewriting of Policy PB01 does not follow the wording of the Mitigation Hierarchy in paragraph 13.5 of avoidance over mitigation, which was PB01 point A & C,

now deleted. Secondly, there is no public benefit to outweigh the impact, or over-riding public interest, as this 2nd Regulation 19 draft Local Plan has a significant oversupply of housing allocations, such that sites with clear adverse affects, such as Exmo_20, as noted in the HRA, cannot be justified. Furthermore there is no Pebblebed Heaths air quality mitigation strategy provided, so it is not possible to comment fully on Chapter 13 and Policy PB01 in the absence of this, as they are closely interlinked. I reserve the right to comment further should a mitigation strategy be forthcoming, prior to submission of the Plan to the Inspector for examination. In 13.8, what is the test underlined in green? Is this new or otherwise, please confirm so that I may comment in full. The draft Local Plan has an inherent conflict as identified in the HRA.

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.: Evidence of mitigation hierarchy assessment required. Awaiting air quality mitigation strategy and HRA to comment further.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Evidence of mitigation hierarchy assessment required. Awaiting air quality mitigation strategy and HRA to comment further.

Full name: Thomas Shillitoe

Proposal: 14. Open Space and Sports and Recreation

1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OS06

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

2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not legally compliant. Please be as precise as possible.: Chapter 14 makes no reference to the recreational pressures mitigation strategy, the "South East Devon European Wildlife - Joint Habitats Sites Mitigation Strategy" which should be a key consideration regarding new development and recreational activity potentially impacting on the Exe Estuary and Pebblebed Heaths European sites. A new policy should be added stating that, due to recreational pressures on the European sites and the existing mitigation strategy, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the single or double recreational impacts mitigation areas of the Exe Estuary and Pebblebed Heaths. Over-riding justification is required for new housing within the mitigation areas if no alternative sites are suitable.

2(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Open Space and Sports and Recreation chapter 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.: Add policy relating to recreational pressures on the Pebblebed Heaths and the significance of the existing mitigation strategy for this. Undertake a mitigation hierarchy assessment regarding site selection and recreational pressures.

3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.: Chapter 14 makes no reference to the recreational pressures mitigation strategy, the "South East Devon European Wildlife - Joint Habitats Sites Mitigation Strategy" which should be a key consideration regarding new development and recreational activity

potentially impacting on the Exe Estuary and Pebblebed Heaths European sites. A new policy should be added stating that, due to recreational pressures on the European sites and the existing mitigation strategy, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the single or double recreational impacts mitigation areas of the Exe Estuary and Pebblebed Heaths. Over-riding justification is required for new housing within the mitigation areas if no alternative sites are suitable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.: Add policy relating to recreational pressures on the Pebblebed Heaths and the significance of the existing mitigation strategy for this. Undertake a mitigation hierarchy assessment regarding site selection and recreational pressures.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Add policy relating to recreational pressures on the Pebblebed Heaths and the significance of the existing mitigation strategy for this. Undertake a mitigation hierarchy assessment regarding site selection and recreational pressures.

Full name: Thomas Shillitoe

Proposal: 17. Implementation and Monitoring

1. To which part of the Implementation and Monitoring chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 17.3

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

2. Do you consider that this part of the Implementation and Monitoring chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Implementation and Monitoring chapter is not legally compliant. Please be as precise as possible.: The new 17.3 clause provides significantly greater flexibility with the Plan to review policies such that a large headroom on housing allocations (currently noticeably over EDDC's 10% target) for the full length of the plan does not need to be present. The headroom should be adjusted to be for the 5 years from the point of adoption as the Plan now states a mandatory requirement to review and update policies will be within that timescale. With this in mind, the headroom should be adjusted to be 10% x (5 years / 22 years). There is therefore limited justification for sites in more policy sensitive locations such as Exmo_20, which rely on justification or overriding need to offset potential harm or impact. Sites should be assessed against the Habitats Regulations mitigation hierarchy or other applicable legislation for sites to determine which can be removed from this Local Plan. As there is currently no Pebblebed Heaths air quality mitigation strategy or supporting Plan HRA (currently showing adverse impacts), sites closest to the SSSI units with air quality issues should be considered to be removed as a priority, such as Exmo_20.

2(c). Please set out the modification(s) you consider necessary to make this part of the Implementation and Monitoring chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Implementation and Monitoring chapter 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.: Remove Exmo_20 as there is no justification for its inclusion.

3. Do you consider that this part of the Implementation and Monitoring chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Implementation and Monitoring chapter is not sound. Please be as precise as possible.: The new 17.3 clause provides significantly greater flexibility with the Plan to review policies such

that a large headroom on housing allocations (currently noticeably over EDDC's 10% target) for the full length of the plan does not need to be present. The headroom should be adjusted to be for the 5 years from the point of adoption as the Plan now states a mandatory requirement to review and update policies will be within that timescale. With this in mind, the headroom should be adjusted to be 10% x (5 years / 22 years). There is therefore limited justification for sites in more policy sensitive locations such as Exmo_20, which rely on justification or overriding need to offset potential harm or impact. Sites should be assessed against the Habitats Regulations mitigation hierarchy or other applicable legislation for sites to determine which can be removed from this Local Plan. As there is currently no Pebblebed Heaths air quality mitigation strategy or supporting Plan HRA (currently showing adverse impacts), sites closest to the SSSI units with air quality issues should be considered to be removed as a priority, such as Exmo_20.

3(c). Please set out the modification(s) you consider necessary to make this part of the Implementation and Monitoring 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 Implementation and Monitoring 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.: Remove Exmo_20 as there is no justification for its inclusion.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To understand why a large headroom is needed for the life of the Plan considering the 17.3 clause.

Full name: Thomas Shillitoe

Proposal: 17. Implementation and Monitoring

1. To which part of the Implementation and Monitoring chapter does your representation relate?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 17.2

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

2. Do you consider that this part of the Implementation and Monitoring chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Implementation and Monitoring chapter is not legally compliant. Please be as precise as possible.: Regarding the new clause within 17.2. I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

2(c). Please set out the modification(s) you consider necessary to make this part of the Implementation and Monitoring chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Implementation and Monitoring chapter 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.: Awaiting air quality mitigation strategy to comment in full.

3. Do you consider that this part of the Implementation and Monitoring chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Implementation and Monitoring chapter is not sound. Please be as precise as possible.: Regarding the new clause within 17.2. I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA

(currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

3(c). Please set out the modification(s) you consider necessary to make this part of the Implementation and Monitoring 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 Implementation and Monitoring 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.: Awaiting air quality mitigation strategy to comment in full.

4. Do you consider that this part of the Implementation and Monitoring chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Implementation and Monitoring chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Regarding the new clause within 17.2. I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Awaiting air quality mitigation strategy to comment in full.

Full name: Thomas Shillitoe

Proposal:

2. The Vision

1. To which part of the Vision chapter does your representation relate?: Figure/Image

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: Figure 3

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

2. Do you consider that this part of the Vision chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Vision chapter is not legally compliant. Please be as precise as possible.: The entire chapter 2 and the 2.11 figure 3 map makes no reference to the European designation sites within the district, but mentions and maps the National designation “National Landscape” sites. This is inconsistent and in conflict with the NPPF December 2023 paragraph 181 which states “Plans should: distinguish between the hierarchy of international, national and locally designated sites”.

2(c). Please set out the modification(s) you consider necessary to make this part of the Vision chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Vision chapter 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.: LPA to give significant weight to consideration of European site designations when developing this Plan. These is widespread disregard for these sites, instead focussing on national "National Landscape" sites.

3. Do you consider that this part of the Vision chapter is sound?: 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.: The entire chapter 2 and the 2.11 figure 3 map makes no reference to the European designation sites within the district, but mentions and maps the National designation “National Landscape” sites. This is inconsistent and in conflict with the NPPF December 2023 paragraph 181 which states “Plans should: distinguish between the hierarchy of international, national and locally designated sites”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Vision 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 Vision 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.: LPA to give significant weight to consideration of European site designations when developing this Plan. These is widespread disregard for these sites, instead focussing on national "National Landscape" sites.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Why are the International site not identified and given consideration in the early stages of plan making?

Full name: Thomas Shillitoe

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

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitats Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, 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 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.: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: The addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Yes, I wish to participate in hearing session(s)

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?: Consideration for European wildlife sites and compliance with the Habitats Regulations should be a key foundation of all strategic policies, not just SP07.

Full name: Thomas Shillitoe

Proposal:

3. The Spatial Strategy

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

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

3.11

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

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, 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 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.: Remove Exmo_20 from the Plan

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

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.: Remove Exmo_20 from the Plan

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Why is the LPA not using the latest ONS housing affordability figures as is mandatory.

Full name: Thomas Shillitoe

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.: SP01

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

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: The figures in 3.11 are incorrect and not justified. The Spatial Strategy is based on the conclusion of the Sustainability Appraisal, which is reliant on the Site Selection Methodology. Therefore my comments are: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387.

Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. Objection 5. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392 the SA states "The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of

Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative." . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating "No Built Development". The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, "Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a." There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site

area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, 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 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.: Use the correct May 2022 Site Selection Methodology to inform Policy, not the retrospectively created December 2024 version. Undertake a mitigation hierarchy assessment.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 figures in 3.11 are incorrect and not justified. The Spatial Strategy is based on the conclusion of the Sustainability Appraisal, which is reliant on the Site Selection Methodology. Therefore my comments are: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous

1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue "failed site sifting" on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site's current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. Objection 5. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the

site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392 the SA states "The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative." . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating "No Built Development". The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, "Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a." There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to

inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 8. On page 396 the SA states "The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case." The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, "Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a." There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA's conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

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.: Use the correct May 2022 Site Selection Methodology to inform Policy, not the retrospectively created December 2024 version. Undertake a mitigation hierarchy assessment.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The proposed air quality mitigation strategy (not yet known) has potential implications for the viability of neighbouring authorities such as Exeter and Teignbridge. The current recreational impacts mitigation strategy catchment area includes these authorities. [map showing recreational impacts mitigation strategy catchment areas]

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The proposed air quality mitigation strategy (not yet known) has potential implications for the viability of neighbouring authorities such as Exeter and Teignbridge. The current recreational impacts mitigation strategy catchment area includes these authorities. [map showing recreational impacts mitigation strategy catchment areas]. I cannot comment further until the air quality mitigation strategy is known.

Full name: Thomas Shillitoe

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

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, 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 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.: Awaiting air quality mitigation strategy to comment in full. Mention of european site mitigation in SP07 applies to other SP policies also, so is currently inconsistent.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no

supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

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.: Awaiting air quality mitigation strategy to comment in full. Mention of european site mitigation in SP07 applies to other SP policies also, so is currently inconsistent.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans. [map showing extent of existing recreational impacts mitigation strategy attached].

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Awaiting air quality mitigation strategy to comment in full. Mention of european site mitigation in SP07 applies to other SP policies also, so is

currently inconsistent. Air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans.

Full name: Thomas Shillitoe

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?: Yes

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant.

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, 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 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.: Undertake the site selection process after the Appropriate Assessment and any mitigation strategy is developed. Use latest ONS Data. Use actual Site Selection Methodology, not retrospectively created version. Undertake Mitigation Hierarchy assessment.

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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and notable average wage growth. Secondly

many sites in the site selection process which were ‘preferred’ by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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.: Undertake the site selection process after the Appropriate Assessment and any mitigation strategy is developed. Use latest ONS Data. Use actual Site Selection Methodology, not retrospectively created version. Undertake Mitigation Hierarchy assessment.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Undertake the site selection process after the Appropriate Assessment and any mitigation strategy is developed. Use latest ONS Data. Use actual Site Selection Methodology, not retrospectively created version. Undertake Mitigation Hierarchy assessment.

Full name: Thomas Shillitoe

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.: SP01

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies, with evidence as to how the strategic policies have considered this (for example, the settlement hierarchy, neighbourhood plans or site selection methodology). Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, in accordance with paragraph 20d of the NPPF December 2023, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. Proposed significant development such as large housing allocations or a new town, should seek to be outside of the double mitigation zone and preferably outside of the single mitigation zone. Map 2 on page 30 of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024). This map should be within the Local Plan main body demonstrating how sites have been considered in accordance with the Habitats Regulations mitigation strategy. Of particular note is Exmouth, which has significant geographic restriction and wide ranging land based designations, which have not been taken into account when developing the spatial strategy. Several proposed large allocation sites in Exmouth are in conflict with these designations and are a significant distance from the serviced centre of the town such that the justification for being a sustainable location is unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

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.: Use the actual Site Selection Methodology, not the retrospectively created fabricated one. Undertake a Mitigation Hierarchy assessment.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To understand why the Site Selection Methodology was switch. To understand why EDDC believes a Mitigation Hierarchy assessment is not required.

Full name: Thomas Shillitoe

Proposal:

4. Development at the West End

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

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

4.6

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:: Marlcombe

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: There is no justification provided for the increase from 8,000 to 10,000, which would overwhelm the local area. It is stated that the "Marlcombe's green spaces will contribute to the delivery of the Clyst Valley Regional Park whilst protecting the biodiversity of the Exe Estuary and East Devon Pebblebed Heaths." I understand that the regional park may lessen the impact upon the internationally designated sites, but do not uderstand how they will "protect the biodiversity". The proposed town of Marlcome will sit within the recreational mititgation zones for both european sites and also potentially within the proposed air-quality mitigation zone. It would seem more strategic in terms of protecting these european sites to consider the mitigation hierarchy and look to locate a new town within East Devon outside of one, two or all of these mitigation zones. There seems to have been little consideration regarding the Habitats Regulations mitigation hierarchy when considering the location of a new town and cannot see how 10,000 homes and a regional park would in any way "protect" the biodiversity of the Exe Estuary and East Devon Pebblebed Heaths. An HRA is required to support this significant expansion of housing numbers within the existing (recreational impacts) and proposed (air quality impacts, if even viable) mitigation catchment areas of the Exe Estuary and Pebblebed Heaths european sites. There is not one present for this draft Local Plan

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification

will make this part of the Development in the Towns and Villages chapter 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.: Consider the location and size of the new town in East Devon with regard to the internationally designated sites and the mitigation hierarchy.

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.: There is no justification provided for the increase from 8,000 to 10,000, which would overwhelm the local area. It is stated that the "Marlcombe's green spaces will contribute to the delivery of the Clyst Valley Regional Park whilst protecting the biodiversity of the Exe Estuary and East Devon Pebblebed Heaths." I understand that the regional park may lessen the impact upon the internationally designated sites, but do not uderstand how they will "protect the biodiversity". The proposed town of Marlcome will sit within the recreational mititgation zones for both european sites and also potentially within the proposed air-quality mitigation zone. It would seem more strategic in terms of protecting these european sites to consider the mitigation hierarchy and look to locate a new town within East Devon outside of one, two or all of these mitigation zones. There seems to have been little consideration regarding the Habitats Regulations mitigation hierarchy when considering the location of a new town and cannot see how 10,000 homes and a regional park would in any way "protect" the biodiversity of the Exe Estuary and East Devon Pebblebed Heaths. An HRA is required to support this significant expansion of housing numbers within the existing (recreational impacts) and proposed (air quality impacts, if even viable) mitigation catchment areas of the Exe Estuary and Pebblebed Heaths european sites. There is not one present for this draft Local Plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Consider the location and size of the new town in East Devon with regard to the internationally designated sites and the mitigation hierarchy.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: An HRA is required to support this significant expansion of housing numbers within the existing (recreational impacts) and proposed (air quality impacts) mitigation catchment areas of the Exe Estuary and Pebblebed Heaths european sites. There is not one present for this draft Local Plan

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: No HRA

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Remove Exmo_20

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.: No HRA

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_2-

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: No HRA

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Remove Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Why was a new Site Selection Methodology created in December 2024 after the site selection process was complete and why was the actual one dated May 2022 not referenced or included in the evidence library. This appears to be unreasonable behaviour by the LPA.

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification

will make this part of the Development in the Towns and Villages chapter 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.: Remove Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please

be as precise as possible.: The air quality mitigation strategy is yet to be decided but sites selected are reliant on that strategy. The air quality mitigation strategy could have implications for neighbouring LPAs such as Exeter & Teignbridge if the air quality mitigation strategy is similar in form to the existing recreational impacts mitigation strategy which has a catchment which includes Exeter & Teignbridge LPAs [map attached], therefore the Duty to cooperate cannot be considered complied with until such time that the air quality mitigation strategy is decided and then provided for these LPAs to be consulted upon.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The current Plan fails in terms of legal compliance, soundness, and duty to cooperate not least because there is no air quality mitigation strategy agreed which is fundamentally undermining the entire development of the plan and because the site selection process was completed prior to an Appropriate Assessment, the plan is in breach of the "people over wind" CJEU ruling.

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Remove Exmo_20

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.:
Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the

Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John’s (Exmo_20)) that “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The air quality mitigation strategy is yet to be decided but sites selected are reliant on that strategy. The air quality mitigation strategy could have implications for neighbouring LPAs such as Exeter & Teignbridge if the air quality mitigation strategy is similar in form to the existing recreational impacts mitigation

strategy which has a catchment which includes Exeter & Teignbridge LPAs, therefore the Duty to cooperate cannot be considered complied with until such time that the air quality mitigation strategy is decided and then provided for these LPAs to be consulted upon.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The current Plan fails in terms of legal compliance, soundness, and duty to cooperate not least because there is no air quality mitigation strategy agreed which is fundamentally undermining the entire development of the plan and because the site selection process was completed prior to an Appropriate Assessment, the plan is in breach of the "people over wind" CJEU ruling.

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East

Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Remove Exmo_20 from the Plan

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.:
Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution

and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The proposed mitigation strategy required to justify the

sites selected is not known and could have a significant impact on the neighbouring authorities of Teignbridge & Exeter. The existing recreational impacts mitigation strategy includes these two authorities. [attached map of existing recreational impacts mitigation strategy]

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The allocation sites were selected prior to an Appropriate Assessment and are reliant on a yet to be determined air quality mitigation strategy. Once this has been determined there will be a duty to cooperate regarding this strategy should its reach be beyond EDDC.

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Remove Exmo_20 from the Plan

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.:
Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states "It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA" and the Plan HRA states "there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks." This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land

to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Proposed required air quality mitigation strategy may have implications on neighbouring authorities

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Proposed required air quality mitigation strategy may have implications on neighbouring authorities

Full name: Thomas Shillitoe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: The policy is based on the Sustainability Appraisal which is reliant upon the Site Selection Methodology. My comments are as follows: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection

Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. Objection 5. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392

the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. ---------- Objection 8. On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Use the correct May 2022 Site Selection Methodology to inform the site selection process and the Sustainability Appraisal, to then in turn inform the Chapter 5 policies. (The December 2024 Site Selection Methodology was retrospectively created after the site selection process was complete).

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.: The policy is based on the Sustainability Appraisal which is reliant upon the Site Selection Methodology. My comments are as follows: Objection 1. It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page] Objection 2. There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound. Objection 3. Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Objection 4. Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the

Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. Objection 5. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid. Objection 7. On page 392 the SA states "The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative." . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating "No Built Development". The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft

Local Plan on 3rd September 2024. ---------- Objection 8. On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Objection 9. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Use the correct May 2022 Site Selection Methodology to inform the site selection process and the Sustainability Appraisal, to then in turn inform the Chapter 5 policies. (The December 2024 Site Selection Methodology was retrospectively created after the site selection process was complete).

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: I await further information regarding the Air Quality at East Devon Heaths SAC / SPA and delivery of the strategy for mitigation of the potential adverse impact of rising vehicle emissions on the East Devon Heaths SAC / SPA, as there is no mitigation strategy currently shown as viable and no supporting HRA (currently showing adverse impacts) for the Local Plan, it is impossible to know the implications that a strategy would have. If the strategy has implication on neighbouring LPAs such as Exeter & Teignbridge, they need to be advised and be able to comment on a Regulation 19 plan which includes the mitigation strategy (and a supporting HRA) for EDDC to believe they have complied with their Duty to co-operate. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if the strategy reaches into the neighbouring authorities similar to the existing recreational impacts mitigation strategy [recreational impacts mitigation strategy map attached]

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The December 2024 Site Selection Methodology was retrospectively created after the site selection process was complete. The unknown air quality mitigation strategy could have significant implications as to the viability of Exeter & Teignbridge Local Plans if the strategy reaches into the neighbouring authorities similar to the existing recreational impacts mitigation strategy.

Full name: Thomas Shillitoe

Proposal:

6. Mitigating Climate Change

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

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

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible.: Conservation and enhancing biodiversity and the LNRS and BNG policies should be mentioned in this chapter as they are borne from the Environment Act 2021 and are deemed key strategies to mitigate for Climate Change.

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Mitigating Climate Change chapter 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.: Add LNRS and BNG as Climate Change mitigation into this chapter.

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Conservation and enhancing biodiversity and the LNRS and BNG policies should be mentioned in this chapter as they are borne from the Environment Act 2021 and are deemed key strategies to mitigate for Climate Change.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating 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 Mitigating 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.: Add LNRS and BNG as Climate Change mitigation into this chapter.

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)

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)]

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: Thomas Shillitoe

Proposal: Sustainability Appraisal

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.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon. [attached evidence: 2nd Regulation 19 consultation SA Commonplace page]

sally sinclair

Full name: sally sinclair

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

Full name: sally sinclair

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.: SD01

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:: Exmo_20

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.: OBJECTION 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

Full name: sally sinclair

Proposal:

5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

gordon duncan sinclair

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that just one event leading to predation is enough to end a nesting attempt. In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA.

Full name: gordon duncan sinclair

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk, it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that just one event leading to predation is enough to end a nesting attempt. Not only is it functionally linked supporting foraging habitat for the Nightjar but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level.

Full name: gordon duncan sinclair

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

Full name: gordon duncan sinclair

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind”. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

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)

Full name: gordon duncan sinclair

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

Ellen Singleton-Wood

Full name: Ellen Singleton-Wood

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.: SD01

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:: Exmo_17

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.: Many of us have found the online objection process unnecessarily complex and difficult to use. This puts people off making an objection which is useful to yourselves but undemocratic and not inclusive - far from supposed government strategy. I hereby use email to express my objection to the proposal for Exmo -17. This is an area of outstanding natural beauty currently national landscape. People travel for hours to stay in this area for the natural beauty and peace from the ratrace that can be found. Your decision to build will destroy another corner of precious natural beauty which can never be recuperated. The site offers views across the fields towards the sea and encompasses the cycle path from Exmouth to Budleigh plus circular walks including the SW coast path. These are all leisure destinations for the tourist industry on which Exmouth and Budleigh are dependent. We are distinctive, peaceful nature based areas for tourists. Let’s keep it that way. Exmouth has already taken its share of new builds with very little provision for affordable houses for our local essential workforce once again. We may need some new housing but focus on creating the right houses in the right places. Council housing in infill sites and use of empty properties need to be prioritised. Not to mention the crippled infrastructure of southwest water and all the sewage issues and poor road maintenance. More houses equates to greater demands on the infrastructure with higher populations using the same neglected systems and more cars pounding already damaged roads. Please stand up for our beautiful corner of East Devon. Make the case that this area is different in character from many areas - it is an area that a good percentage of the UK population use as a holiday destination

precisely because it has not been destroyed by pollution/overcrowding and destruction of nature.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Don't just roll over and not fight for us. Visit the area - walk along the footpaths/ enjoy the views/ go birdwatching - don't just sign on the dotted line. Trusting you will take the right action to preserve our stunning East Devon.

Full name: Ellen Singleton-Wood

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Tourists travel for hours to visit this part of beautiful East Devon. Development here will destroy those calm spaces of nature and beautiful views that visitors and residents have come to appreciate. THIS IS VERY DIFFERENT FROM OTHER SITES HIGHHLIGHTED FOR DEVELOPMENT AND SHOULD BE DEFENDED BY OUR REPRESENTATIVES. I think it is essential to remove Exmo_20 from the Local Plan and work harder to find alternative sites if necessary. Do not follow the government new rules blindly - fight for our area as it is special and is a destination for many escaping the rat race and seeking natural surroundings. The B3179 is a winding rural road providing views down the hill across the estuary and is a stunning entrance to Budleigh for tourists. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate

assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Move the settlement boundary away from the Pebblebed Heath and leave the views as they stand. keep noise and light pollution away from Bystock and Pebblebed heaths. Have you been there to see the wildlife such as the nightjars rising from their undergrowth nests? Have you sat and contemplated the peace of Bystock with the waterlilies in bloom, the dragon flies and the beavers building their dams? This is a special and different area. We need to treasure such spaces for the well-being of all and the fostering of nature. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding

European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) .... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands

and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) …. we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored…Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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)

Andrew Skudder

Full name: Andrew Skudder

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths - Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via Southern Wood. -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated

heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: Andrew Skudder

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Mrs Linda Slade

Full name: Mrs Linda Slade

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.: SD06

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

1(c). If the comment is related to a site, please state the site reference here:: Sidm_31

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.: Site: Land East of Burscombe Lane / West of Windsor Mead.

I strongly object to the above second version of local planning.

ACCESS - This has always been an issue when pulling out on to the B3052 (Sidford High Street) towards Waitrose, with traffic coming down from a blind corner - and traffic not always at 30 mph. This is also dangerous at times when pulling in to Windsor Mead (from either direction) when there is a car waiting to pull out - just not enough space and often means having to mount the pavement to pass, or even worse having to stop, to let the other person out, when on the B3052 with traffic coming down the hill.

DISRUPTION AND SAFETY - This is a quiet, calm, secluded cul de sac and is not a wide road. A number of properties here already have more than 1/2 cars and have to park on the road which does cause issues with e.g. recycling vehicles, delivery vehicles (of which there are many), and even other residents. And now with most properties owning an average of 2 cars, that will mean potentially another 60 vehicles using this quiet road. Plus would be a real safety issue with noise and polution. We already have an issue

when driving down from the top end of Windsor Mead where we have poor visibilty on the corner heading down to the junction on to Sidford High Street.

And then we will have the enormous disruption of heavy vehicles, noise and serious debris on the road. And where are the builders going to park?

FLOODING - We already have issues with flooding - when there's heavy rain we have a river that runs down from the top end of Windsor Mead and with the camber of the road at the corner then runs down on to Sidford High Street and onwards!

This is not a suitable site!!

Alison Smeatham

Full name: Alison Smeatham

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

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.: I wish to object to the above proposal on the following grounds: Housing need The primary housing need in Exmouth is for genuinely affordable homes of mixed tenure, including social rent, for residents on low incomes and local wages. It is unclear whether Exmouth Town Council's assessment of housing need has been properly consulted or reflected in this proposal. The majority of homes proposed for the prime National Landscape site Exmo-17 would be high-end properties, likely to be purchased by people from outside the area rather than addressing local need. Development on land outside the National Landscape would be significantly cheaper, allowing for a higher proportion of affordable and rented housing that Exmouth urgently requires. Furthermore, past experience shows that the final number of affordable homes delivered is often substantially lower than initially proposed. This raises serious doubts about whether this development would meaningfully address Exmouth's housing needs. Sustainable Transport The proposed development at Exmo_17 would introduce an estimated 800–900 additional vehicles onto the local road network. The main access road would be directly opposite the Liverton Trading Estate, a location already known as a major traffic bottleneck, with frequent queues of vehicles waiting to exit. The proposal includes a new roundabout and two pedestrian crossings on the main road into and out of Exmouth. These measures would significantly impede traffic flow, leading to increased congestion, higher air pollution, and longer journey times. For residents commuting to Exeter, where many jobs are located, the practical options would be to drive or to undertake a poorly connected public transport journey involving either two

buses (running only every 30 minutes) or a combination of bus and train. This does not constitute sustainable transport and risks increasing car dependency. Landscape Site Exmo-17 previously benefited from two landscape protections. East Devon District Council recently removed its Coastal Preservation Area status without adequate justification, despite hundreds of objections from local residents. Exmo-17 is on a large and highly valued area of National Landscape farmland, designated to be protected from large-scale development. EDDC has a statutory duty to “conserve and enhance” this landscape. This duty has been explicitly confirmed by *** Personal details have been removed ***, on behalf of the Housing Minister, *** Personal details have been removed ***, in a letter to our MP, , dated *** Personal details have been removed ***18 August 2025. The construction of a large housing estate on this site would neither conserve nor enhance the National Landscape. There is no compelling reason for the proposed industrial units to be located on this land. More appropriate and logical alternatives exist, including the Liverton Trading Estate directly opposite or site Exmo-18, both of which share the same landowner. The proposed vehicle access road would cut directly across the existing Exmouth–Budleigh cycle and footpath and would require the removal of mature trees and hedgerows. This well-used route provides safe, peaceful access for cyclists, dog walkers, children, recreational walkers, wheelchair users, and people using mobility scooters. Its loss or disruption would be dangerous and would represent a significant erosion of a valued and tranquil amenity within the National Landscape. Additionally, the landowner has recently terminated the lease of nearby National Landscape pastureland adjacent to Exmo-17. This raises concerns that approval of this development could set a precedent, leading to a “domino effect” of further estate developments on irreplaceable protected landscape. Historic Environment The proposed development would be in close proximity to Littleham’s medieval church, where Lady Nelson is buried, and to an old farmhouse on the site perimeter, the age and historic significance of which require further assessment. The fields at Exmo-17 are also clearly visible from the South West Coast Path along the World Heritage Jurassic Coast. Development on this scale would cause significant harm to the historic and scenic setting of this internationally important landscape.

Ian Smith

Full name: Ian Smith

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.: SD16

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:: Ebud_01

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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

1. Failure to select the “most appropriate” site using robust, evidence based reasoning Local Plan Strategic Policy AR01 requires that there be no preferable location to Ebud_01. The representation argues this test has not been met because Collins Park is demonstrably safer and more sustainable.

2. Inadequate consideration of safety and sustainable access (Objectives 1, 9 and 11)

- Pedestrian access from Ebud_01 requires crossing the dangerous B3178 near Rolle Arms on an unpaved stretch.
- Access onto narrow Frogmore Road, much used by walkers/cyclists, conflicts with Objective 9 (walking & cycling priority).
- Sight lines and parked vehicles create hazards. The Plan must demonstrate these risks were assessed properly at allocation stage.

3. Failure to properly assess environmental constraints and landscape policy conflicts

- Ebud_01 lies on Grade 1 agricultural land, used for grazing.
- Parts of the area fall within or adjacent to National Landscape and near a Nature Reserve.

- Development would harm views from the Otter Valley and conflict with Strategic Policies OL01 (Landscape Features) and OL02 (National Landscapes). If these were not fully considered, legal compliance is at risk.

4. Failure to consider flood risk appropriately

- Frogmore Road “periodically becomes impassable” due to flooding and abuts Flood Zone 3.

- Collins Park has “negligible” flood risk. If flood implications were not fully tested, the Plan may not comply with statutory flooding requirements.

5. Failure to reflect relevant planning history The representation describes past applications where only very small scale development was considered acceptable, due to:

- Landscape sensitivity

- Grade 1 agricultural land

- Visual/amenity impact concerns The Local Plan must explain how these issues have now been overcome.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Modification 1 — Reassess site options to demonstrate compliance with Policy AR01 Undertake a transparent reassessment comparing Ebud_01 with Collins Park, using:

- pedestrian safety

- vehicle access

- flood risk

- landscape impact

- agricultural land quality

- alignment with Local Plan Objectives 1, 8, 9, 11 Why: Policy AR01 requires that allocated sites be shown to be the least constrained and most appropriate. Evidence provided demonstrates Collins Park is preferable.

Modification 2 — Consider reallocating the housing site from Ebud_01 to Collins Park Why:

- Safer pedestrian access via existing footpath and Middletown Lane (restricted to vehicles).
- Better vehicular access with long straight sight lines on B3178.
- Negligible flood risk.
- Lower agricultural quality and historically limited farming use.
- Less landscape impact due to existing screening.

Modification 3 — If Ebud_01 is retained, require full mitigation evidence at allocation stage Include requirements for:

- safe pedestrian crossings
- safe vehicular access without harming Frogmore Road's amenity
- measures to protect the Otter Valley views
- landscape screening compliant with OL01 and OL02
- flood mitigation appropriate for an area near Flood Zone 3 Why: Without these, the allocation would not be legally robust.

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.:

1. Not justified (reasonable alternatives not properly assessed) The representation shows that Collins Park is:

- safer
- better connected
- less constrained by landscape policy
- not on Grade 1 land
- not at risk of flooding

Yet it was rejected for reasons the representation challenges.

2. Not effective (allocation unlikely to be deliverable without unacceptable impacts) Issues include:

- Dangerous pedestrian access across B3178
- Hazardous vehicle access onto Frogmore Road
- Visual/amenity harm due to slope and proximity to housing
- Difficulty in screening impact on National Landscape and views

3. Not consistent with policies OL01, OL02, Objectives 1, 8, 9 and 11 These require:

- protecting landscape character
- conserving National Landscape
- promoting healthy, safe communities
- supporting walking/cycling
- supporting village facilities The representation demonstrates Ebud_01 performs poorly, while Collins Park performs well.

4. Planning history contradicts suitability of Ebud_01 Previous approvals were granted only because the development was extremely small scale, and even then generated significant opposition.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Modification 1 — Allocate Collins Park instead of Ebud_01 This reflects the representation's core evidence:

- far safer pedestrian and vehicle access
- better landscape fit
- negligible flood risk
- avoids loss of Grade 1 agricultural land

Modification 2 — Re evaluate Ebud_01 with full constraints analysis If retained, require:

- crossing improvements at B3178
- redesigned vehicle access avoiding Frogmore Road
- mitigation for harm to Otter Valley views
- agricultural land assessment justifying loss
- flood risk assessment

Modification 3 — Include policy wording prioritising safe and sustainable movement Add: “Development must deliver safe pedestrian access to facilities without requiring users to cross the B3178 at unsafe locations.” (Reflects Objective 1, 9, 11).

Gillian and Michael Smith

Full name: Gillian and Michael Smith

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: We would like to register our objections to Exmo 20 as a property owner in Budleigh Salterton.

1.The Sewage issue in Budleigh is already make National news it's leading to polluted beaches which damages tourism reputation any developments will bring further shame to this area of Devon.

2. concerned over the huge impact on the already too busy congested roads in particular the B3179 which is a small insanely busy road that is also frequently used by cyclists -anymore traffic would increase risk to life. Budleigh itself has limited parking in the summer and a tiny High Street that is very often impassable to locals as it is.

3. We also object that this project is so close to a Site of Scientific Interest and will destroy so much of the good work seen to support wildlife in this area of Devon.

Jane Smith

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20.

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan,

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingl.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jane Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Patricia Anne Smith

Full name: Patricia Anne Smith

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b, (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b,188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paras 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, whichhas yet shown to be achievable and viable; the mitigation strategy states "it was not possible to screen out a Likely Significant Effectfor other units within the EDPH SAC and SPA" and the plan HRA states " there is an inherent conflict in that the growth proposed in the Plan would exceed threshold levelsand there is, as yet, no means to mitigate or address the risks. " This site was selected on 03/09/24 (without option to reconsider), with the draft local plan approved on 11/12/24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30/01/25 HRA, contrary to CJEU "People over the Wind". Furthermore selecting sites with known mitigation requirements requires clear justificationwhen assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Patricia Anne Smith

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.: SD01

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:: Exmo_20

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.: Allocation of EXMOUTH-20 is in conflict with paragraphs 16c, 32, 73b (specifically footnotes 37 and 7) 180d, 180e, 181, 185a, 186b, 188 &191c of the NPPF Dec. 2923and is unsound & not legally compliant. It also conflicts with paragraphs 3,6, policies PB011, PB02, PB 03, PB04 and aOL02 of the local plan. It is too close the the Pebbledbed Heaths and will likely cause damage to significant habitat and wild life.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmouth-20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Alice Sowman

Full name: Alice Sowman

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply

of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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)

Jane Speake

Full name: Jane Speake

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.: SD01

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:: Exmo_20

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.: I have previously objected to this plan and would like to put forward my objection again.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but surely 'brownfield first' might be a plan to consider. The website of Friends of the Earth states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield

sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history and with this plan, the thought that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) having a significant adverse effect on the tranquil surroundings of the church and churchyard seems incredible. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

This extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 800+ houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Abigail Spence

Full name: Abigail Spence

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.: SD01

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:: Exmo_20

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.: There are many conflict issues between occupation of this tract of land and the protected pebblebed heath. Additionally the wildlife this supports will suffer as a result of the habitat loss and predation of cats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

louis squance

Full name: louis squance

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.: SD06

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

1(c). If the comment is related to a site, please state the site reference here:: Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

• Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

• Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

• Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

• Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets.

• Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.

• Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

• Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.

• Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.

• Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

*** Personal details have been removed ***

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.:
Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

• Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

• Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

• Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

• Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets.

• Marlcombe Strategy: EDDC’s own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.

• Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

• Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.

• Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.

• Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

*** Personal details have been removed ***

Jill Sroka

Full name: Jill Sroka

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.: SD06

1(c). If the comment is related to a site, please state the site reference here:: Sidm_06a

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

• Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

• Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

• Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

• Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets.

• Marlcombe Strategy: EDDC's own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.

• Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

• Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council's commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.

• Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.

• Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

Best regards,

*** Personal details have been removed ***

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.: Good evening,

I wish to register my objection to the proposed plan for the area/site known as 6a/6b for the reasons below. We have only just become aware, through lack of transparency, yet again, that the land 6A is up for the regulation 19 (second stage) and as a collective that will now be working together to oppose this site housing allocation 6A and any possible future allocation of 6B, we would like to state that we are very seriously concerned about the Green Wedge Policy and the National Landscape Policy being over ridden in order for the development for this site to be allocated. Please find some of our concerns outlined below that were raised at a recent meeting:

1. Impact on National Landscape (formerly AONB) The proposed allocation falls within the East Devon National Landscape. Under the National Planning Framework (NPPF) paragraph 189, "great weight" must be given to conserving and enhancing the landscape and scenic beauty of these areas. We are extremely concerned that once this site is approved, this sets precedent for others such as 6B to follow with a further development of 238 houses.

• Major Development: Building a housing estate here constitutes "major development" in a protected landscape. National policy dictates such applications should be refused except in exceptional circumstances and where it can be demonstrated they are in the public interest.

• Irreversible Harm: The introduction of high-density housing, street lighting, and associated infrastructure will permanently degrade the character of this statutory protected area, which provides significant value to the local economy through tourism and wellbeing.

2. Violation of Green Wedge Policy This site is currently designated as a GREEN WEDGE. The primary purpose of East Devon's Green Wedge policy is to prevent the coalescence of settlements and protect the individual identity of our towns and villages.

• Settlement Identity: Development here would erode the physical and visual gap between SIDFORD and Sidbury, leading to urban sprawl.

• Precedent: Allowing development on this site undermines the integrity of the Green Wedge designation across the entire district, making it impossible for the Council to defend other sensitive gaps in the future such as site 6b.

3. Failure to Prioritize Sustainable Alternatives The emerging Local Plan already identifies the proposed new town of Marlcombe as the primary vehicle for meeting the district's housing targets.

• Marlcombe Strategy: EDDC’s own strategy is to concentrate growth in sustainable, purpose-built communities rather than "bolting on" unsustainable developments to existing villages in sensitive locations.

• Brownfield First: National policy in 2026 mandates a "brownfield-first" approach. The Council has not yet exhausted all urban regeneration opportunities or lower- quality "Grey Belt" sites before resorting to the destruction of high-value National Landscapes.

4. Environmental and Infrastructure Constraints

• Biodiversity Loss: The site provides vital "green lungs" and wildlife corridors. Development would conflict with the Council’s commitment to Biodiversity Net Gain and the Local Nature Recovery Strategy.

• Infrastructure Deficit: Local services, including the Sid Valley medical Practice, narrow lanes and schools, are already at capacity. This allocation offers no credible mitigation for the increased pressure on local infrastructure.

• Detrimental to local heritage: The site is in very close proximity to Sidbury Castle an iron age fort, a Scheduled Monument, protected by Historic England and would impact the "commanding views over the river Sid and village."

Conclusion For the reasons stated above, this site is unsound and not legally compliant with national protection for National Landscapes. We formally request that the Planning Inspectorate remove sites 6a (allocated) and 6b (not currently allocated) from the final Local Plan to protect the unique character of East Devon for future generations.

I appreciate your assistance with this matter.

Best regards,

*** Personal details have been removed ***

Jonathan Stanford

Full name: Jonathan Stanford

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.: SD01

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:: Exmo_20

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.: Exmo20 development will have a negative impact on Pebblebed Heaths - a SSSI, an the habitat and species that it holds. The proposed buffer is far too small. There will be problems with traffic and increased visitor numbers to the Pebblebed heaths presenting a risk to the wildlife. Access to the proposed site is dangerous and will stress the road network with access by car in the isolated location. The proposed site harms the heritage setting of the St John's church. The proposed site could make flooding worse due to the topography of the area. The proposed site is nearer to Budleigh Salterton than Exmouth centre, putting overwhelming strain on Budleigh, and does not fit with the settlement hierarchy.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Marie Stephens

Full name: Marie Stephens

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Exmo 20

I'm writing as disagree with your planning to build. The Woodbury Common is a site not just that carries layers of national and international ecological protection. Woodbury Common as we all know is a very special place for nature and biodiversity.

I personally feel it makes no sense to build on green fields. And why the need to build 700 houses, and all the infrastructure and support systems that those houses would need. where is everyone coming from? Not to mention the traffic flow with possibly up to 3000 more cars. We already have too many pot holes! There are so many other locations off much bigger roads with much easier access to Exeter. Noise and light pollution and the wildlife. Devon and the surrounding areas are getting just so built up and the roads are not equipped for it.

Keep Devon plesent lets nurn it into a crowded mess. Keep Devon untouched and local and protect our space, animals and land. No more houses!!

*** Personal details have been removed ***

PAULINE STEWART

Full name: PAULINE STEWART

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?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km mitigation radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are settlements with train stations with entire separate neighbouring settlements which are in fact closer, yet are not considered to have access to the rail network. Several maps in the Plan evidence have no scale (e.g. KSD-010), so it is not possible to comprehend the relative distance differential.

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.: Significantly reduce housing allocations for Exmouth. We have roads almost at standtill, making commuter's lives a misery. I have myself taken over 40 minutes to get from Lympstone to Clyst St Mary. A sewage system that can't cope leading to raw sewage being released into the sea, often at the peak of the tourist season. The proposed site as no bus service and a car (and parking!) woud be needed to catch the train. The potholes and general state of the local roads make cycling an impossibility

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

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)

Alison Stewart

Full name: Alison Stewart

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.: SD04

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

1(c). If the comment is related to a site, please state the site reference here:: Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. 1 Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. Ottery St Mary is poorly served by public transport, especially when compared to other towns in East Devon. The bus service is rudimentary and there is no rail service. Residents are very much car dependent and the town is frequently at a standstill due to poor traffic flow. The roads in Ottery St Mary are not fit for the current volume of traffic, let alone adding more vehicles because of further housing.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character. Ottery St Mary should not be viewed as a Tier 2 settlement – it is considerably smaller than both Honiton and Sidmouth and should be respected as a much smaller town when considering planning applications.

3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting,

b) The historic settlement pattern, and

c) the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre,

b) High car dependency.

c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development.

b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.

c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.

d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed

Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high risk location for development.

7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8). Unexplained Increase in Proposed Density The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is:

• Unsustainable

• In conflict with national, local, and neighbourhood policies

• Environmentally harmful

• Infrastructure-constrained

• Unjustified and unsupported by evidence

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: PAULINE STEWART

Proposal: Sustainability Appraisal

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.: It is not possible to follow the significant changes mas, or ide to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “Only make new representations if you are commenting on the specific changes listed in the Schedule of Changef I did not respond to the first consultation”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon.There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site’s inclusion in the draft Local Plan is unjustified and unsound.

Full name: PAULINE STEWART

Proposal: Sustainability Appraisal

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.: ustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon.

Full name: PAULINE STEWART

Proposal: Sustainability Appraisal

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.: .It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I did not respond to the first consultation". The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon.

Full name: PAULINE STEWART

Proposal: Sustainability Appraisal

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.: I did not respond to the first consultation". The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon.

Danielle Stoakes

Full name: Danielle Stoakes

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Destruction of wildlife habitat. Unsuitable road system in the area and inability to cope with extra traffic on an already unsafe road. Sewage provision in Exmouth and Budleigh already unable to cope and pollute our sea and beaches. Encroaches on SSSI designated areas.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: No development in this area.

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.: The destruction of nature is unforgivable. We need to think and keep as much nature as possible for future generations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: No more development until an adequate sewage system is in place to cater for extra housing.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: No more development.

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: I would like to hear the outcome of the project.

tim stoakes

Full name: tim stoakes

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.: SD01

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:: Exmo_20

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.: The destruction of farmland and subsequent loss of food production from these fields will be catastrophic to the food industry in the UK and the livelihood of the families who work this land. With the destruction these plans would cause, deer and birds and countless other wildlife will loose their homes. The massive extra footfall and cars on and around the Pebblebed heaths and Woodbury common will destroy the beauty of the local area and the peace and quiet that people go to visit it for in the first place. There are no extra schools, doctors , dentists or sewerage infrastructure to cope with the new occupants while new builds in the estates merely up the road are not yet at capacity. Its just madness and is total greed.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Paul Stock

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted routefrom the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areaswithout yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Reduce the size of Exmo_20,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Do not access the site via B3179,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Stock

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Martin Stockley

Full name: Martin Stockley

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?: Yes

Full name: Martin Stockley

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.:

2.6, 2.8

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

1(c). If the comment is related to a site, please state the site reference here:: Otry21

3. Do you consider that this part of the Vision chapter is sound?: 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.: Paragraph 2.6 states that the Plan should meet the needs of the locality and para 2.8 states that it should contribute rot the health and happiness of residents. Development on site Otry21 does does NOT fill a local need (there are currently nearly 100 homes for sale in Ottery St Mary, 25% of which are priced at £250,000 or less) and will most certainly not contribute any health and happiness - quite the reverse, in fact.

3(c). Please set out the modification(s) you consider necessary to make this part of the Vision 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 Vision 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.: Remove site Otry21 from the EDDC Local Plan

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)

Full name: Martin Stockley

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.: SP03

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

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 housing "requirements" are not in fact requirements but simply a formulaic product handed down from Whitehall. So, there is no evidence presented of a real need for 493 additional houses in Ottery St Mary. At the time of writing December 2025) there are around 90 homes available for sale in Ottery St Mary (Rightmove, OnTheMarket) of which 25% are priced at or below £250,000.

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.: The projected housing requirement should be justified on the basis of evidence, not Governmental fiat.

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)

Full name: Martin Stockley

Proposal:

4. Development at the West End

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.: WS01

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

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

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.: The pace of development of Marcombe should be accelerated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Under the current proposals, smaller existing towns are being sacrificed to make the supposed annual target figures add up, whereas the Marcombe project should be capable of accommodating the housing needs without having to downgrade the living environment for residents in other communities. Some of the housing 'requirements' for those communities should be transferred to the Marlcombe build schedule.

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)

Full name: Martin Stockley

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.: SD04

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

1(c). If the comment is related to a site, please state the site reference here:: Otry_21

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.: Nobody could sensibly support further development either side of the Sidmouth Road as it leaves Ottery St Mary. The addition of significant numbers of vehicular and pedestrian traffic to this end of town is simply irresponsible, with its diminution in the quality of life for a very large number of residents (Longdogs Lane, Claremont Field, Gerway Close, Gerway Lane, Sidmouth Road, Tip Hill, Winters Lane, Clapps Lane, Oak Close etc) and the sheer safety of pedestrians on Tip Hill, where the pavement reduces to about 2' 6" wide.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Otry21 from the Local Plan

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)

Full name: Martin Stockley

Proposal:

8. Meeting Housing Needs

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

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

8.2

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

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?: 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.:

8.2 - Removal of evidence from justification. It is said that the housing needs assessment is not needed here because it is addressed elsewhere, but for residents trying to navigate this complex documentation, that sounds like deliberate obfuscation.

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.: Needs specific plans for older people.

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)

Full name: Martin Stockley

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.: HN03

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

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?: 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.: HN03 - policy states that there should be provision of homes for older people and that they should be within 400 metres of shops, with relatively flat walking topography, and well served by public transport. That sounds great, but how can that be achieved in eg, Ottery St Mary, Sidmouth, Honiton, Axminster etc?

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.: Needs specific plans for older people.

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)

Eric Stonham

Full name: Eric Stonham

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.: SD06

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

1(c). If the comment is related to a site, please state the site reference here:: Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: am a resident of Windsor Mead, being a freeholder of Number 26. My postcode is EX10 9SJ.

I am writing to object to the granting of planning permission for properties to be built on the above site.

I have read the letter of objection posted by Wollens Solicitors and agree with the points made.

My particular objections are 1) to the use of National Landscape (previously AONB) for greenfield development; 2) to the use of Burscombe Lane as access particularly as there is no pavement on that side of Sidford High Street; 3) to the use of Windsor Mead as an access route. I purchased my property in the expectation that Windsor Mead would remain a small cul-de-sac with little vehicular traffic. From my daily vehicular use I can say the exit onto Sidford High Street is very difficult if not dangerous as the visibility to the left down the hill is restricted even when the vegetation is cut back which is not always the case. In addition Windsor Mead itself is so narrow at the High Street junction that if a vehicle is waiting to turn out, only the smallest vehicles can turn in. The

larger ones have to stop on the High Street to await the exit manoeuvre, causing traffic delays. Here also there is no pavement on the Windsor Mead side of the High Street. 4) to the suggestion that a compulsory purchase order might be used for a matter not of national importance. That would cause immense and long lasting bad feeling, and any councillor who supported such a move would make himself of herself permanently unelectable.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Delete Sidm_31

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.: am a resident of Windsor Mead, being a freeholder of Number 26. My postcode is EX10 9SJ.

I am writing to object to the granting of planning permission for properties to be built on the above site.

I have read the letter of objection posted by Wollens Solicitors and agree with the points made.

My particular objections are 1) to the use of National Landscape (previously AONB) for greenfield development; 2) to the use of Burscombe Lane as access particularly as there is no pavement on that side of Sidford High Street; 3) to the use of Windsor Mead as an access route. I purchased my property in the expectation that Windsor Mead would remain a small cul-de-sac with little vehicular traffic. From my daily vehicular use I can say the exit onto Sidford High Street is very difficult if not dangerous as the visibility to the left down the hill is restricted even when the vegetation is cut back which is not always the case. In addition Windsor Mead itself is so narrow at the High Street junction that if a vehicle is waiting to turn out, only the smallest vehicles can turn in. The larger ones have to stop on the High Street to await the exit manoeuvre, causing traffic delays. Here also there is no pavement on the Windsor Mead side of the High Street. 4) to the suggestion that a compulsory purchase order might be used for a matter not of

national importance. That would cause immense and long lasting bad feeling, and any councillor who supported such a move would make himself of herself permanently unelectable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete Sidm_31

Nigel Strawbridge

Full name: Nigel Strawbridge

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

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.: I would like to object to this development and would like it removed from the local plan. Reasons as follows:

- Large housing estates should not be built on National Landscape

- Building on land outside the National Landscape would be cheaper, making possible to build a bigger percentage of affordable homes.

- The exit from the site (Exmo_17) would create traffic chaos and the access road would go straight across the much used Exmouth to Budleigh cycle path which would be dangerous.

- These large scale developments will contribute to global warming.

- The proposed increase of new dwellings in East Devon is excessive and is destroying our heritage.

- There are estimated to be over 1200 houses in Exmouth that are second homes or holiday lets. Use these instead.

- Infrastructure is unable to cope with the needs of the current population without adding thousands more.

- Exmouth can only be accessed by one main road which is insufficient to serve the current population.

- Not a valid objection in planning terms but generally we have had enough of new large scale development everywhere. I have lived here all my life and Government and local policies are ruining the area. Where are all these people coming from and my children have had to move away because they can't afford to stay!

Deborah Strawbridge

Full name: Deborah Strawbridge

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan. Being adjacent to the pebblebed heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable, the migration strategy states "it was not possible to screen out a likely significat effects for other units within the EDPHSAC and SPA" and the plan HRA states "there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is , as yet, no means to mitigate or address the risk". This site was selected on 03.09.24 (without option or reconsider),with the regulations 19 draught local plan approved on 11.12.24, on the assumption that the mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation hierarchy as set out in the NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation reliant sites to select and that the plan has an over supply of housing allocations due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the North. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the competent authorities under the conservation of habitats and species regulations. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nigel Strawbridge

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan. Being adjacent to the pebblebed heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable, the migration strategy states "it was not possible to screen out a likely significat effects for other units within the EDPHSAC and SPA" and the plan HRA states "there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is , as yet, no means to mitigate or address the risk". This site was selected on 03.09.24 (without option or reconsider),with the regulations 19 draught local plan approved on 11.12.24, on the assumption that the mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation hierarchy as set out in the NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation reliant sites to select and that the plan has an over supply of housing allocations due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the North. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the competent authorities under the conservation of habitats and species regulations. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nigel Strawbridge

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.: SD01

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:: Exmo_20

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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Ian Stuart

Full name: Ian Stuart

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.: SD01

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:: Exmo_20

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.: Far too large gross over development Proximity to Pebblebed Heaths

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the plan in total

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Anne-Marie Summerfield

Full name: Anne-Marie Summerfield

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: To whom it may concern,

I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house, then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened,

to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons". Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local

Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography make the potential cycling and walking option less viable, which is not apparent on the policy maps.

So, for environmental, conservation and heritage reasons, I object to Exmo_20.

Kind regards

*** Personal details have been removed ***

louise Summers

Full name: louise Summers

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.: SD01

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:: Exmo_20

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound. Exmo_20 should be marked blue "failed site sifting" on the map on page 384 as it was deemed

unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site's current inclusion in the draft Local Plan is unjustified and unsound. [attached evidence: Site Selection Methodology (May 2022)] Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound. On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound. Objection 6. On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. They were misled, as that site did not exist as it

was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the decision cannot carry weight. On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. On page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. On page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

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)

Bridgette Sunman (Mrs)

Full name: Bridgette Sunman (Mrs)

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

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.: Please stop the building of a huge estate and industrial buildings on our protected farmland, an Area of Outstanding Natural Beauty (now known as 'National Landscape') on the edge of Exmouth.

I feel strongly that large housing estates should not be built on protected National Landscape. Whereas building on land outside the National Landscape would be cheaper, and would make possible a bigger percentage of affordable homes.

Also, the exit from this site (Exmo-17) would create traffic chaos and the access road would go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users (children/elderly/cyclists/families/dogs).

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Please, please, please reconsider because once the AONB and National Landscape are built upon they will be gone forever.

Chris Sunman

Full name: Chris Sunman

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.: SD01

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:: Exmo_17

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.: I am writing to voice my objection to the designation of Exmo_17 in the draft local area plan as building land despite its status as an AONBs - or National Landscapes as they are being described now. National Landscapes seem to have the same status and protections as National Parks. They should only have large developments on them in exceptional circumstances.

While not an expert in these matters, my understanding as a layman is that development in such a precious environment should be a last resort and only considered as an option when all alternatives have been thoroughly investigated and no viable alternative site identified. One only has look across the Salterton Road to see that this is far from the case with swathes of land around the industrial estate which could easily be built on.

Could it be that the land owner, Clinton estates, is withholding access to such land in order to promote Exmo 17 as it is a more lucrative site for the development of high value homes? If so I suggest that EDDC is not following the required process and seems to have an undue interest in accommodating Clinton Estates scheme. Can we have some transparency of what is going on here and visibility of the process that leads EDDC to believe no other sites are viable?

I am given to understand that the EDDC , without any justification, recently removed a designation of Coastal Preservation area status on this land, despite hundreds of objections from residents to prepare the way for development. Why would it do this? Additionally a very misleading sign has been recently erected to suggest that the National Landscape area starts beyond the land allocated to EXMO-17. This gives a strong and incorrect visual impression that EXMO-17 is not on National Landscape land.

Furthermore, the Jurassic Coast is England's only natural World Heritage Site and recognized globally for its scientific and educational significance.

Has any consideration been given to the effect of such development on the UNESCO Jurassic Coast designation? This was inscribed in December 2001 for its outstanding universal value in geology, fossils, and landforms, not its housing estates. It is THE primary hook used for promoting Exmouth for Tourism. Hence I would argue that this places even more importance on maintaining this costal landscape and not squandering it.

Could it be the planning strategy objective has already been decided and what we are seeing now is a pretence of public consultation to arrive magically at the preconceived outcome?

To be clear, I am not against building houses. We are told Exmouth needs affordable houses for purchase and rent (although I can't find reference to how EDDC have established the level of need). But time and time again we have seen developments claiming to give Exmouth what it needs, being sold as second homes and to private landlords with no covenants or controls on occupancy. A site such as EXMO -17 is clearly not going to be used for affordable houses. With its location and views it is going to be used for sizeable, expensive properties, unaffordable to most of the folk in Exmouth seeking a home. Equally we have seen such developments approved with clauses to provide specific assets to the environment or the community only for the developer to renege on such agreements with EDDC taking little or no action.

I have copied in other parties because of the growing concern that EDDC is bypassing key requirements in order to achieve a result that it has already agreed with Clinton

Estates. It seems better to raise the issue now rather than waiting until its an establish fact, as few “mistakes” of this kind are ever corrected retrospectively!

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)

Hayley Sutton

Full name: Hayley Sutton

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.: SD01

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:: Exmo_20

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the local plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable, the migration strategy states "it was not possible to screen out a likely significant effects for other units within the EDPHSAC and SPA" and the plan HRA states "there is inherent conflict in that the growth proposed in the plan would exceed threshold levels and there is , as yet, no means to mitigate or address the risk". This site was selected on 03.09.24 (without option or reconsider),with the regulations 19 draught local plan approved on 11.12.24, on the assumption that the mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU "People over Wind" ruling and the required precautionary approach, particularly relevant considering the CJEU "Dutch N" ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation hierarchy as set out in the NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable and less mitigation reliant sites to select and that the plan has an over supply of housing allocations due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that "The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the North. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the competent authorities under the conservation of habitats and species regulations. I reserve the right to comment further if, and when a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local plan

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)

James Sweeney

Full name: James Sweeney

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.: SD01

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:: Exmo_17

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.: I am writing to object to the proposed development at Exmo-17 for the following reasons:

1. Large housing estates should not be built on National Landscape - this is an area of outstanding natural beauty and as such everything possible should be done to protect it

2. Building on land outside the national landscape would be cheaper therefore making it possible to build more affordable homes which is what the area needs.

3. The exit from this proposed site will cause chaos being so close to the Liverton park junction and Capel Lane which are both already busy

4. The access road for the site cuts across the very busy and much used cycle path therefore endangering its many users - children, elderly, cyclists, families etc The road / development would also necessitate the felling of a number of mature trees

5. The National Planning Policy Framework is clear that planning decisions should contribute to and enhance the natural and local environment, including by protecting and enhancing valued landscapes. National Landscapes are afforded the highest status of protection in relation to landscape and scenic beauty, reflecting their importance under long established legislation. In practice, permission for development in or affecting these areas can only be granted by the local planning authority, a national park authority where relevant, or the Planning Inspectorate acting on behalf of the Secretary of State, and only in exceptional circumstances. I do not believe the need to develop this area is an exceptional circumstance when other sites is East Devon are available.

6. The local sewage system is already unable to cope with the needs of current houses. Additional houses built on this site will cause further pollution issues.

7. There is no reason to build the proposed industrial buildings on this land. Logically they should be built on the trading estate opposite or Exmo-18, both of which have the same landowner

Kim Tanton-Mohan

Full name: Kim Tanton-Mohan

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_04, Lymp_14

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Exmouth 04. On the groounds that this land, known as The Lawn, is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. Some of the oldest Luccombe Oaks in the country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet EDDC have put this forward for building. As well a parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. I would also like to object to Lymp 14, the land you have to go through to get to Exmouth 04.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete the site

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.: Exmouth 04. On the groounds that this land, known as The Lawn, is WOODPASTURE PRIORITY HABITAT, it is home to many endangered species, as detailed in ecological report, many are on red list. There are many veteran /ancient trees on site. Some of the oldest Luccombe Oaks in the country are on this site. This site should have protections to stop building. National Planning Policy Standing Advice is that planning should be refused yet EDDC have put this forward for building. As well a parkland there is narrow field with ancient woods each side, this is a corridor for the wildlife. There is a stream which runs underground through middle of field, this would be diverted. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths. I would also like to object to Lymp 14, the land you have to go through to get to Exmouth 04.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete the site

Paul Tarry

Full name: Paul Tarry

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) …. we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored…Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Trudie Tarry

Full name: Trudie Tarry

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.: SD01

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:: Exmo_20

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.: Objection 1 Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site

currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to

other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In

the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much

of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Tarry

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.: SD01

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:: Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Katie Taylor

Full name: Katie Taylor

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer

to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons".Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Dr Hugh Taylor

Full name: Dr Hugh Taylor

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am contacting you to register my objection to the Exmo_20 proposal for 700 more homes on green land just outside Exmouth. This would place an even greater strain on what are already inadequate levels of infrastructure such as sewerage and roads as well as services such as healthcare, education etc. Exmouth has seen a very rapid growth in housing over recent years without any upgrades to services etc. To add a further 700 homes and potentially 3000 or more residents is, frankly, ridiculous. Get the necessary support infrastructure and services in place before adding to an already overburdened system. I also strongly object to yet another erosion of green space and associated natural environment.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete the allocation

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.: I am contacting you to register my objection to the Exmo_20 proposal for 700 more homes on

green land just outside Exmouth. This would place an even greater strain on what are already inadequate levels of infrastructure such as sewerage and roads as well as services such as healthcare, education etc. Exmouth has seen a very rapid growth in housing over recent years without any upgrades to services etc. To add a further 700 homes and potentially 3000 or more residents is, frankly, ridiculous. Get the necessary support infrastructure and services in place before adding to an already overburdened system. I also strongly object to yet another erosion of green space and associated natural environment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete the allocation

Jessica Taylor

Full name: Jessica Taylor

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7)180d, 180e, 181,185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally ompliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation trategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification hen assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to he north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species hich are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: remove exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Jessica Taylor

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.: SD01

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:: Exmo_20

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

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Full name: Jessica Taylor

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.: SD01

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

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Katherine Thoburn

Full name: Katherine Thoburn

Proposal:

5. Development in the Towns and Villages

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serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently propose as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI, it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, PL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the 1st Regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" 6. Allocation to Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to 1st Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Brenda Mary Thomas

Full name: Brenda Mary Thomas

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the

Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)].

Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be

required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths".

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally

compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) .... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan.

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.:
Delete Exmo_20

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.:
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Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the

NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)].

Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths".

The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory.

NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan.

Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and

species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands."

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan.

There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the

precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete Exmo_20

Paul Thomas

Full name: Paul Thomas

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into

account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons".Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient

woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Roger and Veronica Thomas

Full name: Roger and Veronica Thomas

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.: SD01

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:: Exmo_20

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.: We strongly object to plan EXMO-20 for many reasons. 700 new house development in an area of outstanding natural beauty is disgusting. The change to the area will be immense. The amount of traffic on the B3179 will be dreadful, more pollution and disruption. The wild life would be badly damaged and the Pebblebed Heaths. It would increase the sewage badly and the flood risk is severe. The town of Budleigh Salterton does not need extra population for the doctors, school etc etc. We hope our objections will be listened to.

Reuben Thomas

Full name: Reuben Thomas

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: I would like to express my objection to the labyrinthine procedure demanded by commonplace for East Devon District Council for this development. Many residents are still unaware of this, and the ones who have been made aware have found the commonplace site extremely difficult to navigate. I have put some objections on that site today but would like to add some more comments.

I have objected before to this extraordinary proposal for a vast building site next to the B 3179 that is used by all Budleigh and some Exmouth residents to get to Exeter by car. This road would have to be dramatically widened to cope with all the extra traffic involved, first for the building itself of 400 + houses, involving lorries and suppliers, and if each potential house then had one or two cars, the scenario would be nightmarish. The alternative route to Exeter from Exmouth to the west would also be impacted.

The site proposed is nearer to Budleigh centre (2.3 miles) than to the centre of Exmouth (4.0 miles). Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179, even if widened, to access facilities and services, therefore an unsustainable location for development. The site allocation would overwhelm Budleigh Salterton, which has not been taken into account by the LPA when considering the Exmo_20 site. At present, our surgery and primary school are struggling to cope with the existing population.

I have seen that 'alternative sites' have been discounted for Exmouth, but a contact at Friends of the Earth tells me that 'brownfield first' might be a plan to consider. Their website states: "Done badly, new housing could exacerbate the climate and nature crises", and brownfield sites should be the first option. Those are also likely to be closer to urban and industrial areas where there will be employment. Friends of the Earth also states: "Wherever new homes are built, they need good public transport links and cycle routes, as well as good access to services. Without them, there's a danger of increased car dependency, which disadvantages those who can't drive or afford a car." Greenfield sites such as this one should surely be used for growing our own food instead of having to import it.

The existing population of Exmouth at the 2021 (last) census, was 35,488, the fifth largest settlement in Devon by population. This of course increases massively with the influx of visitors and tourists, not only in the summer but all year round. Exmouth has a long and fascinating history - Byzantine coins were found on the beach in 1970. Evidence of people living at Exmouth Point goes back to the 11th century, when it was called Lydwicnaesse, meaning "the point of the Bretons".Two ecclesiastical parishes that make up Exmouth - Littleham and Withycombe Raleigh can be traced back to before Saxon times. The history of Exmouth makes it all the more incredible that the planners/developers could think it desirable to build round St John in the Wilderness Church (grade II* listed) which will have a significant adverse effect on the tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by the sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it.

The environmental and conservation impact of such a large development should not be dismissed. The site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of the site would undermine the conservation objections of the SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area aimed at combining existing wildlife sites and extending habitats. By building hundreds of houses? The site contains many veteran trees, ancient woodland and hedgerows which are at risk of becoming fragmented habitats. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography

makes the potential cycling and walking option less viable, which is not apparent on the policy maps.

So for environmental, conservation and heritage reasons, I object to Exmo_20.

Barrie Thomas

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Ref page 88 – Vehicular Access Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via an extremely convoluted route to and from the proposed southern site, access point, Southern Wood. The topography of the proposed access to/from the southern site could be considered quite challenging for both cyclist and walkers (despite the belief that they are both considered good for your health and wellbeing) who are likely opt for other forms of transport, rather than risk their lives on the proposed safe routes for pedestrians and cyclist alike. To allow public transport access via the southern site access point would significantly add to the already congested Southern Wood, Meadow View Road and Dinan Way access route.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Maggie Thomas

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: The Exmo_20 allocation conflicts with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188-figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation conflicts with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation conflicts with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. The topography of the proposed site in itself would be considered quite challenging for both cyclist and walkers (despite the belief that they are both considered good for your health and wellbeing) who would likely opt for other forms of transport, increasing the burden on the local transport infrastructure

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. Added to that, the runoff of water into the Withycombe Brook over the past years has increased in volume, causing marked erosion of the brook, including (with potential danger to houses already lining the brook) erosion around the bases of the large trees that line the bank at the lower end of the site. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible

to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Maggie Thomas

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of these falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, whilst opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Full name: Maggie Thomas

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5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain, and unpriced highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths, plus with the additional cars (which will be extremely noticeable) on our already heavily congested roads through the town (s) highlight the unattainable nature of the site for both people and the climate. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states, “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. unpriced I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland

SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Maggie Thomas

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

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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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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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)

Full name: Barrie Thomas

Proposal:

5. Development in the Towns and Villages

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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.: The Exmo_20 allocation conflicts with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188-figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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Full name: Barrie Thomas

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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.: Exmo_20's allocation conflicts with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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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.: Exmo_20's allocation conflicts with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. The topography of the proposed site in itself would be considered quite challenging for both cyclist and walkers (despite the belief that they are both considered good for your health and wellbeing) who would likely opt for other forms of transport, increasing the burden on the local transport infrastructure.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. Added to that the runoff of water into the Withycombe Brook over the past years has increased in volume, causing marked erosion of the brook, including (with potential danger to houses already lining the brook) erosion around the bases of the large trees that line the bank at the lower end of the site. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible

to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of these falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, whilst opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain, and unpriced highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths, plus with the additional cars (which will be extremely noticeable) on our already heavily congested roads through the town (s) highlight the unattainable nature of the site for both people and the climate. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states, “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. unpriced I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo-20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland

SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan - argument Health and well-being. In terms of health and well-being, the NPPF emphasises the importance of creating healthy and sustainable communities. The lack of school places , GP surgeries and the additional cars (that will be extremely noticeable) on our already heavily congested roads through the town (s) highlight the unattainable nature of the site for both people and climate, contravening the EDDC's own Climate Emergency Action Plan and pledge to achieve carbon neutral council by 2040. This application fails to address these important point

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 conflicts with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Do not access the site via Southern Wood. Vehicular access to the site via Meadow View Road and Southern Wood are already congested roads, with private vehicles parked on pavements through many areas, pedestrian access with prams and mobility scooters are forced into the road to pass.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Barrie Thomas

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove the Exmo_20 allocation from the Local Plan

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)

Denise Thomson

Full name: Denise Thomson

Proposal:

7. Adapting to Climate Change

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

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

7.4

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

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

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.: I'm writing as I have concerns that obvious major issues are not being addressed in the Water Cycle report, and if not addressed now will inevitably have future serious consequences.

Flow rates were last reviewed in 2010. By the next census date in 2031, East Devon's population will have increased significantly by around 41,000 and to 60,000 by 2042, with an additional 9 million litres of water required every day. How are the Council ensuring the EA and SWW have plans in place to treat this additional flow? Why has this not been addressed in the report? It is a MAJOR ISSUE.

This report and previous ones stated new developments should be designed to reduce daily water consumption, yet it continues to rise and is currently around 150 litres per person per day.

How are the Council ensuring that plans are being made to reduce water consumption?

I look forward to your reply confirming these issues are being reviewed.

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)

John W Thorne

Full name: John W Thorne

Organisation (where relevant): JWT

Other party name (if relevant): Mr & Mrs S Anthony

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?: Figure/Image

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

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

2. Do you consider that this part of the Introduction chapter is legally compliant?: Land south of Underhill Close Lympstone

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.: Yes

3(a). If yes, and you wish to support the soundness of this part of the Introduction chapter, please use this box to set out your comments.: No

4. Do you consider that this part of the Introduction chapter complies with the duty to cooperate?: Failure to have regard to earlier objections (submitted in March 2025) and thereby address the anomaly in the Lympstone settlement boundary which excludes the objectors' land. As set out in previous submissions. The site marked Lymp_16 on the Reg 18 proposals map and coded in blue to reflect existing planning permission for residential development has subsequently and for no apparent reason, been excluded from the Lympstone Settlement Boundary. The attached extract from the Reg 19b map below shows it hatched white: • The respondents object in the strongest possible terms to the illogical, unjustified and arbitrary change to the settlement boundary line resulting in the exclusion of site Lymp_16 from the Lympstone boundary. This boundary line should revert to the position on the regulation 18 map.

4(a). If yes, and you wish to support this part of the Introduction chapter's compliance with the duty to co-operate, please use this box to set out your comments.: Yes

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

1. To which part of the High Quality Design chapter does your representation relate?: Representations on Reg 19b - Lympstone Settlement Boundary.pdf: https://res.cloudinary.com/commonplace-digital-limited/image/upload/v1767994865/projects/68caca5749c1b0125abb2dae/respondent-upload/drphuddgkf9gewaeddsb.pdf

Full name: John W Thorne

Organisation (where relevant): JWT

Other party name (if relevant): Mr & Mrs S Anthony

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

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.: Failure to maintain and publish annually an appropriate register of Brownfield Land between 2021 and 2025 and thereby failing to put delivery of housing on brownfield land at the core of the policy as a sequentially preferable and sustainable alternative to allocations for development of greenfield sites, open space and agricultural land

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy chapter legally compliant, 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 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.: Within the new Local Plan the Local Planning Authority must address its failure to include and promote development of Brownfield land as an important and environmentally sustainable alternative to housing development on greenfield and agricultural land. This should take the form of an amendment to Policy SP02 or an additional policy prioritising the identification, registration and development of brownfield sites and declaring them to be sequentially preferable to development of open space and agricultural land.

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: An FOI request and formal complaint have revealed that the Council failed to add any sites to the Register of Brownfield Land between 2021 and 2025 and failed to update or publish the register

between December 2021 and May 2025. Their claim to have considered brownfield sites in the allocation process cannot be correct and the claim to have done so on page 299 of the Reg 19b version is not credible. Furthermore the claim in the glossary on page 307 that the authority 'maintains' a register is also a falsehood.

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.: Within the new Local Plan the Local Planning Authority must address its failure to include and promote development of Brownfield land as an important and environmentally sustainable alternative to housing development on greenfield and agricultural land. This should take the form of an amendment to Policy SP02 or an additional policy prioritising the identification, registration and development of brownfield sites and declaring them to be sequentially preferable to development of open space and agricultural land.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The LPA has neglected its statutory duty under The Town and County Planning (Brownfield Land Register) Regulations 2017 and have apologised for doing so in response to a formal complaint. They need to answer questions on how they will address the consequences of this in amendments to the plan.

Kara Thorne

Full name: Kara Thorne

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_04

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I object to the development of land at Exmouth known as Exmouth 04 or the Lawn. The land is a wildlife corridor and is home to many endangered species as detailed in the ecological report. Many of these are on the red list. There are many ancient trees on site. No doubt these will be deemed dangerous and removed if planning is approved.

As well a parkland there is narrow field with ancient woods each side. There is a stream which runs underground through the middle of the field. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete Exmo_04

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.: I object to the development of land at Exmouth known as Exmouth 04 or the Lawn. The land is a wildlife corridor and is home to many endangered species as detailed in the ecological report. Many of these are on the red list. There are many ancient trees on site. No doubt these will be deemed dangerous and removed if planning is approved.

As well a parkland there is narrow field with ancient woods each side. There is a stream which runs underground through the middle of the field. This area takes run off from commons, hard landscaping could lead to serious flooding into Exmouth. The access to this site is off Higher Marley Road, which will lead to more traffic trying to get onto Dinan Way or over the Common, this site leads up to 400m from Pebblebed Heaths.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete Exmo_04

Mrs Nicola Tilley

Full name: Mrs Nicola Tilley

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a ‘wilderness’ setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) …. we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored…Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Mrs Nicola Tilley

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Mrs Nicola Tilley

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted routefrom the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Mrs Nicola Tilley

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Adrian Toole

Full name: Adrian Toole

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.: SD01

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:: Exmo_17

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.: Resident's comments on inclusion of Exmo-17 in Local Plan:

• Large housing estates should not be built on protected National Landscape

• Building on land outside the National Landscape would be cheaper, making possible a bigger percentage of affordable homes

• The single highway exit from this site would create traffic chaos

• The access road would have to go straight across the much-used Exmouth to Budleigh cycle/footpath, endangering users (children/elderly/cyclists/families/dogs)

Emily Turner

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally

and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan,

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will

also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

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.: SD01

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:: Exmo_20

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

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)

Paul Edward Turner

Full name: Paul Edward Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will

also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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 plan was originally dismissed, this was the correct decision. Remove ex20 from the development plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Paul Edward Turner

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Think again

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: On page 392 the SA states “The 400m buffer from the Pebblebed Heaths SPA/SAC coincides with the higher, more prominent parts of Exmo_20, meaning built development will not be permitted in this area and so reducing adverse landscape effects to a minor negative.” . The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, stating “No Built Development”. The viability of the site allocation should be reassessed due to this 400m constraint further compounding the significant and material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Secondly, on page 396 the SA states “The north eastern part of Exmo_20 is in a mineral safeguarding area, but this largely coincides with the 400m buffer from the Pebblebed Heaths SPA/SAC where development will not be allowed in any case.” The LPA refuse to use this wording in the Local Plan, stating multiple times that development including buildings can be located in the top 400m. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024. Thirdly, on page 399 the SA states, regarding mitigation measures, “Mitigate impact upon Exe Estuary and Pebblebed Heaths SPAs – to be considered in the Habitats Regulations Assessment, though for areas of Exmo_04 and 20 within 400 metres of the Pebblebed Heaths mitigation would not be seen as possible. Exmo_04 can be amended to exclude the most sensitive area, resulting in Exmo_04a.” There is no justification or consistency in excluding part of Exmo_04 but not Exmo_20. The Local Plan should accord with the assessment in the SA, with the 400 metres adjacent to the Pebblebed Heaths SAC/SPA/SSSI removed from the site allocation and the settlement boundary revised accordingly. The viability of the site allocation should be reassessed due to inability to construct the proposed access road without direct conflict with the SA’s conclusions, along with this additional 400m site area constraint further compounding the material reduction in the size of the site from the falsely claimed 85Ha, approved for allocation in the draft Local Plan on 3rd September 2024.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: On page 392 of the SA, Exmo_20 is stated as being 85Ha and a map of a site this size was shown to the Strategic Planning Committee on 3rd September 2024, who were attracted by the large size of the site and voted for that site to be included in the draft Local Plan. The evidence provided was false, as that site did not exist as it was not available, therefore the decision was unsound. The site available was significantly and materially smaller, such that the committee was misled and the decision is therefore invalid.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: On page 390 the SA states " Sites on the north-eastern side of Exmouth, specifically Exmo_04, and Lymp_09, 10, 13, 14 and 17 lie especially close to the Pebblebed Heaths and as such development of these sites could lead to some of the greater adverse impacts and a large part of Site Exmo_04 falls within the existing 400 metre exclusion zone for development on account around domestic cat predation and recreation impacts". The 400m exclusion zone relates to urban effect, not "recreation impacts", demonstrating the LPA's (as the Competent Authority) misunderstanding of the Habitats Regulations. Recreational effects are dealt with by a wholly different assessment and different mitigation. On page 391 of the SA, Exmo_20 is considered but with no mention of "could lead to some of the greater adverse impacts" for the sites listed on p390, despite Exmo_20 being the largest site and closest (adjacent to) site to the Pebblebed Heaths SAC/SPA/SSSI, demonstrating an inconsistent assessment. The latest HRA currently states an "Inherent Conflict". There is now mention in the SA of the Strategic Nature Area and draft Nature Recovery Network but this has been added in further to the 1st regulation 19 consultation feedback and is material consideration in assessment of the site's allocation, in accordance with Paragraph 180 & 181 of the NPPF December 2023. These factors provide evidence to demonstrate the land's high biodiversity value to "establish coherent ecological networks", not least as a support habitat for the Section 41 Principle Importance species ground nesting Nightjar. The site's allocation needs to be reassessed with this evidence in mind, as currently the justification for its inclusion is unsound.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: Exmo_20 is falsely listed as a reasonable alternative on page 386 & 387. Firstly, the site was deemed unsuitable and unachievable, not just unachievable as stated. There has been no evidence provided demonstrating that site access, minerals and proximity to the Pebblebed Heaths can be addressed, with the access arrangements and impacts on the Pebblebed Heaths SAC/SPA/SSSI reliant on a viable agreed mitigation strategy and supporting HRA which are both absent from the Local Plan evidence, notably the HRA being a required Core Submission Document. Also note that the Exmo_20 site was selected for inclusion in the Local Plan prior to the Appropriate Assessment, in conflict with the 'People over Wind' CJEU ruling. Furthermore, the Exmo_20 site as submitted for assessment in the HELAA was not available, but was not checked despite this being one of the three HELAA assessments. The site therefore in fact failed all three tests, and should be stated to have been found unsuitable, unachievable & unavailable. The site's current inclusion in the draft Local Plan is not legally complaint, unjustified and unsound.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: Exmo_20 should be marked blue “failed site sifting” on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site’s current inclusion in the draft Local Plan is unjustified and unsound.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: There appears to be such significant changes to the Sustainability Appraisal that it is fundamentally a different document providing very different justification to the previous 1st Regulation 19 version, not least regarding the inclusion of HELAA failed sites such as Exmo_20. This appraisal has been retrospectively written based on consultation feedback regarding its shortcomings. The decisions made prior cannot rely on a subsequently fabricated document to provide evidence to somehow inform decisions such that they change from unsound to sound. The retrospectively created Site Selection Methodology (v2 December 2024) is now significantly relied upon in a futile attempt by the LPA to provide justification. The Exmo_20 site's inclusion in the draft Local Plan is unjustified and unsound.

Full name: Emily Turner

Proposal: Sustainability Appraisal

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.: It is not possible to follow the significant changes made to the Sustainability Appraisal, as there is no Schedule of Changes and no tracked changes version. I am therefore unable to make comments in accordance with the consultation requirements which states “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”. The Schedule of Changes and a tracked changes version need to be made available and permitted to be consulted upon.

Barbara vernon

Full name: Barbara vernon

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.: SD01

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:: Exmo_20

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.: I am writing to oppose the Exmo20 planning application. The reasons for my opposition are:- The infrastructure is in no way fit for increased housing in Exmouth. The sewage system is already overloaded with far more spillages than the sea and environment should have to cope with. This is a holiday destination and when visitors realise the sea is a sewer the holiday trade with disappear. That will impact our restaurants, cafes and attractions. The road system can barely manage now. I was born in Exmouth, and ever since I can remember the road to Exeter was going to be improved. This has not happened apart from Clyst St George to Clyst st Mary. Has anyone researched the number of houses already for sale in the area? Do we need anymore? Where are these home owners going to work? Where are the children going to go to school? What arrangements are being put in place for medical care? This is all part of planning! The government may say we need more housing but they don’t need to be all in East Devon. Exmouth and Exeter have been spoilt by the characterless housing estates that have been built. Call a holt, sit back and take a good look at what is really required.

Jamie Vickery

Full name: Jamie Vickery

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. Do you consider that this part of the Spatial Strategy chapter is sound?: 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 addition of the European wildlife site consideration in SP07 needs to be added to other Strategic Policies. Consideration for European wildlife sites and compliance with the Habitat Regulations should be a key foundation of all strategic policies, not least as a strategic level mitigation strategy exists for the Exe Estuary & Pebblebed Heaths (South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)). Avoidance over mitigation should be a key principle in developing the Plan, with a sequential test applied when selecting the location(s) for proposed development, in accordance with paragraphs 180 & 181 of the NPPF December 2023. There is limited scope to upgrade transport links on the Exmouth /Budleigh Peninsula, not least due to the potential impacts on the European sites, with the current proposed allocations unable to be supported by a mitigation strategy or HRA, deeming them currently unsound and not legally complaint. Proposed significant development such as large housing allocations or a new town, should seek to rely on existing high quality infrastructure which would be costly or unviable to create elsewhere. The mainline railway to Waterloo and the A30 dual carriageway create a transport corridor that should be utilised for this purpose, particularly if suitable locations are outside of the10km radii of the South East Devon Wildlife – Joint Habitats Sites Mitigation Strategy (2024)(Map 2). Several proposed large allocation sites in Exmouth are a significant distance from the train station which is given as a justification for being a sustainable location. Elsewhere in the district, there are other settlements adjacent to settlements with train stations which are in fact closer. Several maps in the Plan evidence have no scale (in KSD-010), so it is not possible to comprehend the relative distance differential.

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.: Remove the access road from joining the B3179 as the consequent increase in pollution, including 'noise', 'light', 'exhaust gasses' etc. will all adversely affect the natural habitat on the pebblebeds. Keep the 400m zone free from development. Consider sites with better transport infrastructure, or at least with the potential to be made sufficient for purpose

Full name: Jamie Vickery

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?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: 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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library

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.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: This policy relies on the soundness of "the spatial strategy and the site allocations set out in this plan". The amendment in SP07 with consideration for European wildlife sites, needs to be a key consideration within SP01 and therefore by association SP02, for these policies to be considered sound and legally compliant. This policy is unjustified until such time the correct numbers are used based on the latest 2024 ONS data. The numbers in Paragraph 3.11 are unjustified. The plan currently has a significant and unjustified over supply of housing. Furthermore a large headroom of housing allocations is not required as the affordability trend is due to continue to improve due to the latest years being significantly better than the 5 year old figures being removed from the calculation, which were prior to house prices stabilising and recent average wage growth. Secondly many sites in the site selection process which were 'preferred' by the planning policy team, were rejected in the draft Plan for allocation, but are now being granted planning permission outside of the plan. Due to the unique circumstances of these allocations, with their significant size, they should be added to the windfall (or permitted not yet built) figures, rather than absorbed with them, with the number within the Plan therefore reduced accordingly. Of significant note, Paragraph 3.8 now has a clause which provides an update mechanism within the plan to cover any future shortfall, so a large headroom is no longer unjustified. Paragraph 3.7 references the fabricated Site Selection Methodology created in December 2024 after the site selection process was completed. The correct version is the May 2022 version, which is not available in the evidence library.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the number of houses to be built on the Exmo_20 site to the minimum.

Full name: Jamie Vickery

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179,

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan,

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179.

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20,

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

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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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Full name: Jamie Vickery

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

Mark vinnicombe

Full name: Mark vinnicombe

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

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.: I am writing to formally and strongly object to the proposed large-scale residential and industrial development on site EXMO_17 within the current Local Plan Review. This site falls within the boundaries of a legally designated National Landscape (formerly an Area of Outstanding Natural Beauty - AONB), and your duty, as confirmed by the Housing Minister's representative, is to ‘conserve and enhance’ this precious environment. The construction of hundreds of houses and industrial units constitutes wholesale destruction, not conservation or enhancement. My objections are based on the following critical points detailed in the relevant chapters of the Local Plan review: Chapter 12: Landscape and Environmental Protection

• Destruction of National Landscape: This site is a large, irreplaceable area of protected farmland. The removal of its Coastal Preservation Area status by EDDC, despite widespread resident objection and lack of clear justification, is unacceptable. Building a vast estate here is a direct contravention of the statutory duty to protect the National Landscape.

• The Precedent of Development Creep (Domino Effect): I am extremely concerned that the approval of this application would set a dangerous precedent for future, successive developments. If EXMO_17 is approved, I fear it will mark the beginning of systematic encroachment on our National Landscape, eventually escalating from hundreds of houses to potentially thousands, a pattern that has been observed in other developments across Exmouth. The recent termination of the lease on adjacent

National Landscape pastureland by the landowner strongly suggests they are hoping for this "domino effect" and planning further estates on our irreplaceable protected land.

• Irresponsible Industrial Zoning: There is no logical or justifiable reason to place industrial units on this protected landscape when sites such as the existing Liverton Trading Estate or the adjacent site EXMO_18 (both reportedly under the same landowner) are available and more appropriate.

• Destruction of Tranquil Amenities: The proposed access road would run directly across the well-used, peaceful Exmouth to Budleigh cycle/foot path. This action would necessitate the felling of mature trees and bushes, destroying a vital, safe, and tranquil amenity used by cyclists, dog walkers, children, and people with mobility issues. This represents an indefensible loss of amenity within the protected landscape.

• Visual Impact: These fields are a crucial part of the viewscape from the World Heritage Jurassic Coast path, and their destruction will cause significant visual harm to this globally important area. Chapter 11: Sustainable Transport and Air Quality

• Severe Traffic Congestion: The proposed estate would inject an estimated 800 to 900 additional vehicles onto local roads. The main access is slated to be directly opposite the Liverton Trading Estate—an existing, notorious bottleneck.

• Increased Pollution: The proposed new roundabout and two pedestrian crossings on the main route in and out of Exmouth will cause significant traffic holdups and delays. This will lead to increased idling and air pollution in an already busy area, directly contradicting sustainable development goals.

• Poor Job Connectivity: The transport options for future residents heading to Exeter (where most employment is centred) are extremely poor, requiring a lengthy drive, or a multi-stage, infrequent journey involving two buses or a bus and a train. This lack of practical public transport actively encourages car use. Chapter 8: Housing Needs and Tenure

• Failure to Meet Local Need: The true housing need in Exmouth is for mixed-tenure housing, particularly for social rent homes to support local, low-waged families.

• Displacement, Not Provision: The vast majority of houses proposed for this prime site are projected to be high-end properties, likely to be purchased by people moving into the area, doing little to address the existing local affordability crisis.

• Affordable Housing Doubt: Past development experience gives little confidence that the stated number of "affordable" homes will actually be delivered or maintained as proposed. In conclusion, the development of EXMO_17 is fundamentally unsustainable, environmentally destructive, contrary to your statutory duty to conserve and enhance the National Landscape, and presents a severe risk of setting a precedent for further, destructive expansion into protected land. I urge you to remove site EXMO_17 from the

Local Plan and pursue alternative, brownfield, and less environmentally sensitive sites to meet housing targets. I look forward to receiving confirmation that my objection has been recorded.

Full name: Mark vinnicombe

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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

• Breach of Habitat Regulations: The allocation fails the 'Appropriate Assessment' test under the Conservation of Habitats and Species Regulations 2017. The Council's own HRA (dated 30.01.25) admits it cannot mitigate the impact on the Pebblebed Heaths SAC/SPA. Under the 'People over Wind' ruling, the Council cannot legally include a site where mitigation is not already shown to be 'achievable and viable.' • Failure of the Precautionary Principle: By selecting a site with known, unmitigated risks to European protected species (like the Nightjar), the Council has failed in its duty as the Competent Authority. • Procedural Unsoundness (NPPF Para 32): The Council failed to follow the Mitigation Hierarchy (Avoidance > Mitigation > Compensation). There are other viable sites that do not require this level of complex habitat mitigation, making the selection of EXMO_20 legally unjustifiable. • Duty to Consult: The Council has ignored the categorical objections from statutory bodies including Natural England, Historic England, and the Devon Wildlife Trust. Proceeding against the specific legal advice of these bodies regarding the protection of the Grade II* Church and the Heaths constitutes a failure of the legal process in plan-making

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.: I strongly object to the inclusion of EXMO_20 in the Local Plan. The allocation is unsound, not legally compliant, and in direct conflict with the NPPF (Dec 2023) and

multiple Local Plan policies (PB01-PB04, TR01, OL02). My specific objections are as follows: 1. Failure of Habitat Protection (Legal Non-Compliance) The site is adjacent to the Pebblebed Heaths SAC/SPA/SSSI. The HRA (30.01.25) admits that growth exceeds threshold levels and no viable mitigation strategy exists. Proceeding without "reasonable scientific certainty" regarding mitigation (e.g., cat predation, nitrogen deposition, and recreational pressure) violates the "People over Wind" and "Dutch N" legal rulings. The 400m buffer is insufficient for ground-nesting birds like the Nightjar. 2. Irreversible Heritage Harm (NPPF Para 206) Development would encircle the Grade II listed St John in the Wilderness Church*, destroying its "wilderness" setting and tranquil, dark-sky character. Historic England has expressed significant concern regarding this "considerable harm" to an asset of the highest significance. 3. Lack of Sustainable Access & Transport (NPPF Para 114) There is no viable access. Primary access via the B3179 is uncosted, unconfirmed by Highways, and would send heavy traffic directly along the boundary of protected heaths, increasing air pollution. The site is isolated—2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth—making car dependency mandatory and violating Policy TR01. 4. Environmental Degradation & Flood Risk The site is within Strategic Nature Area 368. Development would fragment ancient woodland and veteran trees, undermining the Local Nature Recovery Strategy. Additionally, the LPA has failed to apply the sequential test for flood risk; developing this greenfield site risks increased runoff into the Withycombe Brook, threatening downstream residents with fluvial flooding. 5. Flawed Selection Methodology & Data The LPA's Site Selection Methodology (May 2022) originally ruled out sites within 400m of the Heaths; the retrospective change to justify EXMO_20 is unsound. Furthermore, the housing figures rely on outdated ONS data, resulting in an over-supply that negates the "overriding need" required to justify such ecological harm. Conclusion EXMO_20 must be removed from the Local Plan. I reserve the right to comment further should a revised HRA or mitigation strategy be provided.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove site EXMO_20 entirely from the Local Plan as it is unsustainable and legally non-compliant due to unmitigable impacts on the Pebblebed Heaths SAC/SPA. • Revert the settlement boundary to its previous position (20b) to maintain the essential rural buffer between Exmouth and the Pebblebed Heaths. • Exclude the 400m buffer zone adjacent to the Pebblebed Heaths from any future development plans to prevent irreversible damage from domestic predation (cats) and recreational pressure. • Remove proposed site access via the B3179 and Southern Wood, as these are unviable and would send high-

volume traffic through protected habitats. • Recalculate housing targets using the most recent mandatory ONS data to remove the current "over-supply" which is being used to justify the destruction of this sensitive site.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: The allocation is legally non-compliant under the Conservation of Habitats and Species Regulations 2017 and the 'People over Wind' ruling. It is unsound as it fails the NPPF Para 32 Mitigation Hierarchy and ignores the expert advice of Natural England and Historic England."

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

Trevor Waddington

Full name: Trevor Waddington

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.: SD01

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:: Exmo_20

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.: AllocationofExmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 and 7) 180d, 180e, 181, 185a, 186b, 188 and 191c, of the NPPF December 2023 and is unsound and not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Kathryn Wainwright

Full name: Kathryn Wainwright

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

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.: I write in regard to the proposed development, I strongly believe that the building of this development should not take place on National Landscape. Would not the building development, if built on land outside National Landscape, be more cost effective and thus enable the building of more affordable homes percentage wise? Affordable homes are vitally important in our local area. In addition, the exit for this site would, in my opinion as a regular driver and user of the cycle and footpaths, create traffic chaos in the area and endanger users of these footpaths in particular which are used by children, elderly and families.

sandra walford

Full name: sandra walford

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access arrangements would significantly increase the need for car travel from the main access point proposed on the B3179 to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: sandra Walford

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath SAC/SPA/SSSI. Allocation of Exmo_20 is contrary to the precautionary approach and goes against the Mitigation Hierarchy of avoidance over mitigation. The Exmo_20 allocation is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: reducing the size of exmo20 and move the setttlement boundary away from the pebblebed heath. There must also be a guarantee of a proficient amount of affordable housing within the development not off site.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

A Walker

Full name: A Walker

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.: SD01

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:: Exmo_20

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.: Proposal conflicts with many aspects of NPPF Dec 2023 and policies PB01, PB02,PB03,PB04 and OL02 of the local plan. New developments should be close to existing settlements where there is access to public transport, shops, schools, doctors etc. The distances to Budleigh Salterton and Exmouth are not sustainable in planning terms.There is no public transport available and the existing access to Dalditch Lane is very dangerous for vehicles. The new development would make the road even more dangerous as each dwelling is likely to have at least one vehicle. The number of people using the nearby pebble heath commons would increase considerably. Many people who move or live in the area have dogs which are very detrimental to the wildlife posing a severe threat to some rare species. The infrastructure in Exmouth namely traffic, parking, sewers, medical services is already at full stretch and adversely affecting the existing residents. The development’s overwhelming long term issue however may be increasing the flood risk. The amount of extra rainfall now being experienced will not be absorbed by building in the proposed area.

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)

David Walsh

Full name: David Walsh

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.: SD01

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:: Exmo_20

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.: I totally reject the Exmo20 plan of building 700 homes on the grounds of the

1. Destruction of National Landscape.
2. Close to Pebblebed heath
3. Insufficient infrastructure (Sewers and surface water drainage)
4. Lack of school places
5. Lack of Doctor Surgery's
6. Increase of traffic on the Budleigh to Exeter road (which is a dangerous road
7. The destruction of a beautiful part of Exmouth and the destruction of wild animal habitat

I am totally aghast and shocked that this council is planning to destroy this beautiful part of Exmouth Shame on you.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: It would be better to put a few houses tacked on to villages and towns than destroy Exmouth.

Full name: David Walsh

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: David Walsh

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.: SD01

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:: Exmo_20

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.: The first objective of the site is stated as 'to accommodate A. Social and Community facilities'. No outline specifications what these facilities are required to be is given. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving everytime residents went anywhere and returned home. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Use the latest ONS data to calculate the required housing allocation -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Jack ward

Full name: Jack ward

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.: SD01

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:: Exmo_20

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.: Objective Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Frank Ward

Full name: Frank Ward

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.: SD01

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:: Exmo_20

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.: Objective Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove EXMO_20 from the local plan and therefore do not access the site via southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure the local community concerns and libving conditions are considered

Sarah Ward

Full name: Sarah Ward

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Sarah Ward

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove XO_20 from the local plan and in doing so do not access the site via Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that the points made are heard and considered, locals knowing the area will have more objective comments about the site

Full name: Sarah Ward

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.: SD01

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:: Exmo_20

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

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local plan and in doing so, do not access the site via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Sarah Ward

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from your local plan and in so, do not access the site via Southern Wood.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To ensure that all points are considered and the local community is heard, they see the day to day living/operations/traffic/wild life etc.

David Ward

Full name: David Ward

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

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.: This area should not be developed upon, we need some green space left in Devon and the infrastructure - especially the roads and sewerage system in this area are not capable of coping with hundreds more houses. Raw sewage is regularly dumped locally in the sea by SW Water who can't cope with current output and if you've tried to drive from or to Exeter from budleigh at busy times you would know how congested the traffic is on inadequte roads. Specific objections are: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the

required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the

1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) .... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions

arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local

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be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areaswithout yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted routefrom the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable

alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Nicola Ward

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

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.: THIS IS A RURAL AREA! IT IS WHY IT IS SPECIAL. WE NEED TO PROTECT SOME RURAL AREAS! WE DO NOT HAVE THE INFRASTRUCTURE TO SUPPORT THIS HUGE PROPOSED PROJECT - the roads, the sewerage/water system etc. It is a huge threat to the people already living in the area, the important wildlife and nature so important to this area - DO NOT JUST CONCRETE IT OVER! Here are specific objections: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N”

ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries”. The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem

significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) .... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's

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(grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site

without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areaswithout yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted routefrom the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are

carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals".

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan - Devon needs its green spaces. The infrastructure is NOT THERE to support this proposal.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

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.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration

of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of

recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

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.: Objection 1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration

of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of

recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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

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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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove EXMO_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Nicola Ward

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the

SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Significantly reduce the size of Exmo_20 or remove it completely. If -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Nigel Ware

Full name: Nigel Ware

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.: SD02

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:: GH/ED/83

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: This development is too near to 2 water courses which the land drains into. It is totally unsuitable for development and should be left as parkland/ farmland. There is wildlife along the River Axe corridor (an area of S.S.S.I.) that would be effected by this development. The development at Cloakham has already put considerable strain on the area for exacerbating flooding into Willhayes lane, The Cricketers and Willhayes Park.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: This development should not go ahead in this area. There is not enough parkland and amenity areas in Axminster, so this area should be kept as it is. This will also reduce any pollution into the waterways, helping to keep wildlife safe.

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.: This development should not go ahead in this area. There is not enough parkland and

amenity areas in Axminster, so this area should be kept as it is. This will also reduce any pollution into the waterways, helping to keep wildlife safe.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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 development should not go ahead in this area. There is not enough parkland and amenity areas in Axminster, so this area should be kept as it is. This will also reduce any pollution into the waterways, helping to keep wildlife safe.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: Over development in an area that is not suitable. Removing much needed amenity land.

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)

Ian Wasson

Full name: Ian Wasson

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: If the mineral area is to be excluded, why show it in the whole mapped out area proposed for development. Also, if you show the whole dedicated area for exmo 20 how can you actually ensure development is concentrated in the south of the area? The current traffic lights at the new Dinan Way junction on the main Exmouth to Exeter road shows just how much of a traffic bottleneck there will be heading towards the B3179 with the vast additional number of cars currently travelling this way, only made worse if exmo 20 goes ahead. exmo 20 really is a badly drawn up policy

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)

Laura Watson

Full name: Laura Watson

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.: SD01

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:: Exmo_20

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.: This development will have a significant bad impact on the pebblebedheath, wildlife, traffic congestion and local services. This is not suitable for a local plan and most of the people who will benefit from this will be outsiders.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove from the local plan, it's far too big and imposing on the town.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Dr J Oliver Watts

Full name: Dr J Oliver Watts

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.: SD01

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:: Exmo_20

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I add my name to object against the EXMO20 development proposal in the draft Local Plan. Like many others, the Commonplace portal has confused and confounded my attempts to object through that, so please register this email in lieu of your preferred consultation method.

I ask you to remove EXMO 20 in its entirety from the Local Development Plan. You will be well aware of all of the issues raised in the attached document, whic include issues from national organisations incuding the RSPB, regional experts including the Devon WIldlife Trust, and local concerns such as those from the Otter Valley Association.

There is little need to reiterate all of this expert, science based and comprehensive judgement against EXMO20.

My particular objections concern nature and environment. You will know that the UK has a biodiversity crisis, recognised by Defra and with Natural England reporting that nearly 1 in 6 English species are threatened with extinction (State of Nature report). The importance of the EXMO 20 area in buffering national and international biodiversity sites cannot be over-estimated. The are itself is of immense biodiversity value, including UK BAP Priority Habitat such as Woodland Pasture: you will be aware that Priority Habitats are of principal importance for biodiversity in Section 41 of the NERC Act. UK Red List species use the site, including yellowhammers, greater horsehoe and Barbastelle bats,

and dormice - you'll be aware of much more detail in the Ecological Report 25/00718/MOOR. Biodiversity Net Gain cannot address the damage and loss of habitat that EXMO 20 would bring to our particular area.

I'm also aware that EDDC data for housing need has been questioned and that 17,000 houses are estimated to be required, rather than 20,909: a 19% reduction in perceived need. The allocation of land for housing should also take account of the land are banked by house builders not just in EDDC but across Devon county, rather than providing new land for the entire allocation. The impact of EXMO 20 within the National Landscape will inevitably destroy the landscape value of this, and surrounding area, once and for all, contrary to the objectives of the National Landscape designation.

I endorse the considerable concern for water and sewage provision, with the current lamentable infrastructure shortcomings resulting in the town losing its bathing water quality status, and little being done to remedy the situation. Major water and sewage upgrading is required to cope with extra demands of significant new housing, which South West Water appears unable to provide.

In conclusion, I reiterate my request, made in view of compelling evidence, that EXMO 20 is removed from the Local Plan

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete Exmo_20

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.: I add my name to object against the EXMO20 development proposal in the draft Local Plan. Like many others, the Commonplace portal has confused and confounded my attempts to object through that, so please register this email in lieu of your preferred consultation method.

I ask you to remove EXMO 20 in its entirety from the Local Development Plan. You will be well aware of all of the issues raised in the attached document, whic include issues from national organisations incuding the RSPB, regional experts including the Devon WIldlife Trust, and local concerns such as those from the Otter Valley Association.

There is little need to reiterate all of this expert, science based and comprehensive judgement against EXMO20.

My particular objections concern nature and environment. You will know that the UK has a biodiversity crisis, recognised by Defra and with Natural England reporting that nearly 1 in 6 English species are threatened with extinction (State of Nature report). The importance of the EXMO 20 area in buffering national and international biodiversity sites cannot be over-estimated. The are itself is of immense biodiversity value, including UK BAP Priority Habitat such as Woodland Pasture: you will be aware that Priority Habitats are of principal importance for biodiversity in Section 41 of the NERC Act. UK Red List species use the site, including yellowhammers, greater horsehoe and Barbastelle bats, and dormice - you'll be aware of much more detail in the Ecological Report 25/00718/MOOR. Biodiversity Net Gain cannot address the damage and loss of habitat that EXMO 20 would bring to our particular area.

I'm also aware that EDDC data for housing need has been questioned and that 17,000 houses are estimated to be required, rather than 20,909: a 19% reduction in perceived need. The allocation of land for housing should also take account of the land are banked by house builders not just in EDDC but across Devon county, rather than providing new land for the entire allocation. The impact of EXMO 20 within the National Landscape will inevitably destroy the landscape value of this, and surrounding area, once and for all, contrary to the objectives of the National Landscape designation.

I endorse the considerable concern for water and sewage provision, with the current lamentable infrastructure shortcomings resulting in the town losing its bathing water quality status, and little being done to remedy the situation. Major water and sewage upgrading is required to cope with extra demands of significant new housing, which South West Water appears unable to provide.

In conclusion, I reiterate my request, made in view of compelling evidence, that EXMO 20 is removed from the Local Plan

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Delete Exmo_20

Emma Weaver and Andrew Weaver

Full name: Emma Weaver and Andrew Weaver

Proposal:

4. Development at the West End

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.: WS10

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

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

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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 land east of Clyst road should be included and preserved as part of the Clyst Valley rather than being developed.

Helen Webb

Full name: Helen Webb

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.: SD06

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:: Sidm_31

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: In respect of Sidm-31, the Second Draft states: 'It is expected that access for all road users would be off Windsor Mead.' There is currently no access through Windsor Mead and the land is privately owned.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Remove site Sidm_31 from the Local Plan. The site is within the East Devon National Landscape and the Consultation document states 'The highest level of protection will be given to the landscape and scenic beauty of the National Landscapes in East Devon. A. Development in a National Landscape, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant).' In addition all the issues raised in planning application 25/0356/MOUT remain. These include access, highways issues, wildlife and environment, loss of habitat and drainage concerns.

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.: See response to 2(c)

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: See response to 2(c)

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See response to 2(c)

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)

Jacqui Well

Full name: Jacqui Well

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Jacqui Well

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Martin Weller

Full name: Martin Weller

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.: SD01

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:: Exmo_17

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.: I am very concerned about the proposed Local Plan particularly the proposal in it to build more than 400 houses and industrial units on the fields to the immediate East of Littleham church, Exmo_17 (National Landscape). This proposal would have a negative effect on Exmouth in many ways. The area is part of an Area of Outstanding Natural Beauty (or National Landscape) and is one of the major attractions of Exmouth and particularly the eastern edge of the town. National Landscapes are also regional and national assets and should be protected as such. Building on them on this scale should be very much a last resort. There is a briefing document dated November 2024, Guidance for Local Planning Authorities, produced by the National Landscapes Association which makes this very point and indeed in stronger terms. It states that Section 85 of the Countryside and Right of Way Act 2000 (as amended by the Levelling-up and Regeneration Act2 in December 2023) requires ‘relevant authorities’, in exercising or performing any function that affect AONBs in England, to “seek to further the purpose of conserving and enhancing the natural beauty of the Area of Outstanding Natural Beauty.” It states that this is a 'statutory duty', not discretionary, and is a strengthening of the previous ‘duty of regard’. When it comes to site allocation, the guidance states that if promoting a site allocation would not align with the duty to seek to further the conservation and enhancement of natural beauty, then consider amending or deleting a site allocation (For example, choosing NOT to allocate a particular site within or close to the AONB boundary)

It is extremely difficult to see how building 400 odd houses and industrial units on the AONB is in any way seeking to further the conservation and enhancement of the natural beauty of the AONB. In fact, clearly it is doing the opposite and therefore it would seem to me East Devon would be failing in its statutory duty if it were allow this allocation to remain in the plan.

As far as I can see the plan as a whole is very weak indeed on the question of AONBs. In its calculations and projections it seems to ignore the fact that planning and development in AONBs are totally different to in none-NL areas. Both areas seem to be just lumped in together. This seems particularly significant in an area like East Devon as it has such a high proportion of AONB land. This must call into question as to whether or not the plan as a whole can be considered a reliable enough document to underpin so many planning decisions for such a long period of years. The Protections on National Landscapes. When considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest' National Landscapes Association Alongside the NPPF (National Planning Policy Framework) is the strengthened Protected Landscapes Duty outlined in Section 245 of LURA 2023. This duty creates an obligation amongst public bodies and statutory bodies to 'seek to further' the purposes of Protected Landscapes whenever exercising functions that affect land in these areas, a change to the previous wording which necessitated relevant authorities needed only to 'have regard to' these purposes. This change necessitates proactive measures be taken rather than the more passive action that preceded it. The purposes of National Landscapes are to 'Conserve and enhance the beauty of the area. *** Personal details have been removed ***, Housing Minister, in a letter to *** Personal details have been removed *** MP Development within a National Landscape is not prohibited, but great policy weight is given to conserving and enhancing the landscape and scenic beauty within these designations. This weight is strengthened by the Levelling Up and Regeneration Act 2023, which places a duty on all relevant authorities, including Local Planning Authorities, to seek to further the statutory purposes of the area. Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes was published by Defra on 16th December 2024. A high level of protection for National Landscapes is also reflected in EDDCPlan Policy OL02. This states that, "A. Development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities, character and natural beauty of the NL (including the coastline, where relevant); B. Major development in a NL will only be permitted in exceptional circumstances andwhere it can be demonstrated to be in the public interest; and; C. Any relevant National Landscape Management Plans will be a material consideration in

decision-making. We will be reminding the Local Planning Authority of their policies and duties around Coastal Protection Areas and National Landscapes, respectively, in our response to the Regulation 19 consultation. I thank you for your consideration in this important matter.

deborah weller

Full name: deborah weller

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if,

and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: deborah weller

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Martin Weller

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_17

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.: I wish to raise the following objections to building on Exmo_17 (National Landscape)

Chapter 8: Housing Needs: The real need in Exmouth is for houses of mixed tenure, including social rent, for people on low wages to make housing affordable for local people.

Has Exmouth Town Council's assessment of housing need been consulted?

The vast majority of houses proposed for the prime site of Exmo_17 would be high-end, bought by people from outside the area.

If estates were built outside the National Landscape, the land would be cheaper, giving scope for building a bigger percentage of the affordable/rentable houses we need.

Past experience tells us that the number of affordable houses will almost certainly be fewer than proposed, putting profits over people.

Chapter 11: Sustainable Transport: The proposed estate on Exmo_17 would bring a further estimated 800-900 vehicles onto local roads.

The access road would be directly opposite the Liverton Trading Estate, which is a well-known dangerous and uncontrolled bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth.

Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress.

To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to use an unreliable bus service plus a frequently delayed or cancelled train.

Chapter 12: Landscape: Exmo_17 had two protections until EDDC, without any justification, recently removed its Coastal Preservation area status, despite hundreds of objections from residents.

It is a very large, precious area of National Landscape farmland that is protected against large-scale developments.

EDDC's duty is to 'conserve and enhance' it. (*** Personal details have been removed *** on behalf of the Housing Minister, *** Personal details have been removed ***, has confirmed this in a letter to our MP, *** Personal details have been removed ***, of 18th August 2025). In no way is building a large estate on Exmo_17 conserving or enhancing it.

There is no reason to build the proposed industrial units on this land.

Logically, they should be built on the Trading Estate opposite or Exmo_18, both of which have the same landowner.

The proposed vehicle access road would go straight across the existing Exmouth to Budleigh cycle/foot path and would require the felling of mature trees and bushes.

This well-used path gives safe, tranquil access to cyclists, dog walkers, children, recreational walkers and people in wheelchairs and on mobility scooters.

I believe that this is dangerous and a loss of a peaceful amenity within the National Landscape.

The landowner has recently terminated the lease to a nearby farm of National Landscape pastureland adjacent to Exmo_17.

Could it be that they are hoping for a domino effect, building further estates on our irreplaceable National Landscape?

Chapter 15: Historic Environment: The proposed estate would be close to Littleham's medieval church where Lady Nelson is buried.

There is also an old farmhouse on the perimeter.

These National Landscape fields are in plain view from the coast path that runs along the World Heritage Jurassic Coast.

ant weller

Full name: ant weller

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.: SD01

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:: exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181,185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Jackie West

Full name: Jackie West

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.: SD01

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:: Exmo_08, Exmo_16, Exmo_17

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.: We would like to express our very strong objections to the new homes planned for Littleham!

Firstly, Exmouth is already struggling with sewage problems - these new homes will only add to the problem. Secondly, have the planners/developers/council thought of all the extra stress this will add to the already busy doctors/dentists and local schools? Probably not, as no matter what local residents say, their views seem to be taken in total disregard.

This area is classed as an Area of Outstanding Natural Beauty! How come they are allowed to get planning for so many houses.

We have a a whole estate of new homes being built at Goodmores, Dinan Way - already adding to what I've said above. Why does no-one listen to the obvious!

Exmouth does NOT NEED ANY MORE NEW HOMES no matter what the developers say. Please listen to the objectors.

I do hope this email is read and not deleted into the junk mail folder!

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)

Mr. & Mrs. M. J. White

Full name: Mr. & Mrs. M. J. White

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.: SD01

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

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.: The above Local Plan has serious omissions, and the following points are inadequately mentioned. Additional housing development must recognise the pressures and demands on existing services as listed below, and make provision for additional needs of the many extra residents. This must be included in any Local Plan.

Any planning permission for additional housing in Exmouth for development schemes of 100 or more dwellings must have the following requirements:

- additional provision/capacity for doctors' surgeries;
- additional provision for schools in all age groups;
- detailed provision showing the capacity for sewage disposal;

All of the above must be quantified according to and in proportion to the number of dwellings.

Lucy White

Full name: Lucy White

Other party name (if relevant): Place Land Limited

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.: SD20

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:: Kilm_09b

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

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.: See attached representations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: See attached representations.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As promoter of land East of George Lane, Place Land

Ltd welcomes the opportunity to participate in any hearing sessions regarding the site allocation policy.

Maureen White

Full name: Maureen White

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Revert to 20b as previously proposed

Full name: Maureen White

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Revert to 20b as previously proposed

Full name: Maureen White

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan,

Full name: Maureen White

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Revert to 20b as previously proposed

Full name: Maureen White

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

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Maureen White

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5. Development in the Towns and Villages

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development…We do not believe that

it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

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make this part of the Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

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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.: llocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape…. As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach hould be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest

to the designated heathlands (particularly Land at St John's (Exmo_20) .... are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

Full name: Maureen White

Proposal:

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

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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.: llocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result

in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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Joannah Whiteley

Full name: Joannah Whiteley

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Joannah Whiteley

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.: SD01

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:: Exmo_20

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.: The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Greatly Reduce the size of Exmo_20 Donot access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

L Whyte

Full name: L Whyte

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much

of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" Objection 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. Objection 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. Objection 9. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. Objection 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and

4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. Objection 11. The Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". ----------
LIST OF POLICIES REFERRED TO IN SUGGESTED OBJECTIONS (FOR YOUR REFERENCE ONLY) National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or

assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans…it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 170b states that development should not increase flood risk elsewhere Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to…. unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is likely to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the …natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on…intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably….grade I and II * listed buildings should be

wholly exceptional. 2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. Policy TR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account…the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10

aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.:

-Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Karen Williams and Michael Williams

Full name: Karen Williams and Michael Williams

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: I am objecting stronglyto above proposed development Due to the damage to special site of scientific interest and destruction of national landscape,and also loss of good agricultural land. Increased food miles due to loss of agricultural land Increased risk of flooding due to runoff.due to concreting over fields Narrow roads leading to traffic congestion. Bottleneck on A376 Exeter to Exmouth. Insufficient infrastructure...potholes due to lorries HGVs Insufficient sewage systems to cope with more houses Pollution on beaches,damage to Tourism Insufficient schools ,GP surgeries,increased pressure on the Royal Devon and Exeter university Hospitals trust.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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 must not proceed

Sue Williams

Full name: Sue Williams

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: It seems not viable to upgrade the existing B3179 because: 1. Is it financially viable 2. Would impact on existing houses and other third party land 3. Increased traffic from Exmouth & Budleigh Salterton 4. If not adequately upgraded the frequency of accidents on the would significantly increase. Clear evidence is required to demonstrate viability before being allocated in the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To understand how the local highway if feasibly able to be upgraded as there is no evidence to date.

Margaret Wilson

Full name: Margaret Wilson

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.: SD01

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:: Exmo_20

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.: I am writing to formally object to the inclusion of the Exmo_20 allocation in the East Devon Local Plan. I contend that this allocation is unsound and not legally compliant due to significant environmental risks, unsustainable traffic implications, inadequate infrastructure, and direct conflicts with both the National Planning Policy Framework (NPPF) and the Council's own Local Plan policies. My objection is based on the following grounds:

1. Severe Environmental Impact and Habitat Loss The proposed site is adjacent to the Pebblebed Heaths, an Internationally and Nationally designated site (SAC/SPA/SSSI). Developing this land undermines the protection of these critical habitats in several ways:

• Failure of Mitigation Strategy: The allocation relies on a mitigation strategy that has not yet been proven achievable. The Habitats Regulations Assessment (HRA) admits there is "currently not sufficient certainty to rule out adverse effects on integrity" regarding air quality and the Heaths. Proceeding without a confirmed strategy violates the precautionary approach required by the "People over Wind" CJEU ruling.

• Threat to Protected Species: The site supports the European Nightjar, a ground-nesting bird and qualifying feature of the SPA. The proposed 400m buffer is scientifically insufficient. Studies indicate domestic cats, which inevitably accompany housing developments, can roam over 2km, posing a severe predation risk where "just one event… is enough to end that nesting attempt".

• Destruction of Strategic Nature Areas: The entire site lies within Strategic Nature Area 368, which acts as a vital wildlife corridor and buffer between Exmouth and the Heaths. Devon Wildlife Trust has stated that development here would result in the degradation and loss of ecologically supportive environments.

2. Unsustainable Traffic and Transport Infrastructure The Exmo_20 allocation promotes an unsustainable dependency on private vehicles and lacks viable infrastructure:

• Unviable Access: The primary access is proposed via the B3179. Making this viable would require major, uncertain, and uncosted highway works that have not been confirmed by Devon County Council.

• Air Pollution: Increased traffic congestion on the B3179 will increase nitrogen deposition on the adjacent Pebblebed Heaths, further damaging the protected habitat.

• Car Dependency: The site is geographically isolated, located 2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth town centre. The topography and distance make walking or cycling unviable for accessing services, forcing residents to drive for daily needs. This directly conflicts with Local Plan Policy TR01, which mandates that walking and cycling should be the natural first choice for transport.

3. Flood Risk and Poor Infrastructure Planning The allocation fails to adequately address flood risks associated with the development:

• Risk to Withycombe Brook: The site sits above the town, with runoff flowing directly into tributaries of the Withycombe Brook, which has a history of significant flooding.

• Failure of Sequential Approach: The Local Planning Authority (LPA) has failed to employ the required risk-based sequential approach to site selection to avoid flood risk to people and property, violating NPPF Paragraph 170b and Local Plan Policy AR01(b)

4. Harm to Heritage Assets The development surrounds the Grade II listed Church of St John in the Wilderness. Historic England has warned that development here could result in "considerable harm" to the setting of this asset, which is characterised by its remoteness and dark skies.

5. Conflict with Planning Policies The allocation of Exmo_20 undermines specific policies designed to protect the district:

• NPPF Violations: The allocation conflicts with Paragraphs 180, 181, 186, and 188 regarding the protection of habitats and biodiversity. It also violates Paragraph 109 regarding sustainable transport and limiting the need to travel.

• Local Plan Policy Conflicts: PB01 & PB04: Fails to protect international and national sites and fails to rule out adverse effects on integrity. OL02: Fails to contribute to the conservation of special landscape qualities. Conclusion The inclusion of Exmo_20 is based on a Site Selection Methodology that appears to have been retrospectively altered after the original Regulation 18 process, potentially conflicting with the Nolan Principles. Because the site cannot be developed without significant, unmitigated harm to the environment and the local transport network, I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely.

Full name: Margaret Wilson

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.: SD01

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:: Exmo_20

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.: I should like to object to Exmo_20 on the following grounds.

• Risk to Withycombe Brook: The site sits above the town, with runoff flowing directly into tributaries of the Withycombe Brook, which has a history of significant flooding.

• Failure of Sequential Approach: The Local Planning Authority (LPA) has failed to employ the required risk-based sequential approach to site selection to avoid flood risk to people and property, violating NPPF Paragraph 170b and Local Plan Policy AR01(b)

The Pebblebed Heaths form part of the network of Rare Lowland Heath, home to species found nowhere else in Britain, making it critical to our national biodiversity strategy. To put 700+ houses close by runs counter to the very purpose of its protected status. We are the most wildlife depleted country in Europe. We MUST reverse this trend.

As well as Exmo-20 there are many more applications pending with potential adverse effects on this immediate area. At the last count we could get another 1744 houses around the Exmouth area, including Lympstone, Exton and Woodbury among others.

Our terrible sewage problems have not yet been dealt with. Another 1744 houses (and that's only this year's planning applications) HAS to be adding insult to injury. Before anything more is built the infrastructure should be planned for and dealt with. Therefore I should like to object to Exmo_20 on the grounds that the chaotic water and sewage services must be in order before any more building takes place.

An extra 1744 households blocking the sewage pipe work just after breakfast every day doesn't bear thinking about!

Al Wilson

Full name: Al Wilson

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.: SD01

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:: Exmo_20

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: To the Planning Policy Team, I am writing to formally object to the inclusion of the Exmo_20 allocation in the East Devon Local Plan. I contend that this allocation is unsound and not legally compliant due to significant environmental risks, unsustainable traffic implications, inadequate infrastructure, and direct conflicts with both the National Planning Policy Framework (NPPF) and the Council's own Local Plan policies. My objection is based on the following grounds:

1. Severe Environmental Impact and Habitat Loss The proposed site is adjacent to the Pebblebed Heaths, an Internationally and Nationally designated site (SAC/SPA/SSSI). Developing this land undermines the protection of these critical habitats in several ways:

• Failure of Mitigation Strategy: The allocation relies on a mitigation strategy that has not yet been proven achievable. The Habitats Regulations Assessment (HRA) admits there is "currently not sufficient certainty to rule out adverse effects on integrity" regarding air quality and the Heaths. Proceeding without a confirmed strategy violates the precautionary approach required by the "People over Wind" CJEU ruling.

• Threat to Protected Species: The site supports the European Nightjar, a ground-nesting bird and qualifying feature of the SPA. The proposed 400m buffer is scientifically insufficient. Studies indicate domestic cats, which inevitably accompany housing

developments, can roam over 2km, posing a severe predation risk where "just one event... is enough to end that nesting attempt".

• Destruction of Strategic Nature Areas: The entire site lies within Strategic Nature Area 368, which acts as a vital wildlife corridor and buffer between Exmouth and the Heaths. Devon Wildlife Trust has stated that development here would result in the degradation and loss of ecologically supportive environments.

2. Unsustainable Traffic and Transport Infrastructure The Exmo_20 allocation promotes an unsustainable dependency on private vehicles and lacks viable infrastructure:

• Unviable Access: The primary access is proposed via the B3179. Making this viable would require major, uncertain, and uncosted highway works that have not been confirmed by Devon County Council.

• Air Pollution: Increased traffic congestion on the B3179 will increase nitrogen deposition on the adjacent Pebblebed Heaths, further damaging the protected habitat.

• Car Dependency: The site is geographically isolated, located 2.3 miles from Budleigh Salterton and 4.0 miles from Exmouth town centre. The topography and distance make walking or cycling unviable for accessing services, forcing residents to drive for daily needs. This directly conflicts with Local Plan Policy TR01, which mandates that walking and cycling should be the natural first choice for transport.

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• Failure of Sequential Approach: The Local Planning Authority (LPA) has failed to employ the required risk-based sequential approach to site selection to avoid flood risk to people and property, violating NPPF Paragraph 170b and Local Plan Policy AR01(b)

4. Harm to Heritage Assets The development surrounds the Grade II listed Church of St John in the Wilderness. Historic England has warned that development here could result in "considerable harm" to the setting of this asset, which is characterised by its remoteness and dark skies.

5. Conflict with Planning Policies The allocation of Exmo_20 undermines specific policies designed to protect the district:

• NPPF Violations: The allocation conflicts with Paragraphs 180, 181, 186, and 188 regarding the protection of habitats and biodiversity. It also violates Paragraph 109 regarding sustainable transport and limiting the need to travel.

• Local Plan Policy Conflicts: PB01 & PB04: Fails to protect international and national sites and fails to rule out adverse effects on integrity. OL02: Fails to contribute to the conservation of special landscape qualities. Conclusion The inclusion of Exmo_20 is based on a Site Selection Methodology that appears to have been retrospectively altered after the original Regulation 18 process, potentially conflicting with the Nolan Principles. Because the site cannot be developed without significant, unmitigated harm to the environment and the local transport network, I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely. I sincerely hope the points raised will be carefully considered. I would also expect a response back from the planning team, so I know my email has been received and read through thoroughly.

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.: To the Planning Policy Team, I am writing to formally object to the inclusion of the Exmo_20 allocation in the East Devon Local Plan. I contend that this allocation is unsound and not legally compliant due to significant environmental risks, unsustainable traffic implications, inadequate infrastructure, and direct conflicts with both the National Planning Policy Framework (NPPF) and the Council's own Local Plan policies. My objection is based on the following grounds:

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Devon Wildlife Trust has stated that development here would result in the degradation and loss of ecologically supportive environments.

2. Unsustainable Traffic and Transport Infrastructure The Exmo_20 allocation promotes an unsustainable dependency on private vehicles and lacks viable infrastructure:

• Unviable Access: The primary access is proposed via the B3179. Making this viable would require major, uncertain, and uncosted highway works that have not been confirmed by Devon County Council.

• Air Pollution: Increased traffic congestion on the B3179 will increase nitrogen deposition on the adjacent Pebblebed Heaths, further damaging the protected habitat.

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based on a Site Selection Methodology that appears to have been retrospectively altered after the original Regulation 18 process, potentially conflicting with the Nolan Principles. Because the site cannot be developed without significant, unmitigated harm to the environment and the local transport network, I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely. I sincerely hope the points raised will be carefully considered.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: I urge the Council to find this allocation unsound and remove Exmo_20 from the Local Plan entirely.

Full name: Margaret Wilson

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.: SD01

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:: Exmo_20

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.: I would like to object to Planning Application Exmo_20 on the following grounds.

St John in the Wilderness Church The objection relates to the word 'Wilderness'. The huge development surrounding this Saxon settlement with its church and surrounding buildings will destroy this sense of remoteness, with dark skies and wilderness setting, which the NPPF identifies as an asset of the highest significance. Opening up this area to future pressure for development and associated harm will contribute to the never-ending expansion of this whole area around Exmouth.

Everyone agrees there should be more housing (I think) but the vast increase in housing in and around Exmouth should now stop. If you have to dig up yet more wonderful (it was) Devon countryside, THINK before you decide on using the most sensitive areas. And why always use East and South Devon as a dumping ground for disillusioned and often wealthy Londoners. In fact I feel sorry for newcomers coming to their 'dream' area. They will soon be as stressed and experience further disillusionment as the existing residents do. Traffic here is already unsustainable.

Stand up to government dictats and algorithms. There MUST be another way.

Full name: Margaret Wilson

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.: SD01

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

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have had great difficulty accessing the EDDC Planning website. I am therefore sending an email and would be grateful if you could let me know if you have received this comment/objection.

I would like to object to the supersized 700+ housing estate with access onto the B3197.

51 years ago *** Personal details have been removed *** chaired a small local committee whose aim was to stop two championship golf courses being built on prime common land between Hawkerland and Woodbury Castle. The application was proposed by Clinton Devon Estates and supported by Devon County Council. In 1974 *** Personal details have been removed *** and the golf courses were stopped. Woodbury Common had been saved earning huge gratitude from a delighted public. Clinton Devon Estates are justly proud of the internationally renowned Pebblebed Heaths which had so nearly been dug up and destroyed.

Are we again having to fight for the survival of this unique landscape? To build 700+ houses close to the Pebblebed Heaths is the height of folly. This development will lead to the degradation and loss of this ecologically prized area. Dogs are already a major problem on the common with dog mess often spreading out from the four car parks

which is truly disgusting. There is also a noticeable drop in riding horses on the Common as dogs frequently worry and bite their legs. Hoof prints are now also non-existent as riders are too scared to risk their horses. Wildlife is also at risk, particularly at nesting time. 700 households will surely want to exercise their dogs on the Common on their doorstep - with what result?

The LPA demonstrates a cavalier attitude and widespread failings as the Competent Authority under the Conservation of Habitats and Species Regulations.

I object whole-heartedly to this Planning Application.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete the allocation

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.: I have had great difficulty accessing the EDDC Planning website. I am therefore sending an email and would be grateful if you could let me know if you have received this comment/objection.

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Full name: Margaret Wilson

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted.... Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused.

The above statement fits EXMO_20 which should immediately be refused planning permission.

"Development in the Towns and Villages" Chapter 5 on 'Commonplace' platform. Exmo_20, (700 houses) Lymp_01,(8) Lymp_07,(100) Lymp_14(59), Meeting Lane(42), Strawberry Hill(42), Exmo_17(410), Exmo_08 and Exmo_16 combined(45),Exmo_06(44), Marley Drive (50), New Police Station and housing(20+), Wood_06 (236), Exton (53). These applications in this area alone amount to an extra 1744 houses with cars, dogs, cats and people. The Exmouth Road would be almost permanently blocked with traffic. To avoid this the Dinan Way link road will be ignored and the Woodbury route used which will be hideous for the middle of the village and the consequence build up of traffic at the roundabouts at Clyst St. George. The roads and lanes to Budleigh Salterton, and the town itself, will be overwhelmed. These are the applications for this year in this small and incredibly busy area. What about the applications next year...?

There has to be some joined up, logical thinking.

Full name: Margaret Wilson

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Wildlife sites 2nd Regulation 19 local plan. Policy PB01 states that international followed by nationally designated sites must be given uppermost protection.

Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts.

The Exmo_20 site would be adjacent to the Pebblebed Heaths. "A 400m buffer to the protected site does not seem sufficiently large enough to protect the site from disturbance and damage caused by increased visitor number, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape". East Devon National Landscape Partnership.

You wrote the policies - please abide by them.

Full name: Margaret Wilson

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: I would like to object to the Exmo_20 planning application on the following grounds.

Traffic emissions, dogs and cats and the effect of traffic on Woodbury: There will be additional nitrogen deposition from the increase in traffic arising from the new development which could prove very detrimental to birdlife and other wildlife on the Pebblebed Heaths. Dogs are at present a particular problem to wildlife when off the lead. The subsequent increase in the cat population from such a huge development close to the heaths will greatly disturb ground nesting birds.

Traffic through Woodbury: The most obvious way for traffic heading for Topsham or Exeter and beyond, from the exit onto the B3179, is to travel close to the common and down through Woodbury. A huge increase in traffic in the centre of the village of Woodbury will result in traffic jams and emissions as well as a danger to pedestrians trying to cross the road to the post office/shop, as well as residents living on Broadway. This is already a dangerous crossroads. There is no doubt that Woodbury would be very badly affected, especially as there is the potential for exits onto Globe Hill from two large housing estates either side of the hill. (Wood_06).

Traffic will also go through to the Sidmouth Road at Half Way House. As there is no roundabout (what a short sighted omission when expensive work was carried out here a

few years ago!) there will be massive traffic queues trying to get onto the Sidmouth Road or crossing the road for Ottery St. Mary and the A30.

Florence Wilson

Full name: Florence Wilson

Proposal:

5. Development in the Towns and Villages

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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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

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relevant policy or paragraph. Please be as precise as possible.: Remove Exmo_20 from the Local Plan

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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:: Exmo_20

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.: Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

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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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified"

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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make this part of the Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Florence Wilson

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

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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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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Full name: Florence Wilson

Proposal:

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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Full name: Florence Wilson

Proposal:

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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:: Exmo_20

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

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

LAURA WILSON

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

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of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Remove Exmo_20 from the Local Plan

Full name: Laura Wilson

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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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.: Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the “most recent data published at the time” ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan’s housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states “Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Laura Wilson

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Full name: LAURA WILSON

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals,

preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans…it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to…. unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is like;y to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the …natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on…intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably….grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account…the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: LAURA WILSON

Proposal:

5. Development in the Towns and Villages

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Strong views of the local community need to be heard and actioned. Exmo_20 needs to be removed from the Local Plan

Full name: LAURA WILSON

Proposal:

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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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Strong views and opinions of the local community need to be heard

Full name: LAURA WILSON

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: LAURA WILSON

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: LAURA WILSON

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.: SD01

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:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: REMOVE EXMO_20 FROM THE LOCAL PLAN

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: LOCAL VIEWS AND OPINIONS NEED TO BE ADDRESSED

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Margaret Wilson

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.: SD01

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:: Exmo_20

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.: The Plan has an over-supply of housing allocations. It does not use the latest ONS data which is mandatory. At present the allocation site acts as a buffer between the excessively urban area of ~Exmouth and the highly designated land to the north. Any development in the proposal would result in degradation and loss of ecologically important area just outside the site boundaries. The LPA does not adhere to the Conservation of Habitats and Species Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Excessive over-crowded, huge unsustainable rise in already traffic filled roads and lanes leading to terrible traffic jams and queues. Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging(a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26)aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to

be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. Objection 7. Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areaswithout yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: LAURA WILSON

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.: SD01

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:: Exmo_20

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

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then

the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified”

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Laura Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with paragraph 3.6, policies TR01, OL09 and PB04 and Paragraphs 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is “currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)”, due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states “Mitigation cannot be assumed without evidence (People over wind; Sweetman)”. The Exmo_20 site’s inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Florence Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that “just one event leading to predation is enough to end that nesting attempt” [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that “In the RSPB’s view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John’s (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development”. “The RSPB is very concerned that the St John’s allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated

feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: LAURA WILSON

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that “just one event leading to predation is enough to end that nesting attempt” [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20’s current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannotsupport the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads, cycling & walking, which is also yet to be assessed at a site level and therefore a

precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths”. The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that “the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road...there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA.” I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Full name: Laura Wilson

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts withparagraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable &less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation

and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan Reduce the size of Exmo_20 Do not access the site via B3179

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

S Winn

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraph 16(d). The Plan over-allocates housing because it does not use the most recent ONS data, contrary to MHCLG guidance on housing and economic needs assessment ("most recent data published at the time"). The 1,188 figure cited at paragraph 3.11 was calculated in February 2025, prior to the 2024 ONS data and is thus invalid. The figures should be revised to 1,156, 80% = 925, and a 22-year requirement of 20,342 (avoiding rounding errors)—a reduction of 567. Many policies rely on a compelling need to justify harm/impact; if the baseline numbers are wrong, the justification falls away, including under the mitigation hierarchy. Exmo_20 must therefore be removed, particularly given its multiple, unresolved mitigation dependencies affecting the Pebblebed Heaths SPA/SAC/SSSI. Additional numerical/mathematical errors in HOU-002 (Oct 2025) and HOU-001 (Nov 2025) must be corrected and re-consulted upon, as they underpin the Plan's housing strategy. NPPF 16(d) also requires clear, unambiguous policy drafting so that decision-makers can consistently apply policies—a test the current Plan does not meet. Closing and Reservation of Rights Given the above, Exmo_20 should be deleted from the Local Plan. Its inclusion conflicts with key NPPF provisions, habitats legislation, the mitigation hierarchy, and sound plan-making practice, and it fails the tests of soundness and legal compliance. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided for the Local Plan, and request that I am notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 109 and with Local Plan policy TR01 and paragraph 11.6. The main vehicular access is ~2.3 miles from Budleigh Salterton town centre and ~4.0 miles from Exmouth town centre. This allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. The LPA has not adequately considered Budleigh Salterton when evaluating Exmo_20. Furthermore, the local topography markedly reduces the viability of walking and cycling, a constraint not evident on policy maps, thereby undermining sustainable travel objectives.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 32. The LPA appears to have retrospectively altered the Site Selection Methodology post 11.12.2024 (after Regulation 19 publication approval). The May 2022 SSM, used at Regulation 18, states at Stage 2 (Site Sifting) that only “reasonable alternatives” progress, including: (a) Site suitable, available, and achievable in the HELAA; with subtext clarifying: “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.” A December 2024 version was then presented in the Reg 19 evidence library as if used for selection, when it was not. This undermines procedural integrity and raises serious concerns regarding adherence to the Nolan Principles, as well as the robust consideration of reasonable alternatives mandated by NPPF 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraphs 92 and 109 and with Local Plan policies TR01 and TR03, and paragraphs 3.6 and 11.2. Exmo_20 would materially increase car dependency, requiring convoluted journeys from the proposed B3179 access to reach everyday services. The Plan fails to demonstrate that regularly needed services are accessible by walking/cycling, and recent changes to TR01 mean active travel is mandatory rather than aspirational. The site's isolation and access arrangements create inherently unsustainable development, with substantial vehicle trips to Exmouth and Budleigh Salterton. If housing is focused in the southern part, residents would face at least 1km on-site driving each time they enter/leave—further entrenching unsustainable patterns.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 170(b) and with Local Plan paragraph 3.6 and policy AR01(b). The Strategic Flood Risk Assessment (Level 1) gives Withycombe Brook scant attention (only a footnote in Table 5-3), despite recorded fluvial flooding in 1960, 1983, and 2012 and numerous significant flood pathways in Exmouth. Exmo_20 is a greenfield site upslope of the town, with tributaries and runoff feeding Withycombe Brook—which traverses the most populous wards in East Devon. The LPA has not applied the required sequential, risk-based approach to avoid increasing flood risk to people and property, including current and future climate impacts.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 25, 180(d), 181, 185(a), 186(a), 186(c), 188, and 191 and with Local Plan policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11, and 13.24. Exmo_20 lies within Strategic Nature Area 368, a key buffer between Exmouth and the Pebblebed Heaths SAC/SPA/SSSI, providing supporting Nightjar foraging habitat and a wildlife corridor between the Heaths and the coast. Development would undermine the SPA's conservation objectives. Devon County Council is in the final stages of designating the site as a Local Nature Recovery Area (LNRS, publication expected March 2026) to combine and extend habitats in line with the Environment Act 2021. The site supports veteran trees, ancient woodlands, and hedgerows susceptible to fragmentation. Devon Wildlife Trust's Regulation 19 response states that the entirety of the allocation falls within an SNA of national habitat importance, and that "it is not appropriate to consider allocation of this land for development" and "not feasible to develop this site without causing significant adverse effects on the integrity of the SAC." DWT strongly urges the Council not to include this allocation. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 206 and with Local Plan policies HE02 and OL01(D). A development of this scale, encircling the Grade II* St John in the Wilderness Church and its churchyard, would irreversibly harm the area's remote, tranquil, dark-sky 'wilderness' setting, which includes a Medieval Saxon settlement landscape context. Historic England warns that much of the site lies within the church's setting, such that "considerable harm" could result to a heritage asset of the highest significance (NPPF 206(b)). HE is also concerned about the long access road from the B3179, which would itself cause harm and invite further development pressure. HE advises exploring southern access and, if evidence supports development only in less sensitive southern areas, amending the site boundary and restricting the quantum and range of uses accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: S Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 92, 114(b), 114(d), 180(e), and 181 and with Local Plan paragraph 3.6, policies TR01, OL09, PB04, and paragraph 11.2. There is no viable access to the site. The proposed primary access via the B3179 would require major, uncertain, and uncosted highway works not confirmed by Devon County Council, and the cumulative/in-combination effects on the B3179 (congestion and air pollution) must be assessed—particularly given the road runs along the boundary of the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.2025) confirms insufficient certainty to rule out adverse effects on integrity relating to air quality for the EDPH SAC/SPA. This runs counter to the precautionary approach and the mitigation hierarchy's primacy of avoidance (as embedded by the Environment Act 2021). The mitigation strategy itself recognises "Mitigation cannot be assumed without evidence (People over Wind; Sweetman)." In short, no reasonable scientific certainty has been presented to lawfully include Exmo_20. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

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Full name: S Winn

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5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 181, 185, 186(b), and 188 and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04. Given the site's adjacency to the Pebblebed Heaths SAC/SPA/SSSI, it is unlikely that SANG of adequate quality, scale, and geographic convenience could divert substantial recreation (dog walking, cycling, walking) away from the Heaths. As Langston et al. (2007) emphasise, a single predation event can end a nesting attempt—underscoring the need for a precautionary approach by the LPA. The RSPB's Regulation 19 response reinforces that mitigation is unlikely to avoid damaging impacts on heathland habitats and species, including additional nitrogen deposition from traffic, increased cat predation on ground-nesting birds, and recreation impacts (dogs off lead) the closer dwellings are sited to the Heaths. SANG/public open space is unlikely to be sufficient to avert damaging increases in usage. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously purposed

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settlement boundary away from the SAC/SPA and securing a green buffer via S106 as “clear, sound planning.” Given the availability of alternative, less mitigation-dependent sites and a plan over-supply arising from out-of-date ONS data, Exmo_20 cannot be justified. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously purposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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Tracey Winn

Full name: Tracey Winn

Proposal:

5. Development in the Towns and Villages

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. Being directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI, the allocation depends on significant mitigation for habitats and species that has neither been demonstrated as achievable nor viable. The mitigation strategy acknowledges that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA concedes “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” The site selection on 03.09.2024 and the Regulation 19 approval on 11.12.2024 proceeded on the assumption that a mitigation strategy would follow, with an “appropriate assessment” only on 30.01.2025, which is contrary to the CJEU People Over Wind ruling and the precautionary approach—particularly relevant in light of the CJEU “Dutch N” rulings. Under NPPF paragraph 32, selecting sites with known mitigation dependencies demands robust justification against the mitigation hierarchy. No such step was undertaken; Exmo_20 is especially difficult to justify given the availability of multiple alternative sites with less reliance on mitigation and a plan-wide over-allocation stemming from failure to use the latest ONS data. As Devon Wildlife Trust stated at Regulation 19: “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed

allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries." Overall, the LPA's approach falls short of its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously purposed

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Full name: Tracey Winn

Proposal:

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1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

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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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraph 16(d). The Plan over-allocates housing because it does not use the most recent ONS data, contrary to MHCLG guidance on housing and economic needs assessment ("most recent data published at the time"). The 1,188 figure cited at paragraph 3.11 was calculated in February 2025, prior to the 2024 ONS data and is thus invalid. The figures should be revised to 1,156, 80% = 925, and a 22-year requirement of 20,342 (avoiding rounding errors)—a reduction of 567. Many policies rely on a compelling need to justify harm/impact; if the baseline numbers are wrong, the justification falls away, including under the mitigation hierarchy. Exmo_20 must therefore be removed, particularly given its multiple, unresolved mitigation dependencies affecting the Pebblebed Heaths SPA/SAC/SSSI. Additional numerical/mathematical errors in HOU-002 (Oct 2025) and HOU-001 (Nov 2025) must be corrected and re-consulted upon, as they underpin the Plan's housing strategy. NPPF 16(d) also requires clear, unambiguous policy drafting so that decision-makers can consistently apply policies—a test the current Plan does not meet. Closing and Reservation of Rights Given the above, Exmo_20 should be deleted from the Local Plan. Its inclusion conflicts with key NPPF provisions, habitats legislation, the mitigation hierarchy, and sound plan-making practice, and it fails the tests of soundness and legal compliance. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided for the Local Plan, and request that I am notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: Tracey Winn

Proposal:

5. Development in the Towns and Villages

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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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 109 and with Local Plan policy TR01 and paragraph 11.6. The main vehicular access is ~2.3 miles from Budleigh Salterton town centre and ~4.0 miles from Exmouth town centre. This allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. The LPA has not adequately considered Budleigh Salterton when evaluating Exmo_20. Furthermore, the local topography markedly reduces the viability of walking and cycling, a constraint not evident on policy maps, thereby undermining sustainable travel objectives.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 32. The LPA appears to have retrospectively altered the Site Selection Methodology post 11.12.2024 (after Regulation 19 publication approval). The May 2022 SSM, used at Regulation 18, states at Stage 2 (Site Sifting) that only “reasonable alternatives” progress, including: (a) Site suitable, available, and achievable in the HELAA; with subtext clarifying: “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2.” A December 2024 version was then presented in the Reg 19 evidence library as if used for selection, when it was not. This undermines procedural integrity and raises serious concerns regarding adherence to the Nolan Principles, as well as the robust consideration of reasonable alternatives mandated by NPPF 32.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraphs 92 and 109 and with Local Plan policies TR01 and TR03, and paragraphs 3.6 and 11.2. Exmo_20 would materially increase car dependency, requiring convoluted journeys from the proposed B3179 access to reach everyday services. The Plan fails to demonstrate that regularly needed services are accessible by walking/cycling, and recent changes to TR01 mean active travel is mandatory rather than aspirational. The site's isolation and access arrangements create inherently unsustainable development, with substantial vehicle trips to Exmouth and Budleigh Salterton. If housing is focused in the southern part, residents would face at least 1km on-site driving each time they enter/leave—further entrenching unsustainable patterns.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

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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.: The allocation of Exmo_20 is unsound. It conflicts with NPPF (Dec 2023) paragraph 170(b) and with Local Plan paragraph 3.6 and policy AR01(b). The Strategic Flood Risk Assessment (Level 1) gives Withycombe Brook scant attention (only a footnote in Table 5-3), despite recorded fluvial flooding in 1960, 1983, and 2012 and numerous significant flood pathways in Exmouth. Exmo_20 is a greenfield site upslope of the town, with tributaries and runoff feeding Withycombe Brook—which traverses the most populous wards in East Devon. The LPA has not applied the required sequential, risk-based approach to avoid increasing flood risk to people and property, including current and future climate impacts.

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: Tracey Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 92, 114(b), 114(d), 180(e), and 181 and with Local Plan paragraph 3.6, policies TR01, OL09, PB04, and paragraph 11.2. There is no viable access to the site. The proposed primary access via the B3179 would require major, uncertain, and uncosted highway works not confirmed by Devon County Council, and the cumulative/in-combination effects on the B3179 (congestion and air pollution) must be assessed—particularly given the road runs along the boundary of the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.2025) confirms insufficient certainty to rule out adverse effects on integrity relating to air quality for the EDPH SAC/SPA. This runs counter to the precautionary approach and the mitigation hierarchy's primacy of avoidance (as embedded by the Environment Act 2021). The mitigation strategy itself recognises "Mitigation cannot be assumed without evidence (People over Wind; Sweetman)." In short, no reasonable scientific certainty has been presented to lawfully include Exmo_20. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above.

Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: Tracey Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 181, 185, 186(b), and 188 and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04. Given the site's adjacency to the Pebblebed Heaths SAC/SPA/SSSI, it is unlikely that SANG of adequate quality, scale, and geographic convenience could divert substantial recreation (dog walking, cycling, walking) away from the Heaths. As Langston et al. (2007) emphasise, a single predation event can end a nesting attempt—underscoring the need for a precautionary approach by the LPA. The RSPB's Regulation 19 response reinforces that mitigation is unlikely to avoid damaging impacts on heathland habitats and species, including additional nitrogen deposition from traffic, increased cat predation on ground-nesting birds, and recreation impacts (dogs off lead) the closer dwellings are sited to the Heaths. SANG/public open space is unlikely to be sufficient to avert damaging increases in usage. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site

originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

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

Full name: Tracey Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. At minimum, 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded to address urban effects including cat predation. However, given evidence that cats can roam over 2km [Hall et al., 2016; Metsers, Seddon & van Heezik, 2010; HRA 4.10] and that European Nightjar is a qualifying SPA feature and Section 41 species, the precautionary distance should be materially greater than the pragmatic 400m [Underhill-Day, 2005]. As Langston et al. (2007) note, “just one event leading to predation is enough to end that nesting attempt.” Exmo_20’s inclusion rests on mitigation and HRA that do not yet support the Plan. In their absence, the Competent Authority must apply a precautionary approach, at the very least removing 400m at the interface with the designated site, acknowledging the area’s functionally linked foraging habitat for Nightjar and the likelihood of greater buffers being required to mitigate recreation pressure (dogs off lead, cycling, walking). Site-level assessments of recreation impacts have not been undertaken, necessitating strategic-level precaution. This aligns with DWT, RSPB, and East Devon National Landscape Partnership, the latter stating at Regulation 19: “A 400m buffer…does not seem significantly large enough… It also further fragments the surrounding habitat… As such, [we] support the non-adoption of this site… Or… a significant reassessment of the scale and boundary… including a reduced housing number and concentration of development closer to the existing town settlement…” Natural England further advises that policy clarity and a natural buffer in the northeast along the B3179 are required, and suggests pulling the

settlement boundary away from the SAC/SPA and securing a green buffer via S106 as “clear, sound planning.” Given the availability of alternative, less mitigation-dependent sites and a plan over-supply arising from out-of-date ONS data, Exmo_20 cannot be justified. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would be to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To provide a strong opinion across

Full name: Tracey Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (Dec 2023) paragraphs 16(c), 32, 73(b) (footnotes 7 and 38), 180(d), 180(e), 181, 185(a), 186(b), 188, and 191(c) and with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02. Being directly adjacent to the Pebblebed Heaths SAC/SPA/SSSI, the allocation depends on significant mitigation for habitats and species that has neither been demonstrated as achievable nor viable. The mitigation strategy acknowledges that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA concedes “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” The site selection on 03.09.2024 and the Regulation 19 approval on 11.12.2024 proceeded on the assumption that a mitigation strategy would follow, with an “appropriate assessment” only on 30.01.2025, which is contrary to the CJEU People Over Wind ruling and the precautionary approach—particularly relevant in light of the CJEU “Dutch N” rulings. Under NPPF paragraph 32, selecting sites with known mitigation dependencies demands robust justification against the mitigation hierarchy. No such step was undertaken; Exmo_20 is especially difficult to justify given the availability of multiple alternative sites with less reliance on mitigation and a plan-wide over-allocation stemming from failure to use the latest ONS data. As Devon Wildlife Trust stated at Regulation 19: “The allocation site currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries.” Overall, the LPA’s approach falls short of its

duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and mitigation strategy are provided, and request notification accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: First choice would obviously be to remove Exmo_20 from the plan entirely for the reason outlined above. Second choice would to reduce the size considerably of Exmo_20 to the site originally identified in the initial stages of the local plan, site Exmo_20b, which would mitigate many of the concerns outlined.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: To put forward a strong viewpoint

Stephen Winn

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant, as it conflicts with NPPF (December 2023) paragraph 16(d). 1. Housing need figures are incorrect and do not use the most recent mandatory ONS data The Plan is based on outdated and invalid housing need calculations, directly contrary to MHCLG's requirement that authorities must use "the most recent data published at the time" when applying the standard method. The housing need figure of 1,188 quoted in paragraph 3.11 was calculated in February 2025, before the release of the 2024 ONS data, and therefore cannot lawfully be relied upon. Using the correct most recent ONS dataset reduces the figure to 1,156, which equates to 925 at the 80% adjustment. Over a 22-year plan period, this produces a requirement of 20,342, with no rounding distortion—representing a reduction of 567 dwellings. Because the plan has been constructed on the basis of inflated housing numbers, many policies—particularly those seeking to justify environmental harm through an asserted overriding need—are fundamentally undermined. Incorrect housing figures invalidate the Mitigation Hierarchy assessment and remove any justification for allocating highly constrained or environmentally damaging sites such as Exmo_20. 2. Exmo_20 is incompatible with a corrected housing requirement Once the correct housing need is applied, the Plan has an oversupply of allocations, eliminating any necessity for selecting high-risk, mitigation-dependent sites. Exmo_20 requires multiple, complex, and unproven mitigation strategies due to its impact on internationally and nationally designated Pebblebed Heaths SPA/SAC/SSSI. Under the Mitigation Hierarchy, avoidance must be the first step. With no demonstrable need for this site, and given the

severe environmental constraints, Exmo_20 must be removed from the plan. 3. Significant numerical and methodological errors undermine the evidence base Further numerical and methodological inaccuracies appear in the supporting evidence (HOU-002, October 2025, and HOU-001, November 2025). These documents form the foundation of the Local Plan's housing strategy. Until corrected and re-consulted upon, the underpinning evidence base cannot be considered robust or legally compliant. 4. Failure to produce clear, unambiguous policies breaches NPPF 16(d) NPPF paragraph 16(d) requires that: "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals." The use of incorrect data, contradictory evidence, and retrospectively altered figures produces a Plan that is neither clear nor transparent, and therefore fails this fundamental national policy test. Conclusion The use of outdated housing need figures, the presence of uncorrected errors in key evidence documents, the absence of any overriding requirement for Exmo_20, and the failure to apply the Mitigation Hierarchy all render the allocation unsound and not legally compliant. Exmo_20 must therefore be removed from the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Clear public opinion has not been taken into consideration by the chair and chief officer and needs a external view to ensure correct process is followed

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraph 109, and is contrary to Local Plan Policy TR01 and paragraph 11.6. 1. The allocation would create an unsustainable pattern of movement The proposed main vehicular access for Exmo_20 is located 2.3 miles by road from the centre of Budleigh Salterton and 4.0 miles by road from the centre of Exmouth. This distance, combined with the isolated siting of the access point, would inevitably result in high levels of car dependency, contrary to the requirement in NPPF 109 to promote and prioritise sustainable transport modes. 2. The allocation conflicts with the settlement hierarchy and places disproportionate pressure on Budleigh Salterton The site's proximity to Budleigh Salterton means that the town—despite its designation lower in the settlement hierarchy—would experience a disproportionate increase in traffic and demand for services. The Local Planning Authority has failed to consider the impact on Budleigh Salterton when assessing Exmo_20, despite the settlement being the closest service centre for many residents of the proposed development. This omission results in a flawed assessment and places the allocation in conflict with Policy TR01 and Local Plan paragraph 11.6, both of which require development to be located where sustainable travel and appropriate service access can genuinely be achieved. 3. Topography significantly limits viable walking and cycling options Although policy maps imply walkable and cyclable connections, the actual topography of Exmo_20 and the surrounding area—including gradients and indirect route alignments—makes active travel far less feasible in practice. This undermines any assumption that walking or cycling would form realistic alternatives to car use for accessing shops, healthcare, schools, or community services in either Budleigh Salterton or Exmouth. As a result, the

allocation directly contradicts the policy expectation that development should support a shift to sustainable transport modes. Conclusion The distance to key service centres, the inevitable rise in car dependency, the unassessed impact on Budleigh Salterton, and the practical limitations on walking and cycling all demonstrate that Exmo_20 fails to comply with NPPF paragraph 109 and relevant Local Plan transport policies. Accordingly, the allocation is unsound and should be removed from the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chair and chief officer need to be held to account for there clear unprofessional conduct throughout the consultation

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound, as it is in direct conflict with paragraph 32 of the NPPF (December 2023). 1. The Site Selection Methodology was retrospectively altered The Local Planning Authority has attempted to retrospectively amend the Site Selection Methodology (SSM) in order to justify the allocation of Exmo_20. The SSM dated May 2022 is the version that was actually applied to the Regulation 18 process. However, after 11 December 2024—the date on which the Draft Local Plan was approved for Regulation 19 publication—the SSM was altered, and a new December 2024 version was inserted into the Regulation 19 evidence library. This amended version was not the methodology used to select sites. Presenting it as though it were used constitutes a misrepresentation of process, raises serious concerns about transparency, and is behaviour that appears inconsistent with the Nolan Principles of openness and integrity. 2. The original SSM would not have allowed Exmo_20 to be selected The May 2022 SSM—the only legitimate methodology for the Regulation 18 stage—contains wording that clearly prevents Exmo_20 from progressing: Stage 2: Site Sifting “Only sites which meet criteria a), b) and c) are carried forward to Stage 3.” Criterion a: “Site is assessed as ‘suitable, available and achievable’ in the HELAA.” Subtext point 6: “It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA, but, if not, such sites should be sifted out at Stage 2.” Exmo_20 lies within 400m of the Pebblebed Heaths SAC/SPA/SSSI. Under the original methodology, the site should have been automatically sifted out and therefore could not legitimately proceed to the next stage of assessment. 3. Failure to follow an established, transparent, and consistent methodology breaches NPPF paragraph 32 NPPF paragraph 32 requires plan-making to follow: transparent, evidence-based, and

proportionate, consistent, assessment processes. Retrospectively amending the methodology after site selection, and then presenting that altered methodology as if it had been used, constitutes a clear procedural failure and undermines the validity of the allocation. This failure also prevents meaningful evaluation of reasonable alternatives, making the plan unsound. Conclusion Exmo_20's allocation is based on a retrospectively altered and misapplied Site Selection Methodology, contrary to the requirements of NPPF paragraph 32 for transparent, consistent and properly evidenced plan-making. The legitimate methodology used at Regulation 18 explicitly ruled out sites within 400 metres of the Pebblebed Heaths SAC—meaning Exmo_20 should never have been taken forward. For these reasons, Exmo_20 is unsound and should not be allocated or reverted back to 20b as previously proposed

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert back to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chair and Chief officer have been clearly dismissive of strong public opinion in constant unprofessional manner

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraphs 92 and 109, as well as Local Plan policies TR01 and TR03, and with paragraphs 3.6 and 11.2 of the Local Plan. 1. The allocation would generate unsustainable travel patterns Exmo_20 is located in a position that would substantially increase car dependence, directly contrary to NPPF paragraph 92 (supporting healthy, inclusive, safe places) and paragraph 109 (prioritising sustainable transport). The proposed primary access onto the B3179 requires residents to take a convoluted and extended route to reach essential services and facilities. This layout encourages car use rather than discouraging it. 2. Walking and cycling access to services has not been demonstrated No evidence has been provided to show that residents could realistically access regular, day-to-day services on foot or by bicycle. This is a fundamental deficiency, particularly because the Local Plan's revised Policy TR01 now treats walking and cycling as a mandatory first-choice mode of travel, rather than an optional or desirable one. The isolated siting of Exmo_20 and its distance from key services means the allocation cannot comply with the Local Plan's sustainable transport policies. 3. The proposed access via the B3179 embeds car dependency The B3179 access point places residents at a significant distance from both Budleigh Salterton and Exmouth. As housing is proposed within the southern extent of the site, access via the B3179 would require: at least 1 km of internal vehicle travel before reaching the site exit, followed by further driving to reach any meaningful service provision. This design is inherently car-centric and incapable of supporting modal shift to sustainable transport, in direct conflict with NPPF paragraphs 92 and 109 as well as policies TR01, TR03 and Local Plan paragraph 11.2. Conclusion The allocation of Exmo_20 would lock in unsustainable

travel patterns, increase private car usage, and undermine both national and local sustainable transport objectives. It fails to provide good access to services by walking or cycling, relies on an inefficient and remote access point, and is incompatible with policies requiring development to prioritise sustainable modes of travel. Accordingly, the allocation is unsound and should be removed from the Local Plan or revert back to the previously proposed 20b.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert back to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Chair of SPC and chief officer have continued to dismiss public opinion and undertake a very unprofessional and biased consultation throughout

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraph 170(b) and with Local Plan paragraph 3.6 and policy AR01(b). 1. Failure to follow the sequential, risk-based approach required for flood risk The Strategic Flood Risk Assessment (SFRA) Level 1 provides inadequate consideration of Withycombe Brook, referencing it only as a footnote in Table 5-3. This is wholly insufficient given its known and significant flood risk history. Exmouth has experienced multiple fluvial flooding events, notably in 1960, 1983 and 2012, and is identified as having numerous and significant flood-risk pathways. Withycombe Brook already presents substantial flood risk under current conditions, without factoring in intensifying future pressures from climate change. 2. Exmo_20 would increase downstream flood risk to Exmouth's most populous wards Exmo_20 is a greenfield site elevated above the town, with runoff and tributaries feeding directly into Withycombe Brook. Development here—particularly at the scale proposed—would: increase surface water runoff, accelerate flows into an already sensitive watercourse, and exacerbate downstream flood risk to some of the most densely populated areas in East Devon. This risk requires robust and early assessment, yet no evidence has been provided showing that the development can avoid worsening flood conditions downstream. 3. The Local Planning Authority has not applied the required flood-risk tests NPPF paragraph 170(b) requires a sequential, risk-based approach to directing development away from areas at highest flood risk and away from areas where development would increase flood risk elsewhere. Policy AR01(b) of the Local Plan requires the same. The allocation of Exmo_20 demonstrates that the LPA has not: applied the sequential test to avoid locations that increase risk to people and property, assessed downstream cumulative impacts adequately, or

provided evidence that development can safely be accommodated without increasing flood risk to Exmouth's vulnerable wards. Failure to meet these requirements renders the allocation unsound. Conclusion Given the site's hydrological relationship with Withycombe Brook, the lack of a robust sequential assessment, the known history of flooding, and the risk of worsening flood impacts on Exmouth's most populated communities, the allocation of Exmo_20 is in clear conflict with national policy and the Local Plan. The allocation is therefore unsound and should be reverted to 20b as previously proposed I reserve the right to comment further should a supporting HRA and mitigation strategy be provided, and request to be notified when such documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Both chair of SPC and chief officer have been unprofessional and rude when dealing with members of the publics valid concerns and opinions throughout the consultation and restricting correct and proper consultation.

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound as it conflicts with NPPF (December 2023) paragraphs 16(c), 25, 180(d), 181, 185(a), 186(a), 186(c), 188 and 191. It is also contrary to Local Plan policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 and 13.24. 1. Allocation conflicts with strategic nature recovery objectives and designated site protection The Exmo_20 site forms part of Strategic Nature Area 368, a landscape specifically identified as: a critical ecological buffer between Exmouth and the internationally and nationally designated Pebblebed Heaths SAC/SPA/SSSI, foraging habitat for European Nightjar (a qualifying feature of the SPA and a Section 41 species of Principal Importance), and a wildlife corridor linking the Pebblebed Heaths to coastal habitats. Development within this area would directly undermine the conservation objectives of the SPA and sever key ecological linkages essential for species movement and habitat resilience. Devon County Council is also in the final stages of designating this land as a Local Nature Recovery Area within the forthcoming Local Nature Recovery Strategy (to be published March 2026). This strategy—required under the Environment Act 2021—aims to enhance existing wildlife sites, reconnect fragmented habitats, and support nature recovery. Allocating Exmo_20 for development is fundamentally incompatible with these statutory aims. The site contains numerous veteran trees, ancient woodland features, and traditional hedgerows, all of which are at serious risk of fragmentation or loss if development proceeds. 2. Expert ecological bodies strongly oppose allocation due to significant harm In its Regulation 19 response, Devon Wildlife Trust states: “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area… identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key

part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development." DWT further warns: "It is beyond the scope of this letter to detail the range and diversity of sensitive habitats and species supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development... We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan." This is an unequivocal expert assessment that the site cannot be developed without serious harm—including harm to the integrity of the SAC. Under the Habitats Regulations, this level of risk is unacceptable and directly engages NPPF paragraphs 180(d), 185(a), 186(a), 186(c) and 188. 3. Failure to follow the Mitigation Hierarchy and strategic planning principles Allocating a site located within a key nature recovery area, functioning as irreplaceable buffer land, and supporting habitats for SPA qualifying species fundamentally conflicts with: NPPF paragraph 25 (strategic, plan-led approach to environmental protection), NPPF paragraph 16(c) (plans must be shaped by early, proportionate environmental assessment), and NPPF paragraph 191 (priority must be given to enhancing the natural environment). Furthermore, Local Plan policies PB01–PB04 and paragraphs 13.10–13.24 explicitly recognise the need to strengthen ecological networks and protect sensitive habitats. The Exmo_20 allocation contradicts these policy requirements. No credible mitigation has been presented that could offset the scale of ecological harm. In an SNA forming part of Devon's Nature Recovery Strategy, avoidance—not mitigation—is the only lawful and policy-compliant option. Conclusion Exmo_20 lies wholly within a strategically important ecological landscape, provides essential supporting habitat for SPA-qualifying species, and forms a critical buffer to internationally protected sites. Expert ecological bodies, including Devon Wildlife Trust, state clearly that the site cannot be developed without significant adverse effects on the integrity of the SAC. The allocation therefore: breaches multiple NPPF requirements, conflicts with key Local Plan policies, undermines statutory nature recovery duties, and fails the tests of soundness and legal compliance. Accordingly, Exmo_20 should be removed from the Local Plan. I reserve the right to comment further should a supporting HRA and a robust mitigation strategy be provided, and request to be notified when such documentation becomes available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Exmou_20 should be removed from the plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: the approach by the chair of the SPC and the chief officer has been clearly unprofessional and boarding on arrogant when address member of the publics views and opinions and dismissing them out of hand without consideration

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound as it conflicts with paragraph 206 of the NPPF (December 2023), and it also conflicts with Policies HE02 and OL01(d) of the Local Plan. 1. Significant harm to the setting of a Grade II* listed heritage asset A development of the scale proposed for Exmo_20, wrapping around St John in the Wilderness Church (Grade II*), would cause substantial and irreversible harm to its historic setting. The church and its churchyard sit within a Medieval Saxon settlement landscape, characterised by dark skies, tranquillity, and a strong sense of remoteness—a setting that is intrinsic to the significance of the asset. This “wilderness” character cannot be preserved by leaving a token buffer; the surrounding development would fundamentally—and permanently—alter the experience, setting, and cultural context of the church. 2. Expert heritage advice confirms severe and unresolved impacts Historic England, in their Regulation 19 consultation response, state: “Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b).” They further raise serious concerns regarding the proposed northern access route: “We are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm.” Historic England explicitly recommend that alternative access from the south should be explored, and that: “Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be

amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified." This is a clear indication from the statutory heritage adviser that the allocation, as currently proposed, fails to protect an asset of the highest significance, in direct conflict with NPPF 206. Conclusion The allocation of Exmo_20 would cause substantial, unjustified, and irreversible harm to the setting of St John in the Wilderness Church and its historic landscape. This places the allocation in clear conflict with national policy, local heritage protections, and the legal requirement to give great weight to the conservation of designated heritage assets. Accordingly, Exmo_20 is unsound and should not be allocated. I reserve the right to comment further should a supporting HRA and mitigation strategy be produced, and request to be notified when these documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The clear unprofessional approach from both the chair of SPC and the chief officer shows a clear disregard for public voice or opinion

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It conflicts with NPPF (December 2023) paragraphs 16(c), 92, 114(b), 114(d), 180(e) and 181, as well as Local Plan paragraph 3.6, policies TR01, OL09 and PB04, and paragraph 11.2. 1. The site has no viable or deliverable access solution The proposed primary access onto the B3179 is neither viable nor evidenced. Deliverability depends on major, uncertain and uncosted highway works, none of which have been confirmed as feasible by Devon County Council. Without clear, costed, and technically supported access proposals, the allocation cannot meet the NPPF requirements for soundness or infrastructure deliverability. Cumulative and in-combination impacts on the B3179 must also be assessed, including increased traffic congestion and air pollution along the boundary of the Pebblebed Heaths SAC/SPA, which heightens the ecological risks and conflicts directly with NPPF paragraphs 180(e) and 181. 2. HRA evidence confirms risk of adverse effects on site integrity The Habitats Regulations Assessment (18.11.25) explicitly states that there is: “currently not sufficient certainty to rule out adverse effects on integrity in relation to… air quality (East Devon Pebblebed Heaths SAC/SPA)”. This uncertainty arises because the primary access directs traffic along the edge of the protected site. Allocation of a site whose access alone risks integrity of a European designated site is incompatible with Habitats Regulations requirements and NPPF 181. 3. Allocation contradicts the precautionary approach and Mitigation Hierarchy The plan must demonstrate the precautionary approach, yet Exmo_20’s allocation does the opposite by assuming mitigation that has not been evidenced. The Mitigation Strategy itself states: “Mitigation cannot be assumed without evidence (People over Wind; Sweetman).” Under the Mitigation Hierarchy, avoidance must be prioritised over

mitigation—now a statutory duty under the Environment Act 2021. Allocating a site that inherently generates significant unmitigated air-quality and ecological impacts is incompatible with these legal requirements. There is no reasonable scientific certainty supporting the conclusion that the impacts can be mitigated. Without such certainty, the site's inclusion is unlawful under the Habitats Regulations. Conclusion Given the absence of a viable access solution, the confirmed risk of adverse effects on site integrity, the failure to apply the precautionary approach, and the contradiction of both national and local planning policy, Exmo_20 cannot be considered sound or legally compliant. I reserve the right to comment further should a supporting HRA and detailed mitigation strategy be produced. I request to be notified when these documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The unprofessional approach throughout the process by the chair of the SPC and chief officer have been completely dismissive of the public opinion against this particular allocation, at times being arrogant and misleading

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is unsound and not legally compliant. It is in direct conflict with paragraphs 16(c), 32, 181, 185, 186(b), and 188 of the National Planning Policy Framework (December 2023). It also contradicts paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. 1. High risk of recreational pressure and inability to deliver effective SANG Given Exmo_20's immediate adjacency to the Pebblebed Heaths SAC/SPA/SSSI, it is highly unlikely that Suitable Alternative Natural Greenspace (SANG) of adequate scale, ecological quality, and geographic convenience could be provided to reliably divert new residents away from the designated heathlands. The proximity of the development makes substantial recreational activity—dog walking, walking, and cycling on the protected site—almost inevitable, causing disturbance to sensitive habitats and species. The ecological risk is significant. For ground-nesting species such as European Nightjar, research confirms that "just one event leading to predation is enough to end that nesting attempt" (Langston et al., 2007, Ibis 149: 27–36). The lack of detailed mitigation proposals, coupled with the sensitivity of the qualifying features of the SPA, means that the precautionary approach required of the Competent Authority must be applied. 2. Expert bodies identify serious and unresolved ecological risks The RSPB, in its response to the first Regulation 19 consultation, clearly stated that: "Mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20)) are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development." The RSPB further emphasises: risk of direct and indirect loss of potential foraging habitat, risk of increased cat predation on SPA qualifying species, risk of

damaging levels of recreational activity, especially dogs off leads, insufficient confidence that SANG or on-site open space could prevent increased recreational use of the designated heathlands. These concerns represent significant, credible, and unresolved risks that cannot be mitigated by the site allocation as drafted. 3. Ineffective spatial controls and absence of enforceable mitigation While policy SD01 refers to a 400-metre exclusion zone for built development: “new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths” this control cannot prevent residents or domestic cats from accessing the designated site. In fact, the risk increases the closer dwellings are built to the heathlands. As the RSPB notes, there is no mechanism to stop cats roaming or residents using the protected area for daily recreation. The site’s location makes this unavoidable. Without a credible, detailed, and deliverable mitigation strategy—one which has not yet been provided—Exmo_20 cannot be considered sound or legally compliant with the Habitats Regulations. Conclusion For these reasons, the allocation of Exmo_20: breaches key NPPF requirements (paras 16(c), 32, 181, 185, 186(b), and 188), conflicts with Local Plan paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02, fails the precautionary principle, cannot demonstrate no adverse effect on site integrity, and is therefore unsound and not legally compliant. I reserve the right to comment further should a legally compliant HRA and a robust, evidence-based mitigation strategy be produced for the Local Plan. I request to be notified as soon as such documents become available.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Unprofessional approach from chair of SPC and chief officer have not taken any notice of public opinion

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of Exmo_20 is fundamentally unsound and not legally compliant. It directly conflicts with the National Planning Policy Framework (December 2023), specifically paragraphs 16(c), 32, 73(b) (including footnotes 38 and 7), 180(d), 180(e), 181, 185(a), 186(a), 186(b), 188, and 191(c). It also contradicts paragraph 3.6 and policies PB01, PB02, PB03, PB04, and OL02 of the Local Plan. 1. Minimum 400m exclusion zone is insufficient and not precautionary A minimum 400m zone adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 allocation. This buffer is proposed to mitigate cat predation and other urbanisation impacts. However, evidence shows that cats in rural and semi-rural settings can roam over 2km (Hall et al., 2016; Metsers, Seddon & van Heezik, 2010) [HRA 4.10]. With the ground-nesting Nightjar, a qualifying feature of the SPA, highly vulnerable to predation—where “just one event leading to predation is enough to end that nesting attempt” (Langston et al., 2007)—a 400m buffer cannot be considered precautionary. The pragmatic 400m distance (Underhill-Day, 2005) is not adequate in this specific context, given both the ecological sensitivity of the site and the high mobility of domestic cats. A significantly larger buffer is required to safeguard qualifying features. 2. The allocation is dependent on a non-existent mitigation strategy and HRA Exmo_20’s inclusion is predicated on a mitigation strategy and HRA that do not yet exist in a form capable of supporting the Plan. The current documentation cannot demonstrate that adverse effects on site integrity can be ruled out. In the absence of robust evidence, a precautionary approach is mandatory. At minimum, this would necessitate removing the 400m adjacent zone—though, as set out above, an even greater buffer is likely required. The site also provides functionally linked foraging habitat for European Nightjar (a SPA qualifying species and a Section 41

species of Principal Importance). Moreover, a substantially increased buffer will be required to mitigate recreational impacts (e.g., dogs off leads, cycling, increased walking pressure), which have not been assessed at site level. Again, a precautionary approach at the strategic level is the only legally defensible route. This position is shared by multiple ecological bodies, including DWT and RSPB. The East Devon National Landscape Partnership, in its first Regulation 19 response, stated: “A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage… It also further fragments the surrounding habitat… As such, East Devon National Landscape supports the non-adoption of this site as development land. Or… we support significant reassessment of the scale and boundary… including reduced housing numbers and concentration of development closer to the existing town settlement.” This is a clear and authoritative statement that the allocation, as drafted, is ecologically indefensible. 3. Site selection is unjustified given better alternatives and housing oversupply The Exmo_20 allocation is difficult to justify. Multiple less constrained and less mitigation-dependent sites were available for selection. Additionally, the Plan contains an over-supply of allocations due to the LPA’s failure to apply the latest mandatory ONS data. The choice of Exmo_20 therefore cannot be rationally defended within the Mitigation Hierarchy (NPPF para 32) or in terms of sound plan-making. 4. Natural England also identifies fundamental flaws Natural England’s Regulation 19 response reinforces these concerns: “The policy is not yet clear where employment uses would be located… the policy should require a natural buffer in the northeast… there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106… This would appear to be clear, sound planning which more effectively communicates the planning restrictions around the East Devon Heaths SAC/SPA.” Natural England is explicitly signalling that the current policy is inadequate, unclear, and inconsistent with sound ecological planning. This is a critical failing. Conclusion For the reasons set out above, Exmo_20 is unsound, not legally compliant, in breach of multiple provisions of the NPPF and Local Plan, contrary to the Mitigation Hierarchy, and dependent on unproven and currently unavailable mitigation measures. Its allocation cannot be justified in any lawful or precautionary plan-making process. I reserve the right to comment further if, and when, a sufficiently detailed and legally compliant HRA and mitigation strategy are produced. Please notify me when such evidence becomes available

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: The unprofessional actions and tone of the chair of SPC and chief officer have been completely negligent to the importance of listening to the publics important wishes

Full name: Stephen Winn

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.: SD01

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:: Exmo_20

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.: The allocation of site Exmo_20 is fundamentally unsound and not legally compliant. It is in clear conflict with numerous provisions of the National Planning Policy Framework (December 2023), specifically paragraphs 16(c), 32, 73(b) (including footnotes 38 and 7), 180(d), 180(e), 181, 185(a), 186(b), 188 and 191(c). It also contradicts paragraph 3.6 and policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Given its immediate proximity to the Pebblebed Heaths SAC/SPA/SSSI, the allocation is entirely dependent on extensive habitats and species mitigation. Critically, this mitigation has not been demonstrated to be either achievable or viable. The mitigation strategy itself states that “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA”, while the Plan’s HRA acknowledges that “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” The site was selected on 03.09.24, with no opportunity for reconsideration, and the Regulation 19 Draft Local Plan was approved on 11.12.24 on the assumption that a mitigation strategy would emerge. This was done prior to undertaking an Appropriate Assessment in the 30.01.25 HRA, in direct contradiction to the CJEU People over Wind ruling and the legally required precautionary approach—particularly relevant in light of the CJEU Dutch N judgment. Furthermore, under NPPF paragraph 32, site allocations subject to known and significant mitigation requirements must be clearly justified against the Mitigation Hierarchy. The LPA has not carried out this assessment. The selection of Exmo_20 is especially difficult to justify when several alternative, viable, and far less mitigation-dependent sites were available, and when the Plan already contains an over-supply of housing allocations due to the LPA’s failure to use the latest mandatory ONS data. The

Devon Wildlife Trust, in its first Regulation 19 response, highlighted that the site "currently serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries." The LPA's actions reflect a cavalier approach to its responsibilities as the Competent Authority under the Conservation of Habitats and Species Regulations and reveal systemic failings in meeting its statutory duties. I reserve the right to submit further comments when—and if—a legally compliant HRA and a robust, evidence-based mitigation strategy are made available. I request to be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: As there are many points being overruled by the chair and chief officer which need clear understanding and competent review

Full name: Stephen Winn

Proposal: Sustainability Appraisal

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.: Objection 1 – Lack of Transparency in the SA Update Process The revised Sustainability Appraisal (SA) cannot be meaningfully reviewed because no Schedule of Changes or tracked changes version has been provided. Without these documents, it is impossible to identify or assess the "specific changes listed in the Schedule of Changes", as required by the consultation instructions. This omission prevents stakeholders from making representations in accordance with the consultation requirements. The Schedule of Changes and a tracked changes version must be published and made available for consultation. [Evidence: 2nd Regulation 19 consultation SA Commonplace page] _____ Objection 2 – Fundamental and Unexplained Alterations to the SA The revised SA appears to introduce extensive and material changes that amount to a fundamentally different evidence base from the 1st Regulation 19 SA. This includes the reversal of earlier conclusions, notably the insertion of HELAA failed sites such as Exmo_20. The appraisal has been substantially rewritten in response to consultation criticism, rather than reflecting evidence available at the time of earlier decisions. Decisions made previously cannot legitimately rely on a subsequently produced appraisal to render those decisions sound. The retrospectively created Site Selection Methodology (Version 2, December 2024) is now heavily relied upon, but cannot retrospectively justify allocations. The allocation of Exmo_20 remains unjustified and unsound. _____ Objection 3 – Incorrect Treatment of Exmo_20 in Site Sifting Exmo_20 should be shown as a "failed site sifting" (blue) on page 384, consistent with the HELAA findings of unsuitability and unachievability and with the Site Selection Methodology (May 2022) sifting stage. Its current depiction is inconsistent with the evidence base, and its inclusion in the draft Local Plan is unjustified and unsound. [Evidence: Site Selection Methodology (May 2022)] _____ Objection 4 – Incorrect Classification of Exmo_20 as a Reasonable Alternative Exmo_20 is incorrectly identified as a reasonable alternative on pages 386–387.

- The HELAA found the site to be unsuitable and unachievable, not merely unachievable.

- No evidence has been provided demonstrating that constraints relating to access, mineral safeguarding, or proximity to the Pebblebed Heaths can be resolved.

- The necessary mitigation strategy and supporting HRA are absent, despite the HRA being a required Core Submission Document.

- The site was selected for allocation before Appropriate Assessment, contrary to the CJEU “People Over Wind” ruling.

- The site was not available as submitted in the HELAA and availability was not verified, meaning the site in fact fails all three HELAA tests: unsuitable, unachievable, and unavailable. Its inclusion is legally non compliant, unjustified, and unsound.

_____ Objection 5 – Inconsistency and Errors in the Assessment of Impacts on the Pebblebed Heaths Page 390 of the SA incorrectly describes the 400m exclusion zone as relating to “recreation impacts”, whereas the zone is defined by urbanisation effects, demonstrating a misunderstanding of the Habitats Regulations. Recreation impacts are assessed separately using different methodologies and mitigation. On page 391, Exmo_20 is not assessed consistently with other sites such as Exmo_04, despite being the largest and closest site (immediately adjacent) to the Pebblebed Heaths SAC/SPA/SSSI. The latest HRA identifies an “Inherent Conflict”. The SA also now references the Strategic Nature Area and draft Nature Recovery Network—material considerations introduced following consultation. These reflect the site’s high biodiversity value, including its role as supporting habitat for Section 41 Priority Species (Nightjar), consistent with NPPF paragraphs 180–181 (Dec 2023). The site’s allocation must be reassessed in light of this evidence. Its current justification is unsound. _____ Objection 6 – Misrepresentation of Site Size and Resulting Unsound Decision Page 392 of the SA records Exmo_20 as 85ha, and a site of this size was presented to the Strategic Planning Committee on 3 September 2024. Members relied on the site’s size when voting for its inclusion. However, the 85ha site was not available, rendering the decision based on incorrect information and therefore unsound. The actual available area is significantly smaller, materially altering the basis for allocation.

_____ Objection 7 – SA Findings on the 400m Exclusion Zone Not Reflected in the Local Plan The SA states that the 400m buffer “coincides with the higher, more prominent parts” of Exmo_20 and that “built development will not be permitted” within this area, reducing landscape harm. The Local Planning Authority (LPA) has repeatedly refused to reflect this constraint in the Local Plan, indicating instead that development may occur within the top 400m. The Local Plan must accord with the SA’s conclusion of “No Built Development” within the 400m zone. The viability of the allocation must be reassessed given this constraint and the substantial reduction from the inaccurately presented 85ha site approved on 3 September 2024. _____ Objection 8 – Failure to Apply SA Findings on Minerals Safeguarding and the 400m Buffer Page 396 of the SA acknowledges that the mineral safeguarding area overlaps with the 400m exclusion zone where development “will not be allowed”. This position is not reflected in the Local Plan, where the LPA continues to assert that built development may occur within the top 400m. The Local Plan allocation boundary must be amended to exclude the 400m

zone adjacent to the Pebblebed Heaths. The viability of the site should be reassessed, especially as the proposed access cannot be delivered without contradicting the SA's own conclusions. This compounds the material reduction in developable area from the misrepresented 85ha. _____ Objection 9 – Inconsistent Application of Mitigation Principles Between Exmo_04 and Exmo_20 On page 399, the SA notes that mitigation within 400m of the Pebblebed Heaths is not possible for Exmo_04 or Exmo_20, resulting in the adjustment of Exmo_04 to Exmo_04a. No equivalent adjustment has been applied to Exmo_20 despite identical constraints. The Local Plan must apply the same approach, removing the 400m buffer area from Exmo_20 and revising the settlement boundary. The viability of the allocation must be reconsidered given the inability to provide access without breaching the SA's conclusions, and the further reduction in developable area from the inaccurately stated

Full name: Stephen Winn

Proposal: Sustainability Appraisal

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.: Page 390 of the SA incorrectly describes the 400m exclusion zone as relating to "recreation impacts", whereas the zone is defined by urbanisation effects, demonstrating a misunderstanding of the Habitats Regulations. Recreation impacts are assessed separately using different methodologies and mitigation.

Full name: Stephen Winn

Proposal: Sustainability Appraisal

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.: On page 391, Exmo_20 is not assessed consistently with other sites such as Exmo_04, despite being the largest and closest site (immediately adjacent) to the Pebblebed Heaths SAC/SPA/SSSI. The latest HRA identifies an “Inherent Conflict”. The SA also now references the Strategic Nature Area and draft Nature Recovery Network—material considerations introduced following consultation. These reflect the site’s high biodiversity value, including its role as supporting habitat for Section 41 Priority Species (Nightjar), consistent with NPPF paragraphs 180–181 (Dec 2023). The site’s allocation must be reassessed in light of this evidence. Its current justification is unsound.

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Proposal: Sustainability Appraisal

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Proposal: Sustainability Appraisal

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Full name: Stephen Winn

Proposal: Sustainability Appraisal

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Proposal: Sustainability Appraisal

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Full name: Stephen Winn

Proposal: Sustainability Appraisal

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Full name: S Winn

Proposal: Sustainability Appraisal

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Proposal: Sustainability Appraisal

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Full name: S Winn

Proposal: Sustainability Appraisal

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Full name: S Winn

Proposal: Sustainability Appraisal

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.: Exmo_20 should be shown as a “failed site sifting” (blue) on page 384, consistent with the HELAA findings of unsuitability and unachievability and with the Site Selection Methodology (May 2022) sifting stage. Its current depiction is inconsistent with the evidence base, and its inclusion in the draft Local Plan is unjustified and unsound.

Full name: S Winn

Proposal: Sustainability Appraisal

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Full name: S Winn

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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.: The revised Sustainability Appraisal (SA) cannot be meaningfully reviewed because no Schedule of Changes or tracked-changes version has been provided. Without these documents, it is impossible to identify or assess the “specific changes listed in the Schedule of Changes”, as required by the consultation instructions. This omission prevents stakeholders from making representations in accordance with the consultation requirements. The Schedule of Changes and a tracked-changes version must be published and made available for consultation. [Evidence: 2nd Regulation 19 consultation SA Commonplace page]

Karen Winslade

Full name: Karen Winslade

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the Regulation 19 draft Local Plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently serves an important function

of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Robert Arthur Withers

Full name: Robert Arthur Withers

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that su?cient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

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)

Full name: Robert Arthur Withers

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraph 170b of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. South West Water struggles with sewage disposal and this proposal will add considerably to run off given the way in which areas of housing change the natural drainage. In the Strategic Flood Risk Assessment Level 1 Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runo? directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Reduce the size of Exmo_20

Full name: Robert Arthur Withers

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important bu?er between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would radically alter the character of the East Devon landscape, changing an ecologically significant area into an increasingly urban environment. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March ’26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that “The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area…identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon’s Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate t consider allocation of this land for development….It is beyond the scope (of this letter) to detail the range and diversity of

sensitive habitats and species which are supported by NNRS/SAC/ SPA/SSSI designations, which would be exposed to significant detrimental e?ects were the site to be subject to development…We do not believe that it is feasible to develop this site without causing significant adverse e?ects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I fully endorse their recommendation.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Robert Arthur Withers

Proposal:

5. Development in the Towns and Villages

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

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Proposal:

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1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD01

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

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supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly.

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4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Wesley Woltman

Full name: Wesley Woltman

Proposal: Sustainability Appraisal

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.: Exmo_20 should be marked blue "failed site sifting" on the map on page 384 as it was deemed unsuitable & unachievable in the HELAA and in accordance with the Site Selection Methodology (May 2022) failed site sifting. The site's current inclusion in the draft Local Plan is unjustified and unsound.

John Wood

Full name: John Wood

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.: SD01

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:: Exmo_20

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.: llocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Deborah Wood

Full name: Deborah Wood

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.: SD01

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:: Exmo_20

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.: Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6, 11.2 & 11.6 of the Local Plan. Exmo_20's limited access would significantly increase the need for car travel from the main access point proposed (B3179) to access facilities and services, being 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles from the centre of Exmouth by road, therefore an unsustainable location for development. This allocation would overwhelm Budleigh and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. Policy TR01 now states that walking/cycling must be the natural first choice for transport, which cannot be achieved for Exmo_20. The site's and local area's topography makes potential cycling and walking options less viable, which is not apparent on the policy maps.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

G. Woodcraft

Full name: G. Woodcraft

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.: SD01

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:: Exmo_20

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.: This development is far too close to the Pebblebed Heaths and the boundary of the East Devon National Landscape. As a result wildlife and fragile habitats will be affected by domesticated animals - cats and dogs off lead, as well as the continued impact of more people using the area for immediate access to a range of outdoor relaxation, picnics and parking. Protection for many named species of birds i.e. ground nesting Nightjars will be decimated.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the local plan Significantly reduce the density and size of the site Move the settlement boundary much further away from the Pebblebed Heaths at least 500 metres or more. Do not access this site from the B3179 as it actually forms part of the boundary of the East Devon National Landscape. This should be recognised and respected for what it is.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: G. Woodcraft

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.: SD01

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:: Exmo_20

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

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.: The Exmo_20 site is part of the Strategic Nature Area 368 identified as an important buffer between Exmouth and the Pebblebed Heaths SPA/SSSI and is a wildlife corridor between the PB Heaths and the coast. This is deemed a recovery area and contains many vital ancient woodlands, trees and hedgerows which are now at risk of becoming damaged and fragmented habitats. Air pollution from the road, increased pollution and litter from residents and dogs and their owners will have a major impact on wildlife.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the plan and significantly move the settlement boundary away from the Pebblebed Heaths.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: G. Woodcraft

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.: SD01

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:: Exmo_20

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.: Flood risk probabilities/potential and future effects of climate change. The LPA have not employed the required, risk based approach to site selection in order to minimize and avoid flood risks to people and property.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Undertake the necessary survey. Remove Exmo_20 from the local plan. Reduce the size of the development significantly.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

Full name: G. Woodcraft

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.: SD01

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:: Exmo_20

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.: Exmo_20's allocation conflicts with para 32 of the NPPF Dec 23 and as a consequence of retrospectively changing the SSM - site selection methodology (in direct conflict with the Nolan principles) to justify even selecting this site. The original version used in May 2022 for the reg 18 stage does not allow Exmo_20 to be selected.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Exmo20_should be removed from the plan. The B3179 is already an overly used, over congested, narrow B road providing an increasing amount of traffic, access to Budleigh Salterton and Exmouth. Adding further vehicles 2000+ will make it significantly worse, to the point that it will cause a greater number of accidents (a foreseeable offence) and ruin access between the two towns. It will be a nightmare!

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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

Gabrielle Wooller

Full name: Gabrielle Wooller

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.: SD01

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:: Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways,

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 from the Local Plan, -Reduce the size of Exmo_20, -Do not access the site via B3179, -Do not access the site via Southern Wood. -Move the settlement boundary away from the Pebblebed Heaths -Revert to 20b as previously proposed

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Peter Wright

Full name: Peter Wright

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.: SD04

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:: Otry_21

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.: 1 Evidence Document Ref: EDDC Local Plan 2020 – 2042 Regulation 19 Second Consultation Request for the removal of Site Selection for Otry_21 from the plan. I hereby request your assistance in correcting a suspect decision contained within the emerging local plan. The area in question is the inclusion of the site known as Otry_21 within land included for potential development. It is quite clear that as demonstrated by the vast body of evidence and adverse public opinion that the inclusion of this site within a new local plan would be an extremely poor planning decision. The inclusion of Otry_21 is in direct conflict with the requirements of the National Planning Policy Framework, Emerging Local Plan, Ottery St Mary Neighbourhood Plan, and conservation requirements for the River Otter as further highlighted: - Conflicts with NPPF: Para.11 ‘Plans and decisions should apply a presumption in favour of sustainable development. a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change. d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land.’ Para. 15 ‘The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting

housing needs and addressing other economic, social, and environmental priorities; and a platform for local people to shape their surroundings.' 2 Para. 77 'The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should: a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential, and the scope for net environmental gains. b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself without expecting an unrealistic level of self-containment), or in larger towns to which there is good access.' Para.109 Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable, and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities. b) ensuring patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes, and contribute to making high quality places. c) understanding and addressing the potential impacts of development on transport networks. d) realising opportunities from existing or proposed transport infrastructure and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated. e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing, and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. Para. 110 The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both planmaking and decision-making. 3 Para. 115 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location. b) safe and suitable access to the site can be achieved for all users. d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can

be cost effectively mitigated to an acceptable degree through a vision-led approach. Para. 116 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Para. 124 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.' Para. 125 'b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage, or food production. c) give substantial weight to the value of using suitable brownfield land within opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Para. 170 Inappropriate developments in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Para 171. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. Para. 172 . All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. 4 Para. 187 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate. d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats, and hedgehogs. e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant

information such as river basin management plans. Para. 198 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation. Conflicts with East Devon District Council Regulation 19 Draft Plan: Para. 2.6. Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land. Where possible we will retain high quality land in agricultural production as we move towards more environmentally sustainable farming practices into the middle decades of the 21st century. 5 SP05 Within the settlement boundaries defined on the Policies Map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan. SP06: In locations outside of the defined settlement boundaries development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development. AR02 To minimise impact on protect, manage and improve water quality in all water bodies affected by development in East Devon: A. Planning permission will not be granted for any proposal which, because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water drainage and disposal, would

1. cause pollution to the water environment, including coastal waters

2. result in the deterioration of the ecological status of a water body

3. overload the sewer network, or

4. result in an increase in flood risk at the site or elsewhere. DS01 Proposals will only be permitted where they: A. Respect the key characteristics and special qualities of the area in which the development is proposed. B. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context. C. Do not adversely affect:

1. The distinctive rural, historic or architectural character of the area.

2. The urban form, in terms of significant street patterns, groups of buildings and open spaces.

3. The amenity of occupiers of adjoining residential properties.

4. The operation of existing uses outside of the proposed development. OL01 East Devon's landscape, countryside and rural areas (including rivers, watercourses and waterbodies) will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including: A. Landform and water forms and patterns of settlement. B. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, trees and woodlands, areas of importance for nature conservation and rural buildings. C. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions; and 6 D. Aesthetic and perceptual factors such as tranquillity, wildness and dark skies. All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as up to date strategy and guidance for trees and woodlands. OL04 Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the district, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans. The following view types are considered to be particularly important: A. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside. B. Views from publicly accessible areas which are within, to or from settlements which contribute to the viewers' enjoyment of the local area. C. Views from public rights of way and other publicly accessible areas. D. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and E. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features. Development proposals should conserve and enhance sequential views and not result in adverse cumulative impacts within views. OL09 Permission will not be granted for development which would result in pollution that cannot be adequately mitigated. This will include: A. Pollution of the environment by gas or particulates, including smell, fumes, dust, grit, smoke and soot. B. Pollution of surface or underground waters, for example by untreated sewage, including discharges to:

1. Rivers, other watercourses, water bodies and wetlands.

2. Water gathering grounds including water catchment areas, aquifers and groundwater protection areas.

3. Harbours, estuaries or the sea OL10 Unless allocated for development under another plan policy, planning permission for development affecting the best and most versatile agricultural land (Grades 1, 2 and 3a) will only be granted exceptionally if: A. Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable, or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or archaeological designation outweighing the agricultural considerations; or B. The benefit of the development justifies and clearly outweighs the loss of high-quality agricultural land. 7 If there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues. Conflicts with Ottery St Mary Neighbourhood Plan 2017 – 2031 Para. 6.3 The countryside of the Neighbourhood Plan Area is a highly valued asset with special character provided by the rolling farmland, wooded hillsides, winding lanes and the open river valley. The countryside is important for its aesthetic and leisure value, its essential farming role and its wildlife habitat value. The balance of the historic town, villages and smaller settlements surrounded by nature and countryside views is considered by the community to be a vital part of the character of the area. It makes the Parishes a special place to live and visit. It is of utmost importance that these characteristics are protected for current and future generations. Para. 6.4 National and local planning policy restricts development in the countryside. The adopted East Devon Local Plan does not identify the need for the Neighbourhood Plan to make any strategic or other housing development allocations due to the large number of new homes consented in recent years and the desirability of preserving the settlement pattern and character. As a result, no significant new developments whether within or outside of the existing settlements are needed during the Local Plan period. Para. 6.14 The unique pattern of settlements within the Neighbourhood Plan Area, each with their own distinctive character, is a valued part of its nature. This, coupled with developer pressure, particularly for new housing sites in and around the main settlements raises concerns about creeping development undermining and degrading the special character of the area over time. This must not be allowed to occur, and a major role of the planning system is to prevent and control this. Para. 6.15 In most cases, new development on land outside of the defined built up area boundaries of Ottery St Mary and West Hill will not be allowed in line with Local Plan and Neighbourhood Plan policies protecting the countryside. Inconsistency within Site Selection reports for Otry_21 The whole area surrounding Gerway Farm has been subject to repeated attempts by the landowner to promote development on this area of pristine agricultural land. It has been rejected in its entirety in the past and should continue to be rejected. 8

Otry_21 first appeared in the emerging plan as a Potential 2nd best option with an allocation for 40 homes, Stating: 'Allocation would need to be subject to satisfactory highways and archaeological/heritage assessment as the smaller section would need to be accessed through an existing estate and it is very sensitive in heritage terms, being a historic field enclosure with pre-historic and medieval finds nearby.' The site made a re-appearance in September 2024, however had increased in density to now allocate 70 houses, with confusing statements, including: 'Ottery St Mary has limited jobs, lacks a train station and accessibility is constrained by narrow roads, lack of pavements and a historic town centre,' 'Site is a significant greenfield site.' It should be questioned, that why in the total absence of any change in the landscape, highway access or local housing need this area has risen from unacceptable to a density of 70 houses. Ottery St Mary – Transport and Public Realm Study 2022

2.3.13 The nature of the road network, as well as the land uses in the area, means that Ottery St Mary suffers from traffic travelling through the town centre, especially for the east/west movement. This can have a detrimental social and environmental impact on the streets especially in the narrow streets of the historic town centre.

2.3.14 The town also has a high demand from car traffic. This is apparent from the parking pressures and limitations on space for pedestrians and cyclists. Although the quality of the built heritage is very good, the public realm and streetscape is now dominated by vehicular traffic and suffers from blind bends, pinch points, narrow footways, poor cycling infrastructure and a lack of public space for social interaction.

2.3.21 Land use and transport are inextricably linked. It is the land uses that act as trip attractors or trip producers that give rise to the trip generation across the road network. Collectively the residential areas generate high levels of trip movements.

3.3.13 The East Devon local Plan is the emerging planning policy document for the district. It sets planning policies and proposals for new development in the district for the period 2020-2040.The emerging local plan strategy establishes Ottery St Mary as a Tier 2 settlement and as such an appropriate location for future growth and development.

3.3.14 However, the plan also acknowledges constraints on development including the extensive Conservation Area and setting of Grade 1 and 2* listed buildings, narrow approach roads to the historic centre which create traffic issues and significant congestion to the north, east and south, and the flood 9 plain of the River Otter. Expansion of the town to the north, east and south would exacerbate existing traffic issues. Hence, the plan favours development options to the west of the town, recognising that a green wedge has been designated to prevent coalescence between Ottery St Mary and West Hill village. The East Devon Water Cycle Study – November 2025 Key findings of the WCS are: Commissioned by East Devon District Council, this

report was required to enable a clear understanding of the problems within the Otter catchment area resulting from wastewater treatment. The report also informs the areas where future development should not occur without prior improvements to the wastewater treatment process, failure to prevent development (in particular residential development) will result in further unacceptable pollution in the River Otter. Three critical areas are identified as being at high risk from nutrient loading due to the increases in wastewater production from proposed housing developments: the River Exe Estuary, the River Axe, and the Otter Estuary. These areas are vulnerable due to direct effluent discharges or cumulative effects from multiple sources, exacerbating existing problems like phosphate pollution. Infrastructure enhancements and continued rigorous planning are recommended to handle the increased wastewater and sewage loads expected from new developments. Policy recommendations: To ensure sustainable growth and compliance with environmental standards, EDDC must embed water efficiency and water quality safeguards into the emerging Local Plan. The East Devon WCS outlines the essential considerations for managing water resources, wastewater, and environmental conservation considering projected development across the district. Its evidence-based observations and recommendations aim to steer East Devon towards a future where growth and sustainability coexists equally, ensuring that water management practices enhance rather than compromise the natural and built environment. The current existing flows, without proposed growth, are shown in Table 5.5. Using the 3-year average Q80 flow as the Actual DWF provided by SWW, four of the 15 WwTW that are expected to have development growth are currently exceeding, including Feniton, Fluxton, Honiton and Woodbury Summary New development in East Devon will increase demand on the sewerage network & WwTWs, resulting in higher treated discharge flows. This growth may exacerbate flood risk and reduce network capacity, requiring mitigation measures and infrastructure upgrades. Where WwTWs operate at or above 90% of their permitted capacity, further investigation is needed to assess environmental impacts and compliance with 10 pollutant limits. Using RQP modelling for riverine discharges and load standstill calculations for tidal systems, capacity analysis shows that seven WwTWs, including Colyton, Countess Wear, Honiton, Fluxton, Feniton, Seaton South and Woodbury will exceed permitted flow headroom post-growth. Policy recommendations Based on the analysis presented in Sections 4 to 6 of this WCS, the following high level policy recommendations should be considered by EDDC in the development of the Local Plan: Potential developments that may adversely affect green infrastructure assets and water quality should not be permitted. South West Water - Strategic Drainage and Wastewater Management Plan – Otter May 2023 This plan as published by SWW is their strategy to cover the period up to 2030 for Level 2 Catchments. Included within this strategy is a plan area for the Level 2 Catchment area of Ottery St Mary and shows that NO RESIDENTIAL DEVELOPMENT is allowed for within Ottery St Mary. It also states that Fluxton WwTW is overwhelmingly in either the Immediate moderate risk or Immediate high-risk category for many pollution

incidents. A recent, 2018, upgrade to Fluxton WwTW costing £5m was completed and it is stated that this will meet all requirements to 2031. It is not anticipated that any further investment will come forward, Storm Overflow's The Pumping Station and Storm Overflow below and serving the Gerway Farm area is currently greatly exceeding its permitted spill rate. The latest figures confirm that in 2024 it spilled a total of 13 times, which is compared to a permitted rate of 3 per year. SWW state their plan aims to reduce the number of spills to 3 by 2030/50. Surrounding Area Ottery St Mary is within Zone 2 influence for the East Devon Pebblebed Heaths. The town takes its name from the River Otter, which flows through the area, linking the surrounding landscape and having the East Devon Pebblebed Heaths running along an escarpment towards it. As a significant local settlement, Ottery St Mary faces ongoing pressure for new housing development. These developments are a concern due to their potential to increase recreational use and thus disturb the sensitive ecology of the heaths, which are a Special Area of Conservation (SAC) and Special Protection Area (SPA). Local planning decisions, such as those by the East Devon District Council and the Ottery St Mary Town Council, must consider the "Habitats Regulations" to ensure no adverse effects occur on the heaths' protected habitats and species. 11 The proposed site Otry_21 is in direct line of site from the Historic England site of Belbury Castle Heritage List No: 1017774, this should be considered a protected view. Due to its physical characteristics Otry_21, has a direct link to The River Otter through the stream flowing at the base of the site. It will prove impossible due to the nature of the ground to prevent the runoff of contaminated surface water and wastewater overflows from entering the river. Development should be precluded from this area. There is no demonstrable evidence of the need for additional housing within Ottery St Mary, in fact, there is currently a large surplus of housing for sale. The site in question is home to a large number of species both with and without protected status, including, Bats, Dormice, Buzzard and Merlin and is in extremely close proximity to Badgers and the newly introduced Beaver groups. I trust in consideration of all the preceding objections in particular the major traffic congestion and additional danger to parents and children that would be caused at the Winters Lane and Longdogs area of the town and your responsibility to safeguard the water quality within the River Otter you are able to request the removal of Otry_21 from the emerging local plan. Otry_21's inclusion in this plan has already provoked an attempt to increase the proposed development area and will no doubt encourage this speculative nature in pursuit of further undesirable development destroying rural landscapes and pristine agricultural land. The inclusion of this site would be an exceptionally poor and unjustified planning decision.

John Wright

Full name: John Wright

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.: SD01

1(c). If the comment is related to a site, please state the site reference here:: Exmo_20

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have personal experience of the abundant wildlife, especially bats, of the water course situation, of the burst mains drains in St John's Road and of the danger on the B3719 to Budleigh Salterton. I also recollect my comments on the proximity to St John's in the Wilderness being of relevance..I have not been able to comment on the Commonplace platform as I have tried and failed to make sense of it. Please note these comments remain in place, from my previous written correspondence .I finally can add that the prospective developers Eagle Investments, are known to split sites so that they can avoid their obligations to provide infrastructure, then to rejoin them later. They have done this all around Exmouth. We expect they will continue on the same track with Exmouth_20. The local planning team seem to not take this behavioural pattern into consideration. I would stress it is time they did so.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete Exmo_20

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.: I have personal experience of the abundant wildlife, especially bats, of the water course situation, of the burst mains drains in St John's Road and of the danger on the B3719 to Budleigh Salterton. I also recollect my comments on the proximity to St John's in the Wilderness being of relevance..I have not been able to comment on the Commonplace platform as I have tried and failed to make sense of it. Please note these comments remain in place, from my previous written correspondence .I finally can add that the prospective developers Eagle Investments, are known to split sites so that they can avoid their obligations to provide infrastructure, then to rejoin them later. They have done this all around Exmouth. We expect they will continue on the same track with Exmouth_20. The local planning team seem to not take this behavioural pattern into consideration. I would stress it is time they did so.

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Full name: John Wright

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.: SD01

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2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I have not been able to comment on the Commonplace platform due to being unable to access a laptop. Please note that my previous written objections remain. It seems that the site below my property is no longer in the local plan, Exmouth _20b, but I do not know this for a fact..However, this is definitely an important woodland corridor and should be removed from the strategic plan. My other comments regarding SSI, light pollution, road danger due to traffic funnelling and mostly the water courses from springs and from lack of mains supply maintenance are still relevant. Please note that the above comments are from 30 years of personal experience as well as love for Exmouth, where I have lived for 66 years. Please consider carefully if one big development is the correct way to proceed, particularly with the way the Eagle Investments company tend to split their builds, and then not add in the infrastructure.

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Delete site Exmo_20b

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.: I have not been able to comment on the Commonplace platform due to being unable to access a laptop. Please note that my previous written objections remain. It seems that the site below my property is no longer in the local plan, Exmouth _20b, but I do not know this for a fact..However, this is definitely an important woodland corridor and

should be removed from the strategic plan. My other comments regarding SSI, light pollution, road danger due to traffic funnelling and mostly the water courses from springs and from lack of mains supply maintenance are still relevant. Please note that the above comments are from 30 years of personal experience as well as love for Exmouth, where I have lived for 66 years. Please consider carefully if one big development is the correct way to proceed, particularly with the way the Eagle Investments company tend to split their builds, and then not add in the infrastructure.

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Full name: Peter Wright

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.: SD04

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

1(c). If the comment is related to a site, please state the site reference here:: Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. Ottery St Mary does not have a need for additional housing developments, I request that you question the accuracy of the Reg.19 figures and indeed the very term Housing Need, this is not an actual need it is a notional figure derived by calculation to achieve a Government Target. East Devon is using the standard method calculation; however this method provides a starting point for local authorities, but it is not a mandatory unchangeable target. Local authorities can use evidence constraints, such as the presence of a National landscape in their Local Plan. The Government has clarified that meeting housing need is never a reason to cause unacceptable harm to protected places. The fact that East Devon is 66% National Landscape should be embraced by the Planners to help reduce the target figure and avoid building on excellent quality agricultural land. East Devon is not taking this approach and in fact are criticising nearby Torbay for doing so. WHY? The Neighbourhood Plan is clear that Ottery St Mary does not need nor can cope with further large-scale development at the expense of its countryside and character. Keeping Otry_21 in the plan ignores that locally agreed vision. Many objections to the inclusion of Otry_21 have been raised and the site has previously been discounted for

reasons that have not changed. Over 560 objections have been raised for a development encompassing this area with the following Consultees having objected: · DCC Flood Risk Management · Otter Valley Association · Devon County Archaeologist · DCC Councilor for the area · Ottery St Mary Mayor · Ottery St Mary Town Council · EDDC Planning Policy Team question its suitability For all these reasons the allocation of Otry_21 is: · Unsustainable · In conflict with national, local, and neighbourhood policies · Environmentally harmful · Infrastructure-constrained · Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary, it would also seriously constrain the ability of EDDC planners to prevent further requests to expand Ottery St Mary in this highly unsuitable South Easterly direction. Pressure for such development is already evidenced by the controversial application 25/2468/MOUT.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Full name: Peter Wright

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.: SD04

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

1(c). If the comment is related to a site, please state the site reference here:: Otry_21

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.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection.

1. Failure to Meet National Policy Requirements

Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to:

a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development

south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane.

b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle.

c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure.

The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria.

2. Conflicts With the Draft Local Plan (Regulation 19)

Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including:

a) SP06 – which restricts development outside settlement boundaries.

b) AR02, OL01, OL04, OL09 – which require protection of water quality, landscape character, views, and biodiversity.

c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists.

The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character.

3. Conflicts With the Ottery St Mary Neighbourhood Plan

The Neighbourhood Plan places strong emphasis on preserving:

a) The distinctive countryside setting,

b) The historic settlement pattern, and

c) the rural landscape between communities.

It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning.

4. Severe Transport and Highway Constraints

The Ottery St Mary Transport & Public Realm Study (2022) identifies:

a) Chronic congestion in the historic town centre,

b) High car dependency.

c) Narrow approach roads, and

d) Limited junction capacity.

Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow.

5. Wastewater, Drainage, and Environmental Risks

Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that:

a) Ottery St Mary has no capacity for additional residential development.

b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity.

c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit.

d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents.

Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats.

6. Harm to Biodiversity and Protected Habitats

The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations.

The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development.

7. No Demonstrable Housing Need

There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate.

8). Unexplained Increase in Proposed Density

The site originally appeared as a “second-best option” for approximately 40 dwellings, subject to significant heritage and highway concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process.

Conclusion

For the reasons outlined above, the allocation of Otry_21 is: · Unsustainable · In conflict with national, local, and neighbourhood policies · Environmentally harmful · Infrastructure-constrained · Unjustified and unsupported by evidence

Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary.

I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan.

Rachel Wright

Full name: Rachel Wright

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.: SD01

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:: Exmo_20

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.:

1. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186b, 188 & 191c, of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Being adjacent to the Pebblebed Heaths SAC/SPA/SSSI the allocation relies on significant habitats and species mitigation, which has yet to be shown as achievable and viable; the mitigation strategy states “It was not possible to screen out a Likely Significant Effect for other units within the EDPH SAC and SPA” and the Plan HRA states “there is inherent conflict in that the growth proposed in the Plan would exceed threshold levels and there is, as yet, no means to mitigate or address the risks.” This site was selected on 03.09.24 (without option to reconsider), with the draft local plan approved on 11.12.24, on the assumption that a mitigation strategy would be forthcoming, prior to undertaking an appropriate assessment in the 30.01.25 HRA, contrary to CJEU “People over Wind” ruling and the required precautionary approach, particularly relevant considering the CJEU “Dutch N” ruling. Furthermore selecting sites with known mitigation requirements requires clear justification when assessing allocations against the Mitigation Hierarchy as set out in NPPF paragraph 32, the LPA has not undertaken this stage and the Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and that the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. DEVON WILDLIFE TRUST stated in their 1st Regulation 19 response that “The allocation site currently

serves an important function of acting as a buffer between the urban area of Exmouth and the highly designated land to the north. Development within the proposed allocation would result in degradation and loss of ecologically supportive environments outside the designated site boundaries". The LPA demonstrates a cavalier attitude and widespread failings in its duties as the Competent Authority under the Conservation of Habitats and Species Regulations. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 2. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 73b (specifically footnote 38 & 7) 180d, 180e, 181, 185a, 186a, 186b, 188 & 191c of the NPPF December 2023 and is unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. A minimum of 400m adjacent to the Pebblebed Heaths SAC/SPA/SSSI must be excluded from the Exmo_20 site. As this is mitigation for potential cat predation (amongst other urban effects) and in more rural areas cats can roam over 2km [Hall et al., 2016; Metsers, Seddon, & van Heezik, 2010] [HRA 4.10], and considering the ground nesting Nightjar is a qualifying feature of the SPA, so a clear and significant predation risk; it would seem precautionary for this distance to be significantly more than the pragmatic 400m [Underhill-Day, 2005] currently proposed as it is recognised that "just one event leading to predation is enough to end that nesting attempt" [Langston, R. H. W., Liley, D., Murison, G., Woodfield, E., Clarke, R. T. "What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus ?" Ibis 149.s1(2007)]. Exmo_20's current inclusion is reliant on a yet to materialise mitigation strategy and HRA, the current versions cannot support the Plan. In the absence of these, it is imperative that a precautionary approach is employed, which would at the very least be to remove a minimum of the 400m of the site adjacent to the Pebblebed Heaths SAC/SPA/SSSI. Not only is it functionally linked supporting foraging habitat for the ground-nesting European Nightjar (a key qualifying species for the SPA designation and a Section 41 Principle Importance species) but a significantly greater buffer will also be required to mitigate for recreational use, with direct impacts noted as dogs off leads,cycling & walking, which is also yet to be assessed at a site level and therefore a precautionary approach must be applied at strategic level. This view is reflected by multiple ecology professionals from various bodies such as DWT and RSPB, with East Devon National Landscape Partnership stating in their response to the 1st Regulation 19 consultation that "A 400m buffer to the protected site does not seem significantly large enough to protect the site from disturbance and damage caused by increased visitor numbers, traffic and other associated access issues. It also further fragments the surrounding habitat making the priority habitats contained within the protected site vulnerable to degradation and erosion, which would be in conflict to the new targets set by government to East Devon National Landscape.... As such, East Devon National Landscape supports the non-adoption of this site as development land. Or if non-adoption is not possible due to other demands, such as housing, we support

significant reassessment of the scale and boundary of the development, including a reduced housing number and concentration of development closer to the existing town settlement thus preserving a greater rural boundary between the site and Pebblebed Heaths". The Exmo_20 allocation would be hard to justify since there were multiple other viable & less mitigation-reliant sites to select and the Plan has an over-supply of housing allocations, due to not using the latest ONS data, as is mandatory. NATURAL ENGLAND state in their response that "the policy is not yet clear where employment uses would be located and understandably offers developers some latitude. Natural England therefore recommends that the policy should require a natural buffer in the northeast of the site along the B3179 road…there may be opportunity to pull the settlement boundary away from the SAC/SPA and secure a green buffer area via S106 outside of it. This would appear to be clear, sound planning which more effectively communicates the planning restrictions approach around the East Devon Heaths SAC/SPA. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 3. Allocation of Exmo_20 is in conflict with paragraphs 16c, 32, 181, 185, 186b, & 188 of the NPPF December 2023 and therefore unsound & not legally compliant. It also conflicts with paragraph 3.6, policies PB01, PB02, PB03, PB04 and OL02 of the Local Plan. Due to the Exmo_20 site being adjacent Pebblebed Heaths SAC/SPA/SSSI it would be difficult to provide suitable SANGS of adequate characteristics and geographic convenience to dissuade residents from substantial recreational activities on the Pebblebed Heaths SAC/SPA/SSSI such as dog walking, cycling & walking, thereby causing harm to the highly designated protected habitats and species. It should be noted that "just one event leading to predation is enough to end that nesting attempt" [Langston, R.H.W., Liley, D., Murison, G., Woodfield, E. & Clarke, R.T. (2007) What effects do walkers and dogs have on the distribution and productivity of breeding European Nightjar Caprimulgus europaeus? Ibis, 149, 27–36.] In the absence of information relating to this, a precautionary approach should be applied by the Competent Authority, the LPA. The RSPB state in their response to the 1st Reg 19 consultation that "In the RSPB's view, mitigation measures for those allocations closest to the designated heathlands (particularly Land at St John's (Exmo_20) …. are less likely to be effective to avoid damaging impacts on the SPA/SAC heathland habitats and species, and additional nitrogen deposition from the increase in traffic emissions arising from new development". "The RSPB is very concerned that the St John's allocation in particular will have damaging impacts on the designated heathland SAC/SPA (direct and indirect loss of potential foraging habitat to development or change of use of existing farmland to green infrastructure/public open space for the proposed development, increase in cat predation on ground nesting birds that are a designated feature of the heathland SPA, increase in damaging recreational use of the designated heathland, including dogs off leads, if residents of the proposed new housing choose to use the designated heathland for daily recreational purposes. In the RSPB view, there is

a significant risk that SANG provision and public open space for the proposed development will not be sufficient to prevent damaging increase of recreational usage of the designated heathlands arising from the new residential population. Whilst SD01 explicitly states (in reference to St John's (Exmo_20)) that "new homes and other development that would result in unacceptable impacts will not be permitted within 400 metres of the Pebblebed Heaths" there is no means of preventing people or domestic cats from accessing the heathland and the risk of that happening is increased the closer new dwellings (which increase the local resident cat population as well as new residents in need of land for daily recreational needs, including dog walking) are built to heathlands." I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 4. Allocation of Exmo_20 is in conflict with paragraphs 16c, 92, and 114b, 114d, 180e & 181 of the NPPF Dec 2023 and therefore unsound and not legally compliant. It also conflicts with policies TR01, OL09 and PB04 and Paragraphs 3.6 and 11.2 of the Local Plan. There is no viable access to the site. The current proposal is to have the majority/bulk of the access onto the B3179, but to make this viable would require major, uncertain and uncosted highway works, not confirmed by Devon County Council. Cumulative and in-combination effects on B3179 must be considered, both in terms of traffic congestion and air pollution affecting the Pebblebed Heaths. The Habitats Regulations Assessment (18.11.25) confirms there is "currently not sufficient certainty to rule out adverse effects in integrity in relation to…air quality (EAST DEVON PEBBLEBED HEATHS SAC/SPA)", due to the primary access to Exmo_20 being onto the B3179 which would send traffic along the boundary of the Pebblebed Heath. Allocation of Exmo_20 is contradictory to the precautionary approach which must be demonstrated and goes against the Mitigation Hierarchy of avoidance over mitigation (made mandatory by the Environment Act 2021). The Mitigation Strategy states "Mitigation cannot be assumed without evidence (People over wind; Sweetman)". The Exmo_20 site's inclusion in the plan is unlawful due to there being no reasonable scientific certainty presented for mitigation. I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 5. Allocation of Exmo_20 is in conflict with paragraph 206 of the NPPF December 2023 and therefore unsound. It is also in conflict with Policies HE02 and OL01(D.) of the Local Plan. A development the size of Exmo_20 surrounding St John in the Wilderness Church (grade II* listed) will have significant adverse effects on the remote, tranquil surroundings of the church and churchyard. The area around the church and surrounding buildings, a Medieval Saxon settlement site, is characterised by dark skies and a sense of remoteness; a 'wilderness' setting which would be irreversibly harmed by having a housing development encircling it, regardless of a buffer zone being left around it. HISTORIC ENGLAND state in their response to the regulation 19 consultation that "Exmo_20 currently covers a very large area to the east and northeast of Exmouth. Much of this

falls within the setting of the grade II* listed Church of St John in the Wilderness and its churchyard. Development could result in considerable harm to the setting of this building, which the NPPF identifies as an asset of the highest significance (Paragraph 206b) .... we are concerned by the proposal to bring a long access road from the B3179 to the north. This could itself result in significant harm to the setting, while opening up the area to future pressure for development and associated harm. Alternative access to the south of the site should be explored...Should this evidence demonstrate that the proposed development can be accommodated in less sensitive areas to the south, then the site boundary should be amended accordingly. If this is not possible then the range and quantum of proposed uses should be restricted to those which can be justified" 6. Allocation of Exmo_20 is in conflict with paragraphs 16c, 25, 180d, 181, 185a, 186a, 186c, 188 & 191 of the NPPF December 2023 and is unsound. It also conflicts with Policies PB01, PB02, PB03, PB04 and paragraphs 3.6, 13.10, 13.11 & 13.24 of the Local Plan. The Exmo_20 site is part of the Strategic Nature Area 368, identified as an important buffer between Exmouth and the Internationally and Nationally designated Pebblebed Heaths SPA/SAC/SSSI, supporting habitat for Nightjar foraging (a key qualifying species for the SPA designation and a Section 41 Principle Importance species), and a wildlife corridor between the Pebblebed Heaths and the Coast. Development of Exmo_20 would undermine the conservation objectives of the internationally designated SPA. Devon County Council are in the final stages of designating this site as a Local Nature Recovery Area as part of their Local Nature Recovery Strategy (to be published in March '26) aimed at combining existing wildlife sites and extending habitats, in accordance with the Environment Act 2021. The site contains many veteran trees, ancient woodlands, and hedgerows which are at risk of becoming fragmented habitats. Devon Wildlife Trust states in their response to Regulation 19 that "The entirety of the proposed Exmo_20 allocation lies within a Strategic Nature Area...identified for its nationally important habitats and woodlands and diversity of species including birds, insects, mammals and amphibians. SNAs are a key part of Devon's Nature Recovery Strategy; these areas should be targeted for enhancement and it is not appropriate to consider allocation of this land for development....It is beyond the scope (of this letter) to detail the range and diversity of sensitive habitats and species which are supported by NNRS/SAC/SPA/SSSI designations, which would be exposed to significant detrimental effects were the site to be subject to development...We do not believe that it is feasible to develop this site without causing significant adverse effects on the integrity of the SAC. We strongly urge East Devon District Council not to include this proposed allocation within its Local Plan". I reserve the right to comment further if, and when, a supporting HRA and supporting mitigation strategy can be provided for the Local Plan and request that I be notified accordingly. 7. Allocation of Exmo_20 is in conflict with paragraph 165 of the NPPF December 2023. It also conflicts with paragraph 3.6, policy AR01(b)of the Local Plan and therefore unsound. In the Strategic Flood Risk Assessment Level 1

Withycombe Brook appears is only mentioned as a footnote in Table 5-3: Watercourses in East Devon District. Exmouth is noted as having numerous and significant flood risk pathways, with fluvial flooding in 1960, 1983 & 2012 recorded. Withycombe Brook currently has significant flood risk areas without yet considering current and future impacts from climate change. The greenfield Exmo_20 site sits above the town, having tributaries and runoff directly flowing into Withycombe Brook which flows through the most populous wards in East Devon. The LPA have not employed the required sequential, risk-based approach to site selection so as to avoid flood risk to people and property. 8. Allocation of Exmo_20 is in conflict with paragraphs 92 & 109 of the NPPF December 2023 and policies TR01 and TR03, and therefore unsound. It also conflicts with paragraph 3.6 & 11.2 of the Local Plan. Exmo_20 would significantly increase the need for car travel, resulting in more car journeys via a convoluted route from the main access point proposed on the B3179 to access facilities and services. It has not been demonstrated that sufficient regularly needed local services can be accessed by cycling/walking and changes to Policy TR01 increase the conflict between the Local Plan policies and the Exmo_20 allocation as walking/cycling being a likely first choice for transport is now considered mandatory rather than desirable. The isolated location and Exmo_20's B3179 access arrangements would provide unsustainable development, generating significant amounts of vehicle movements for residents to access services within Budleigh Salterton & Exmouth. With housing proposed at the southern part of the site, using the B3179 as the access point would require a minimum of 1km on-site driving every time residents went anywhere and returned home. 9.. Exmo_20's allocation is in conflict with paragraph 32 of the NPPF Dec 2023 and therefore unsound. The LPA has tried to retrospectively change the Site Selection Methodology (SSM) to justify Exmo_20. The SSM dated May 2022 is the one used for the Regulation 18 process. After 11th December 2024 (the date the draft local plan was approved to proceed to Regulation 19 publication) it was altered and a December 2024 amended version, not in fact used for site selection, but presented in the 1st Regulation 19 evidence library falsely claiming to be. This behaviour is potentially in conflict with the Nolan Principles. The original May 2022 version, used for the Regulation 18 stage, has wording that does not allow Exmo_20 to be selected. Extracts below: Stage 2: Site Sifting 1.8 Following the 'long list' of sites identified in Stage 1, a 'sifting' process will be carried out to ensure that only 'reasonable alternatives' are considered further. Only sites which meet criteria a), b) and c) are carried forward to Stage 3. These criteria are shown in figure 2 below. criteria a) Site is assessed as 'suitable, available and achievable' in the HELAA6 Subtext point 6 states: It is assumed that sites within 400m of the Pebblebed Heaths SAC will be ruled out as being unsuitable in the HELAA but, if not, such sites should be sifted out at Stage 2. 10. Exmo_20's allocation is in conflict with Paragraph 109 of the NPPF December 2023 and therefore unsound. It also conflicts with Policy TR01 and Paragraph 11.6 of the Local Plan. The main vehicular access point for Exmo_20 is 2.3 miles from the centre of Budleigh Salterton by road and 4.0 miles

from the centre of Exmouth by road. This site allocation would overwhelm Budleigh Salterton and conflict with the settlement hierarchy. Budleigh Salterton has not been taken into account by the LPA when considering the Exmo_20 allocation. The site's and the local area's topography makes the potential cycling and walking options less viable, which is not apparent on the policy maps. 11. Exmo_20 allocation is in conflict with paragraph 16(d) of NPPF December 2023 and is unsound and not legally compliant. The Plan has an over-supply of housing allocations, due to not using the "most recent data published at the time" ONS data, as is mandatory (MHCLG Housing and economic needs assessment). The 1,188 figure quoted in 3.11 was calculated in February 2025 prior to the 2024 ONS data being published and is therefore invalid. This figure should be reduced to 1,156 with 80% being 925 and with a 22-year plan requirement of 20,342 (not incurring rounding errors). This is a reduction of 567. Many policies within the plan rely on an overriding need to justify impact or harm and since the Plan figures are incorrect, there is no justification, not least in the Mitigation Hierarchy assessment. Exmo_20 must be removed from the plan due to the multiple mitigation strategies required with regarding its impact on the Internationally and Nationally designated Pebblebed Heath SPA/SAC/SSSI. Further numerical and mathematical errors are found in evidence documents HOU-002 October 2025 and HOU-001 November 2025. These need to be corrected and reconsulted upon as these figures are the foundation of the Local Plan's housing policies. Furthermore Paragraph 16(d) of NPPF December 2023 states "Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". POLICIES REFERRED TO IN SUGGESTED OBJECTIONS National Planning Policy Framework (NPPF) December 2023 Paragraph 16c states that plans should be shaped by early, proportionate and effective engagement between plan- makers and communities...local organisations and statutory consultees. Paragraph 16d states that Plans should contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals. Paragraph 25 states that Strategic policy-making authorities should engage with their local communities... relevant bodies including Local Nature Partnerships. Paragraph 32 states that Local Plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives...Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered). Paragraph 73b states that sites should be on land which is adjacent to existing settlements, proportionate in size to them and not compromise the protection given to areas or assets of particular importance. Paragraph 92 states that when considering edge of centre and out of centre proposals,

preference should be given to accessible sites which are well connected to the town centre. Paragraph 109 states that Significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine need of transport modes. Paragraph 114 states that In assessing sites that may be allocated for development in plans…it should be ensured that; b) safe and suitable access to the site can be achieved for all users, and d) any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 180 states that Planning decisions should contribute to and enhance the natural and local environment by d) minimising impacts on and providing net gains for biodiversity. e) preventing new and existing development from contributing to…. unacceptable levels of soil, air, water or noise pollution. Paragraph 181 states that Plans should distinguish between the hierarchy of international, national and locally designated sites and allocate land with the least environmental or amenity value. Paragraph 185a states that plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation. Paragraph 186a states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Paragraph 186b states that development within or outside a site of special scientific interest, and which is like;y to have an adverse effect on it should not normally be permitted. Paragraph 186c states that development resulting in the loss or deterioration of irreplaceable habitats should be refused unless there are wholly exceptional reasons. Paragraph 188 states that the presumption in favour of sustainable development does not apply where the plan is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that the plan will not adversely affect the integrity of the habitats site. Paragraph 191 states that Planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on the …natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should c) limit the impact of light pollution from artificial light on…intrinsically dark landscapes and nature conservation. Paragraph 206 states that any harm to the significance of a designated heritage asset from development within its setting should require clear justification. Assets of the highest significance, notably….grade I and II * listed buildings should be wholly exceptional.2nd Regulation 19 Local Plan Policy PB01 states that international followed by nationally designated sites must be given uppermost protection. Where assessment fails to rule out effects on integrity development proposals will not be

permitted unless mitigation measures are established that can be shown to be effective with clarity provided in respect of means and assurance of implementation. Where avoidance of adverse impacts cannot be achieved proposals will only proceed if there is no alternative and there are imperative reasons of overriding public interest. Policy PB02 states that development proposals that would cause an adverse effect upon Regionally and Locally important wildlife sites will not be permitted unless they cannot be located on alternative sites that would cause less or no harm, and the public benefits of the proposal clearly outweigh the impacts. Policy PB03 states that development proposals which would result in the degradation or degradation of irreplaceable habitats will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists: this includes impacts through direct, adjacent, or indirect pathways, including lighting and pollution. Policy PB04 states that proposed plans must not adversely affect the integrity of sites protected under the Conservation of Habitats and Species Regulations 2017 Policy OL01d states that development will only be permitted where it will not harm the aesthetic and perceptual factors such as “tranquillity, wildness and dark skies”. Policy OL02 states that development in a NL, or outside but affecting its setting or appearance, will only be permitted where it avoids harm and contributes to the protection, conservation and enhancement of the special qualities. Policy OL09 states that permission will not be granted for development which would result in pollution that cannot be adequately mitigated. PolicyTR01 proposes that walking, wheeling, cycling and public transport are the first natural choice for short local journeys, or as part of a longer journey. Policy TR03 states that where development is likely to generate significant amounts of people and/or vehicle movements, planning permission will not be granted unless they can identify measures to secure new sustainable travel arrangements, taking into account…the scale of the development and the availability of public transport, and walking and cycling opportunities. Where there are severe cumulative adverse impacts associated with additional traffic demand and it is not possible to address such impacts planning permission should be refused. Policy HE02 states that proposals for development will be expected to be sympathetic to listed buildings and their settings. Policy AR01b states that development should be safe for its lifetime without increasing or exacerbating flood risk elsewhere. Paragraph 3.6 promotes a sustainable pattern of development that balances development needs with environmental constraints. It prioritises development in sustainable locations while protecting the district’s outstanding open countryside. Paragraph 11.2 promotes focussing significant development at locations which are, or can be Made sustainable through offering a genuine choice of transport modes. Paragraph 11.6 states that most people prefer to walk if their destination is within 1.6km (1 mile), typically 800m (0.5 miles). Factors such as topography also influence walking choices. Paragraph 13.10 aims to protect irreplaceable habitats and important features. Paragraph 13.11 states that some habitats, including ancient woodlands and veteran trees are irreplaceable due to their age, uniqueness and biodiversity. Paragraph 13.24 states that East Devon

has diverse but fragmented habitats and aims to enhance biodiversity by increasing habitat areas and connecting isolated habitats

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Remove Exmo_20 the town and local roads cannot cope with it, if a smaller version is agreed do not enter through Southern Wood

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: Yes

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)

Full name: Peter Wright

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.: SD04

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

1(c). If the comment is related to a site, please state the site reference here:: Otry_21

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not legally compliant. Please be as precise as possible.: I am writing to lodge a formal objection to the proposed allocation of Site Otry_21 within the emerging East Devon Local Plan 2020–2042. Having reviewed the evidence base, associated technical studies, and relevant planning policies, the inclusion of this site would represent a fundamentally unsound, unjustified, and unsustainable planning decision. The allocation conflicts with the National Planning Policy Framework, the Emerging East Devon Local Plan, and the Ottery St Mary Neighbourhood Plan. It is also at odds with the Council's own evidence regarding environmental constraints, infrastructure capacity, highway safety, and landscape protection. 1. Failure to Meet National Policy Requirements Otry_21 cannot be considered a sustainable location for growth. The site fails to meet core NPPF tests relating to: a) Sustainable transport – Ottery St Mary already suffers severe congestion, narrow approach roads, limited pavements, and poor cycling infrastructure. Development south and east of the town would intensify existing pinch points, particularly at Winters Lane and Longdogs Lane. b) Environmental and landscape protection – The site comprises high-quality agricultural land, forms part of a valued rural landscape and lies within direct view of the Scheduled Monument at Belbury Castle. c) Flood risk and water quality – Runoff and groundwater flows from the site drain directly into the River Otter, an ecologically sensitive system already under pressure. The NPPF is clear: development must be directed to the most sustainable and least environmentally harmful locations. Otry_21 does not meet these criteria. 2. Conflicts With the Draft Local Plan (Regulation 19) Numerous policies within the emerging Local Plan directly contradict the allocation of Otry_21, including: a) SP06 – which restricts development outside settlement boundaries. b) AR02, OL01, OL04,

OL09 – which require protection of water quality, landscape character, views, and biodiversity. c) OL10 – which protects the best and most versatile agricultural land unless exceptional justification exists. The Council's own landscape assessment identifies this as a significant greenfield site, sensitive to both visual impact and heritage settings. Its allocation is incompatible with the Local Plan's objectives for protecting East Devon's rural character. 3. Conflicts With the Ottery St Mary Neighbourhood Plan The Neighbourhood Plan places strong emphasis on preserving: a) The distinctive countryside setting, b) The historic settlement pattern, and c) the rural landscape between communities. It also states that no significant new housing allocations were required due to high recent growth. Allocating Otry_21 would contradict these locally endorsed policies, undermining community-led planning. 4. Severe Transport and Highway Constraints The Ottery St Mary Transport & Public Realm Study (2022) identifies: a) Chronic congestion in the historic town centre, b) High car dependency. c) Narrow approach roads, and d) Limited junction capacity. Any expansion to the east, north, or south of the town is expected to substantially worsen traffic conditions. Otry_21 sits in precisely the area where growth would be most damaging. Access through residential roads would significantly raise existing safety concerns for children and parents travelling to nearby schools. A very high percentage of people drive from Ottery St Mary to Exeter or the north and east of the town for employment, therefore, Otry_21 sits in a position that would be the most damaging to the towns traffic flow. 5. Wastewater, Drainage, and Environmental Risks Both the East Devon Water Cycle Study (2025) and South West Water's Strategic Drainage Plan (2023) make clear that: a) Ottery St Mary has no capacity for additional residential development. b) The Fluxton Wastewater Treatment Works is already at, or over, permitted capacity. c) The storm overflow below Gerway Farm spilled 13 times in 2024, more than four times the permitted limit. d) Multiple treatment works within the catchment are in high-risk categories for pollution incidents. Further housing in this location would increase nutrient loading, risk non-compliance with environmental standards, and directly threaten the ecological health of the River Otter and its protected habitats. 6. Harm to Biodiversity and Protected Habitats The site supports a diverse range of wildlife, including Bats, Dormice, Buzzards, Merlin, Sparrowhawk, Badger, and nearby Beaver populations. It also lies within Zone 2 of influence for the East Devon Pebblebed Heaths SAC/SPA, where increased recreational pressure must be strictly controlled under the Habitats Regulations. The ecological sensitivity of the surrounding area makes Otry_21 an inappropriate and high-risk location for development. 7. No Demonstrable Housing Need There is no evidence of local need for additional housing allocations in Ottery St Mary. Available market housing already exceeds demand, and recent development has delivered significant housing growth. Allocating further greenfield land in this context is neither justified nor proportionate. 8). Unexplained Increase in Proposed Density The site originally appeared as a "second-best option" for approximately 40 dwellings, subject to significant heritage and highway

concerns. Its sudden re-emergence at 70 dwellings, with no change in local infrastructure, landscape conditions, or housing need, raises earnest questions about the soundness of the assessment process. Conclusion For the reasons outlined above, the allocation of Otry_21 is: • Unsustainable • In conflict with national, local, and neighbourhood policies • Environmentally harmful • Infrastructure-constrained • Unjustified and unsupported by evidence Its inclusion would represent a failure of the plan-led system and risk irreversible harm to the landscape, environment, and character of Ottery St Mary. I therefore respectfully request that Site Otry_21 be removed from the Emerging East Devon Local Plan. Yours faithfully*** Personal details have been removed ***

2(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter legally compliant, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter 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.: Removal From Local Plan

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.: Evidence Document Ref: EDDC Local Plan 2020 – 2042 Regulation 19 Second Consultation Request for the removal of Site Selection for Otry_21 from the plan. I hereby request your assistance in correcting a suspect decision contained within the emerging local plan. The area in question is the inclusion of the site known as Otry_21 within land included for potential development. It is quite clear that as demonstrated by the vast body of evidence and adverse public opinion that the inclusion of this site within a new local plan would be an extremely poor planning decision. The inclusion of Otry_21 is in direct conflict with the requirements of the National Planning Policy Framework, Emerging Local Plan, Ottery St Mary Neighbourhood Plan, and conservation requirements for the River Otter as further highlighted: - Conflicts with NPPF: Para.11 ‘Plans and decisions should apply a presumption in favour of sustainable development. a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change. d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for

directing development to sustainable locations, making effective use of land.' Para. 15 'The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social, and environmental priorities; and a platform for local people to shape their surroundings.' Para. 77 'The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes). Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should: a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential, and the scope for net environmental gains. b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself without expecting an unrealistic level of self-containment), or in larger towns to which there is good access.' Para.109 Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable, and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities. b) ensuring patterns of movement, streets, parking, and other transport considerations are integral to the design of schemes, and contribute to making high quality places. c) understanding and addressing the potential impacts of development on transport networks. d) realising opportunities from existing or proposed transport infrastructure and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated. e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing, and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. Para. 110 The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. Para. 115 'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the

site, the type of development and its location. b) safe and suitable access to the site can be achieved for all users. d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach. Para. 116 Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. Para. 124 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land.' Para. 125 'b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage, or food production. c) give substantial weight to the value of using suitable brownfield land within opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Para. 170 Inappropriate developments in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Para 171. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. Para. 172 . All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. Para. 187 Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland. c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate. d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats, and hedgehogs. e) preventing new and existing development from contributing to, being put at unacceptable risk from, or

being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Para. 198 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life. b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation. Conflicts with East Devon District Council Regulation 19 Draft Plan: Para. 2.6. Rural East Devon will retain its outstanding charm and character with modest and sensitively planned development to meet the needs of local communities. Farming and rural activities will still dominate the use of land. Where possible we will retain high quality land in agricultural production as we move towards more environmentally sustainable farming practices into the middle decades of the 21st century. SP05 Within the settlement boundaries defined on the Policies Map development will be supported in principle. This does not mean that all development will be acceptable within settlement boundaries: proposals will be considered on their own merits having regard to other policies in this plan and any made neighbourhood plan. SP06: In locations outside of the defined settlement boundaries development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development. AR02 To minimise impact on protect, manage and improve water quality in all water bodies affected by development in East Devon: A. Planning permission will not be granted for any proposal which, because of inadequate provision of water services or inadequate or untimely provision of foul water and surface water drainage and disposal, would 1. cause pollution to the water environment, including coastal waters 2. result in the deterioration of the ecological status of a water body 3. overload the sewer network, or 4. result in an increase in flood risk at the site or elsewhere. DS01 Proposals will only be permitted where they: A. Respect the key characteristics and special qualities of the area in which the development is proposed. B. Ensure the appearance of buildings, including scale, massing, density, height, fenestration, and materials, relate well to their context. C. Do not adversely affect: 1. The distinctive rural, historic or architectural character of the area. 2. The urban form, in terms of significant street patterns, groups of buildings and open spaces. 3. The amenity of occupiers of adjoining residential properties. 4. The operation of existing uses outside of the proposed development. OL01 East Devon’s landscape, countryside

and rural areas (including rivers, watercourses and waterbodies) will be protected against harmful development. Development will only be permitted where the applicant is able to demonstrate through a proportionate Landscape Appraisal that it will protect and enhance valued landscape attributes and special features and qualities that contribute to the character of East Devon's landscapes, in particular where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including: A. Landform and water forms and patterns of settlement. B. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, trees and woodlands, areas of importance for nature conservation and rural buildings. C. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions; and D. Aesthetic and perceptual factors such as tranquillity, wildness and dark skies. All development in the countryside should have regard to the most up to date Landscape Characterisation Assessments as a basis for understanding, maintaining and enhancing local distinctiveness and landscape character as well as up to date strategy and guidance for trees and woodlands. OL04 Development proposals will only be permitted where they preserve the visual integrity, identity and scenic quality of the district, in particular by conserving and enhancing key views and views of local landmarks, including those identified in Neighbourhood Plans. The following view types are considered to be particularly important: A. Landmark views to and from viewpoints and tourism and recreational destinations, including the coast, woodland and open countryside. B. Views from publicly accessible areas which are within, to or from settlements which contribute to the viewers' enjoyment of the local area. C. Views from public rights of way and other publicly accessible areas. D. Night-time views of dark skies, particularly where lighting is to be introduced in areas of low existing light pollution; and E. Views which include or otherwise relate to specific features relevant to East Devon and its special qualities, such as key landmarks, heritage assets (either in view or the view from) and biodiversity features. Development proposals should conserve and enhance sequential views and not result in adverse cumulative impacts within views. OL09 Permission will not be granted for development which would result in pollution that cannot be adequately mitigated. This will include: A. Pollution of the environment by gas or particulates, including smell, fumes, dust, grit, smoke and soot. B. Pollution of surface or underground waters, for example by untreated sewage, including discharges to: 1. Rivers, other watercourses, water bodies and wetlands. 2. Water gathering grounds including water catchment areas, aquifers and groundwater protection areas. 3. Harbours, estuaries or the sea OL10 Unless allocated for development under another plan policy, planning permission for development affecting the best and most versatile agricultural land (Grades 1, 2 and 3a) will only be granted exceptionally if: A. Sufficient land of a lower grade (Grades 3b, 4 and 5) is unavailable, or available lower grade land has an environmental value recognised by a statutory wildlife, historic, landscape or

archaeological designation outweighing the agricultural considerations; or B. The benefit of the development justifies and clearly outweighs the loss of high-quality agricultural land. If there is a choice between sites in different grades, land of the lowest grade available must be used except where other sustainability considerations, including intrinsic nature conservation value of a site, outweigh land quality issues. Conflicts with Ottery St Mary Neighbourhood Plan 2017 – 2031 Para. 6.3 The countryside of the Neighbourhood Plan Area is a highly valued asset with special character provided by the rolling farmland, wooded hillsides, winding lanes and the open river valley. The countryside is important for its aesthetic and leisure value, its essential farming role and its wildlife habitat value. The balance of the historic town, villages and smaller settlements surrounded by nature and countryside views is considered by the community to be a vital part of the character of the area. It makes the Parishes a special place to live and visit. It is of utmost importance that these characteristics are protected for current and future generations. Para. 6.4 National and local planning policy restricts development in the countryside. The adopted East Devon Local Plan does not identify the need for the Neighbourhood Plan to make any strategic or other housing development allocations due to the large number of new homes consented in recent years and the desirability of preserving the settlement pattern and character. As a result, no significant new developments whether within or outside of the existing settlements are needed during the Local Plan period. Para. 6.14 The unique pattern of settlements within the Neighbourhood Plan Area, each with their own distinctive character, is a valued part of its nature. This, coupled with developer pressure, particularly for new housing sites in and around the main settlements raises concerns about creeping development undermining and degrading the special character of the area over time. This must not be allowed to occur, and a major role of the planning system is to prevent and control this. Para. 6.15 In most cases, new development on land outside of the defined built up area boundaries of Ottery St Mary and West Hill will not be allowed in line with Local Plan and Neighbourhood Plan policies protecting the countryside. Inconsistency within Site Selection reports for Otry_21 The whole area surrounding Gerway Farm has been subject to repeated attempts by the landowner to promote development on this area of pristine agricultural land. It has been rejected in its entirety in the past and should continue to be rejected. Otry_21 first appeared in the emerging plan as a Potential 2nd best option with an allocation for 40 homes, Stating: ‘Allocation would need to be subject to satisfactory highways and archaeological/heritage assessment as the smaller section would need to be accessed through an existing estate and it is very sensitive in heritage terms, being a historic field enclosure with pre-historic and medieval finds nearby.’ The site made a re-appearance in September 2024, however had increased in density to now allocate 70 houses, with confusing statements, including: ‘Ottery St Mary has limited jobs, lacks a train station and accessibility is constrained by narrow roads, lack of pavements and a historic town centre,’ ‘Site is a significant greenfield site.’ It should be questioned, that

why in the total absence of any change in the landscape, highway access or local housing need this area has risen from unacceptable to a density of 70 houses. Ottery St Mary – Transport and Public Realm Study 2022 2.3.13 The nature of the road network, as well as the land uses in the area, means that Ottery St Mary suffers from traffic travelling through the town centre, especially for the east/west movement. This can have a detrimental social and environmental impact on the streets especially in the narrow streets of the historic town centre. 2.3.14 The town also has a high demand from car traffic. This is apparent from the parking pressures and limitations on space for pedestrians and cyclists. Although the quality of the built heritage is very good, the public realm and streetscape is now dominated by vehicular traffic and suffers from blind bends, pinch points, narrow footways, poor cycling infrastructure and a lack of public space for social interaction. 2.3.21 Land use and transport are inextricably linked. It is the land uses that act as trip attractors or trip producers that give rise to the trip generation across the road network. Collectively the residential areas generate high levels of trip movements. 3.3.13 The East Devon local Plan is the emerging planning policy document for the district. It sets planning policies and proposals for new development in the district for the period 2020-2040.The emerging local plan strategy establishes Ottery St Mary as a Tier 2 settlement and as such an appropriate location for future growth and development. 3.3.14 However, the plan also acknowledges constraints on development including the extensive Conservation Area and setting of Grade 1 and 2* listed buildings, narrow approach roads to the historic centre which create traffic issues and significant congestion to the north, east and south, and the flood plain of the River Otter. Expansion of the town to the north, east and south would exacerbate existing traffic issues. Hence, the plan favours development options to the west of the town, recognising that a green wedge has been designated to prevent coalescence between Ottery St Mary and West Hill village. The East Devon Water Cycle Study – November 2025 Key findings of the WCS are: Commissioned by East Devon District Council, this report was required to enable a clear understanding of the problems within the Otter catchment area resulting from wastewater treatment. The report also informs the areas where future development should not occur without prior improvements to the wastewater treatment process, failure to prevent development (in particular residential development) will result in further unacceptable pollution in the River Otter. Three critical areas are identified as being at high risk from nutrient loading due to the increases in wastewater production from proposed housing developments: the River Exe Estuary, the River Axe, and the Otter Estuary. These areas are vulnerable due to direct effluent discharges or cumulative effects from multiple sources, exacerbating existing problems like phosphate pollution. Infrastructure enhancements and continued rigorous planning are recommended to handle the increased wastewater and sewage loads expected from new developments. Policy recommendations: To ensure sustainable growth and compliance with environmental standards, EDDC must embed water efficiency and water quality safeguards into the emerging Local Plan. The

East Devon WCS outlines the essential considerations for managing water resources, wastewater, and environmental conservation considering projected development across the district. Its evidence-based observations and recommendations aim to steer East Devon towards a future where growth and sustainability coexists equally, ensuring that water management practices enhance rather than compromise the natural and built environment. The current existing flows, without proposed growth, are shown in Table 5.5. Using the 3-year average Q80 flow as the Actual DWF provided by SWW, four of the 15 WwTW that are expected to have development growth are currently exceeding, including Feniton, Fluxton, Honiton and Woodbury Summary New development in East Devon will increase demand on the sewerage network & WwTWs, resulting in higher treated discharge flows. This growth may exacerbate flood risk and reduce network capacity, requiring mitigation measures and infrastructure upgrades. Where WwTWs operate at or above 90% of their permitted capacity, further investigation is needed to assess environmental impacts and compliance with pollutant limits. Using RQP modelling for riverine discharges and load standstill calculations for tidal systems, capacity analysis shows that seven WwTWs, including Colyton, Countess Wear, Honiton, Fluxton, Feniton, Seaton South and Woodbury will exceed permitted flow headroom post-growth. Policy recommendations Based on the analysis presented in Sections 4 to 6 of this WCS, the following high level policy recommendations should be considered by EDDC in the development of the Local Plan: Potential developments that may adversely affect green infrastructure assets and water quality should not be permitted. South West Water - Strategic Drainage and Wastewater Management Plan – Otter May 2023 This plan as published by SWW is their strategy to cover the period up to 2030 for Level 2 Catchments. Included within this strategy is a plan area for the Level 2 Catchment area of Ottery St Mary and shows that NO RESIDENTIAL DEVELOPMENT is allowed for within Ottery St Mary. It also states that Fluxton WwTW is overwhelmingly in either the Immediate moderate risk or Immediate high-risk category for many pollution incidents. A recent, 2018, upgrade to Fluxton WwTW costing £5m was completed and it is stated that this will meet all requirements to 2031. It is not anticipated that any further investment will come forward, Storm Overflow's The Pumping Station and Storm Overflow below and serving the Gerway Farm area is currently greatly exceeding its permitted spill rate. The latest figures confirm that in 2024 it spilled a total of 13 times, which is compared to a permitted rate of 3 per year. SWW state their plan aims to reduce the number of spills to 3 by 2030/50. Surrounding Area Ottery St Mary is within Zone 2 influence for the East Devon Pebblebed Heaths. The town takes its name from the River Otter, which flows through the area, linking the surrounding landscape and having the East Devon Pebblebed Heaths running along an escarpment towards it. As a significant local settlement, Ottery St Mary faces ongoing pressure for new housing development. These developments are a concern due to their potential to increase recreational use and thus disturb the sensitive ecology of the heaths, which are a Special Area of Conservation (SAC) and Special Protection Area (SPA). Local planning

decisions, such as those by the East Devon District Council and the Ottery St Mary Town Council, must consider the "Habitats Regulations" to ensure no adverse effects occur on the heaths' protected habitats and species. The proposed site Otry_21 is in direct line of site from the Historic England site of Belbury Castle Heritage List No: 1017774, this should be considered a protected view. Due to its physical characteristics Otry_21, has a direct link to The River Otter through the stream flowing at the base of the site. It will prove impossible due to the nature of the ground to prevent the runoff of contaminated surface water and wastewater overflows from entering the river. Development should be precluded from this area. There is no demonstrable evidence of the need for additional housing within Ottery St Mary, in fact, there is currently a large surplus of housing for sale. The site in question is home to a large number of species both with and without protected status, including, Bats, Dormice, Buzzard and Merlin and is in extremely close proximity to Badgers and the newly introduced Beaver groups. I trust in consideration of all the preceding objections in particular the major traffic congestion and additional danger to parents and children that would be caused at the Winters Lane and Longdogs area of the town and your responsibility to safeguard the water quality within the River Otter you are able to request the removal of Otry_21 from the emerging local plan. Otry_21's inclusion in this plan has already provoked an attempt to increase the proposed development area and will no doubt encourage this speculative nature in pursuit of further undesirable development destroying rural landscapes and pristine agricultural land. The inclusion of this site would be an exceptionally poor and unjustified planning decision.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 Development in the Towns and Villages 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.: Removal of sdite from local plan

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

4(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See attached statements

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

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: Representing Gerway Farm Development Action Group, we oppose all development on this land.

Sheena Young

Full name: Sheena Young

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.: SD06

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

1(c). If the comment is related to a site, please state the site reference here:: Sidm_31

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.: I am a resident of Corefields, Sidford. My main objection is based on the inadequacy of the proposed access from Burscombe Lane to the proposed site for development.

NB. The dictionary definition for a 'Lane' is '. A NARROW' road especially in a rural area; a relatively NARROW' street or road.'

Currently we experience large tractors and trailers which go up and down Burscombe lane - often at speed. This creates a safety hazard, especially for the residents of both Burscombe lane and Corefields.

To allow access for large lorries carrying heavy loads of building materials, will further compromise the safety of both motorists and pedestrians who are either resident or visiting Corefields/Burscombe lane.

In the 15 years that I have lived here, the main road traffic (A3052) has increased enormously and it is apparent that some drivers do not adhere to the 30 mph speed

limit. (This has been referenced elsewhere by *** Personal details have been removed ***.)

At present, vehicles leaving Burscombe lane and especially those turning right, have limited vision which necessitates pulling out beyond the junction. Large vehicles would create even more of a hazard and give rise to the potential for serious accidents.

I urge you to take these concerns into consideration when assessing the above mentioned access plans.

Robert Young

Full name: Robert Young

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.: SD06

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

1(c). If the comment is related to a site, please state the site reference here:: Sidm_31

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.: Sirs,

I reside at [redacted] and hereby advise that I strongly object to the plan for Sidmouth_31. My objection is on the grounds that the use of Burscombe Lane, as access for the proposed development, is not only fraught with danger but is totally inadequate. I mention Burscombe Lane specifically because, as any observer would note upon traversing Windsor Mead, there is no natural access from Windsor Mead to the proposed development site. Clearly, any developer would seek alternative access which obviously would bring Burscombe Lane into focus as the only alternative route.

I have lived on Corefields for the past 15 years and in that time exiting from Burscombe Lane onto the A3052 has, in terms of difficulty and danger, increased beyond belief. This is due in the main to the increase in volume of traffic and to the seemingly increasing speed of traffic using the A3052. In turn this is compounded by the lack of visibility, particularly when turning to the right. In this respect it is totally impossible for any vehicle, irrespective of size, not to have to advance onto the A3052 in order to sight traffic approaching from the right. This is dangerous in the extreme, not only for the driver turning right to exit Burscombe Lane, but also similarly dangerous for the unwary driver approaching from the right on the A3052. The thought of adding huge construction traffic to this already dangerous situation is truly horrifying.

In terms of access in my view Burscombe Lane is totally inadequate for the use of construction traffic as, at a point a short distance above Corefields, as I understand it, the lane is marginally below 3 metres in width. This is a) simply not wide enough for large construction traffic and b), inherently dangerous for pedestrians. One only has to observe a large farm tractor transiting this bottleneck/pinch point to envisage the mayhem that will follow should said farm tractor meet an oncoming construction vehicle!

Sincerely your, *** Personal details have been removed ***