

**East Devon Local Plan: 2020 – 2040 Preferred
Options.**

Regulation 18 Consultation – January 2023

Land to the South of Clyst Honiton, Exeter.

On behalf of Land Value Alliances LLP.

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Contents.

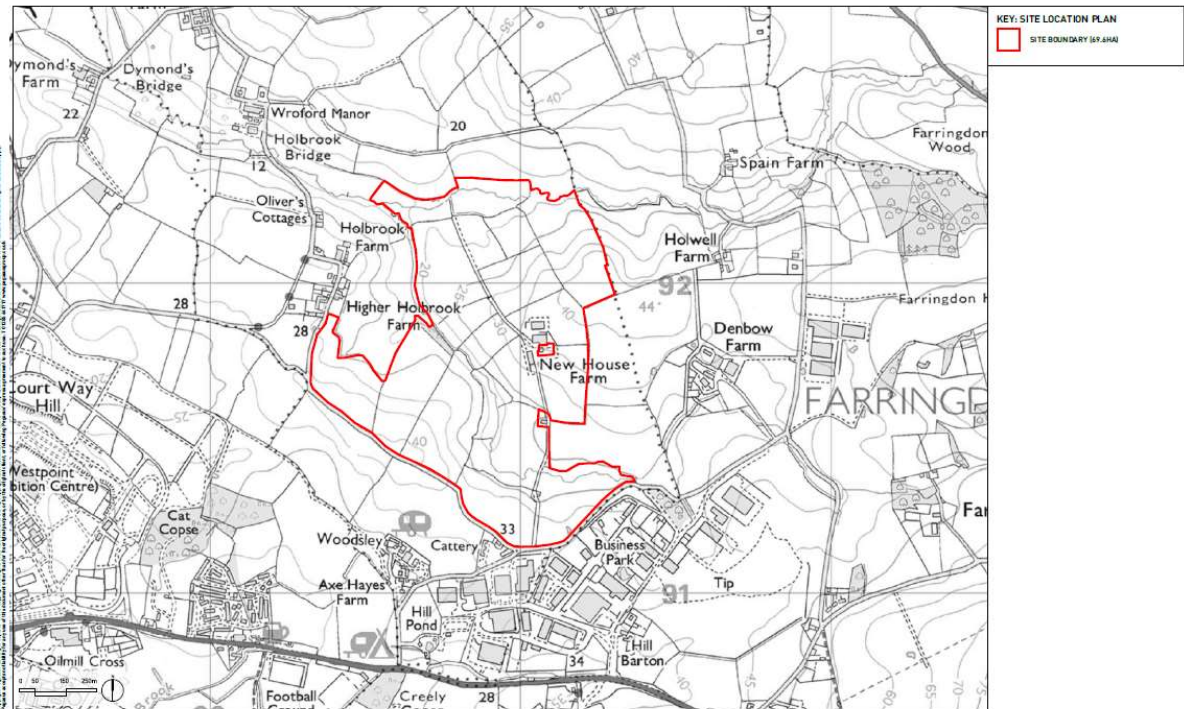
1. Introduction.....	1
2. Vision and Objectives.....	3
3. The Spatial Strategy.....	4
Strategic Policy 1 – Spatial Strategy.....	4
Strategic Policy 2 – Housing Distribution.....	4
Strategic Policy 3 – Levels of Future Housing Development.....	5
Part 1.....	5
Part 2.....	5
Part 3.....	7
4. Future Growth and Development on the Western Side of East Devon.....	9
Strategic Policy 8 – Development of a second town east of Exeter.....	9
Technical Work.....	10
Sustainability Appraisal.....	10
Land South of Clyst Honiton.....	10
5. Meeting Housing Needs for All.....	15
Strategic Policy 39 – Housing to address needs.....	15
Policy 40 – Affordable Housing.....	15
Policy 43 – Market Housing Mix.....	15
6. Protecting and enhancing our outstanding biodiversity and geodiversity.....	17
Policy 87 – Biodiversity Net Gain.....	17
7. Conclusions.....	18



1. Introduction

- 1.1. The following comments are submitted on behalf of 'our client' Land Value Alliances LLP (LVA). Pegasus Group and our client welcome this opportunity to engage with the Council at this stage of plan making. Our client is keen to work collaboratively with the Council, and adjoining landowners/promoters to ensure that a sound and robust plan is submitted for examination which provides an appropriate planning framework for East Devon.
- 1.2. In making these representations we have taken account of the tests of soundness which will be applied to the local plan when it is examined by the local plan inspector. Paragraph 35 of the NPPF confirms that plans would be considered sound if they are:
 - **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.
- 1.3. Our client has an interest in Land to the south of Clyst Honiton, as identified on the site location plan at figure 1. Our client has previously made comments in respect of the Local Plan at earlier stages of production, including the promotion of this site. LVA are promoting the site for circa 1,500-2,000 dwellings as part of the strategic East of Exeter new town (discussed in section 5 below).
- 1.4. These representations are accompanied by a 'Vision Document' which clearly illustrates how our client's site could be delivered in a way that respects the strategic role of the wider site, character of the existing area and which takes account of the pertinent planning considerations.
- 1.5. Our client is generally supportive of the East Devon Local Plan 2020 to 2040 Preferred Options document and in particular the Council's preferred option in relation to the second new town. We do, however, identify a number of areas where further evidence or flexibility should be provided.
- 1.6. The following response is provided to selected policies and issues identified within the Preferred Options consultation upon the East Devon Local Plan: 2020-2040 and its associated evidence base. The representations are provided to assist the Council in submitting a sound plan for examination.

Figure 1: Site Location Plan



LAND AT CLYST HONITON, EXTER - SITE LOCATION PLAN



2. Vision and Objectives

2.1. The Vision for the Local Plan is drawn directly from the 'Council Plan' which sets out three clear priorities, these being:

- Better Homes and Communities,
- A Greener East Devon, and
- A Resilient Economy

2.2. The Vision and the three priorities are supported and considered to generally accord with the provisions of the National Planning Policy Framework (NPPF).

2.3. The Local Plan Vision is supported by 11 objectives. The objectives are generally supported. It is, however, considered that objective 3 could be strengthened to provide a more positive framework for the plan and to ensure consistency with NPPF, paragraphs 60 to 62. The suggested amendment is:

*"To provide **sufficient** high quality new homes to meet people's needs **and aspirations**."*

2.4. The Vision and / or the objectives could also usefully draw attention to the delivery of the second new town given its importance to the delivery of the plan. Such a statement would be entirely consistent with the NPPF. Paragraph 73 of the NPPF identifies that 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. This is an area where the Council has a successful track record in terms of Cranbrook. Our client, LVA, also has significant experience in the delivery of new settlements due to their involvement in Cranbrook and a new settlement at Frome.

3. The Spatial Strategy

Strategic Policy 1 – Spatial Strategy

- 3.1. The policy provides a clear spatial strategy which seeks to focus development on the western side of the district, including a new town and other major strategic developments close to Exeter. Given the regional importance and sustainability of Exeter as an employment and service hub for much of Devon this is considered an appropriate strategy.
- 3.2. Furthermore, much of the eastern areas of the district are covered by Areas of Outstanding Natural Beauty. The NPPF (paragraph 11b and footnote 7) places significant importance upon the protection of such areas and requires the type and distribution of development to respect these designations. The western side of East Devon has also seen a considerable amount of infrastructure delivered in recent years to support, promote and facilitate new growth and development. A pattern of on-going growth will be able to capitalise on this existing infrastructure provision but will also be able to sustain and provide new infrastructure and services.
- 3.3. The strategy to focus new development to western side of the district is, therefore, a logical choice which is supported and considered consistent with the NPPF. The strategy is also supported by the findings of the Preferred Options consultation draft Sustainability Report, published November 2022 (see appendix 5 of the document).
- 3.4. The provision of a second new town near to the important regional hub of Exeter is also supported. This is considered an appropriate and sustainable solution to the districts long-term housing needs. It will not only provide a continuous level of supply over a number of years but will also enable necessary infrastructure and services to be planned and provided in an appropriate timeframe.
- 3.5. Paragraph 73 of the NPPF is clear that:
- “The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements... 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... strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way”*
- 3.6. NPPF, paragraph 73, goes on to identify five specific criteria for new settlements, these are discussed in greater detail within section 4 of our representations. It is, therefore, considered that the proposal for a new settlement is sound and consistent with the NPPF.

Strategic Policy 2 – Housing Distribution

- 3.7. The policy identifies the housing distribution across the western side of district and the various settlement tiers. The distribution identifies appropriate levels of growth across much of the district.

- 3.8. Circa 54% of new housing over the plan period will be delivered in the western side of the district. As previously discussed, (Spatial Strategy) the focus upon this area is considered appropriate. This delivery will be principally through the second new settlement (2,500 dwellings) and Cranbrook (4,170 dwellings). This is supported and considered appropriate.
- 3.9. It is, however, important that in accordance with the need to 'boost significantly housing supply' these requirements are expressed as minima to be exceeded. This is particularly important for both the new town and Cranbrook to ensure that the plan does not stifle the growth of these two important new settlements.
- 3.10. Our client is a key stakeholder in the delivery of the second new town. LVA are keen to work with the Council and other stakeholders in a positive manner to explore ways and mechanisms to ensure that there is expedited delivery which is in step with the provision of necessary infrastructure.

Strategic Policy 3 – Levels of Future Housing Development

- 3.11. The policy is set out as a number of key parts. We discuss selected parts of the policy in turn below.

Part 1

- 3.12. Part 1 of the policy identifies that provision will be made for at least 18,920 net additional dwellings over the plan period. The reference to the requirement as a minimum is supported and considered consistent with the NPPF (paragraph 60).
- 3.13. The plan identifies that at least 4,070 net new homes will be affordable and 14,580 net new homes will be market housing. This equates to circa 21.5% of all new housing being affordable. Whilst it is recognised that not all this need will be met via contributions from market schemes a significant proportion will be. It is noted that Policy 40 – Affordable Housing proposes requirements of at least 15% for the second new town and at least 35% elsewhere (excluding Cranbrook).
- 3.14. Whilst our client does not currently dispute these requirements or the overall scale of delivery it is important that they are fully evidenced. In this respect it is important that the Council provides a whole plan viability study prior to submission of the plan to ensure that when combined with other requirements upon development sites remain viable.

Part 2

- 3.15. Part 2 of the policy clarifies that the housing requirement equates to an average rate of delivery of 946 dwellings per annum. This figure equates to the minimum requirement set out by the standard method for determining local housing need (LHN), as identified by the current Planning Practice Guidance (PPG)².

¹ NPPF, paragraph 60

² Whilst it is noted that a consultation upon changes to the NPPF, including LHN, was launched on 22nd December 2022 the outcomes as yet remain unknown.

- 3.16. The NPPF, paragraph 61, is clear that the standard method should be used to identify the minimum requirement unless exceptional circumstances justify an alternative approach. Within its background paper 'East Devon Housing Need, Supply and Requirement Interim Topic Paper' (Interim Topic Paper) and 'Local Housing Needs Assessment' (LHNA) the Council considers whether there is a case for a lower overall requirement by considering a number of demographic factors. The analysis identifies (paragraph 32 LHNA Appendix A) that:
- "...there is no evidence exceptional circumstances apply in East Devon due to erroneous data, so there are no grounds for seeking a lower housing needs figure. Recent dwelling delivery has also been keeping pace with the LHN figure."*
- 3.17. The analysis is considered appropriate, and its conclusions are supported.
- 3.18. The Council within its Interim Topic Paper and LHNA also consider whether there is justification for a higher requirement. The PPG (ID 2a-O10-20190220) re-iterates the NPPF, paragraph 61, stance that the standard method is the minimum housing requirement and identifies circumstances where greater levels of housing should be catered for. This non-exhaustive list includes;
- growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g. Housing Deals);
 - strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or
 - an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground.
- 3.19. Other factors such as past levels of delivery (ID 2a-O10-20190220) and affordable housing need (ID 67-008-20190722) should also be considered.
- 3.20. It is noted that the Council is awaiting the publication of the 'Economic Development Needs Assessment' (EDNA) prior to determining whether an uplift to the LHN figure is required (Interim Topic Paper, paragraph 4.15). Whilst our client will reserve judgement on the outputs from this work the Council's position to keep this under review, pending the evidence, is supported.
- 3.21. Similarly, it is noted that the Council identify there is no evidence of planned strategic infrastructure that would be likely to drive an increase in the homes needed locally above the LHN, but this matter will be kept under review (Interim Topic Paper, paragraph 4.28).
- 3.22. In terms of unmet need from neighbouring authorities once again it is note that at this point in time the Council has not been requested to address any unmet housing need emanating from neighbouring districts (Interim Topic Paper, paragraph 5.21). Whilst our client does not seek to dispute this matter it is imperative that it is kept under review. Furthermore, it is recommended that Statements of Common Ground on this matter should be agreed prior to the plan being submitted for independent examination. The Council will be aware that it is under a duty to cooperate and will need to demonstrate effective and on-going joint working with strategic authorities. Compliance with the duty must be met at submission.

3.23. The standard method for determining LHN utilises the principal 2014-based household projections as their starting point. The LHNA prepared for the Council by ORS also considers the updated household projections. The table at figure 25 of this report, part replicated below, identifies that both the 2016 and 2018-based principal household projections suggest a higher starting point. Indeed, the 2018-based projections are greater than the full LHN calculation (including an adjustment for affordability), identifying a requirement for 1,004dpa prior to any uplift for market signals, such as affordability, or to meet the economic development needs of the area.

Table 1: Household Projections (Replicated from LHNA report, figure 25)

Principal household projection	Average projected change in households (2021-2031)
2014-based	+664
2016-based	+721
2018-based	+1,004

3.24. Whilst the LHNA paper also considers other migration trends none of these are directly comparable with the 2014-based projections used to determine LHN. Given this evidence it does appear that there is already a justification for a higher housing requirement than the 946 dwellings per annum (dpa) currently being planned.

3.25. In summary, whilst our client supports the Council in keeping the housing requirement under review pending the outcome of the EDNA the current evidence suggests that a requirement which is greater than the minimum LHN requirement is already justified by the updated household projections. Based upon the available evidence a requirement in excess of 1,000dpa would be appropriate. In addition, recent levels of delivery³ identify levels of housing delivery over 1,000 per annum is clearly achievable in East Devon.

Part 3

3.26. Part 3 identifies that provision will be made for a supply headroom of approximately 10% to provide housing supply flexibility in the district in the plan period. The provision of flexibility within the supply is supported to ensure that the plan can deal with changing circumstances and the inevitability that some sites will stall and permissions lapse due to unforeseen circumstances. This is particularly important given that extant commitments (permissions) account for 4,403 or 23% of the supply.

³ As identified in the table at paragraph 2.8 of the Council's Housing Monitoring Update (Up to 31 March 2021)



- 3.27. Whilst the discussion and evidence on this matter within the Interim Topic Paper is noted it is recommended that in order to justify the scale of its buffer, and increase, if necessary, the Council should undertake an analysis of previous lapse rates and its performance against previous plan trajectories. This will ensure that the plan is founded upon clear and credible evidence.

4. Future Growth and Development on the Western Side of East Devon

Strategic Policy 8 – Development of a second town east of Exeter

- 4.1. The draft policy sets out the framework for the delivery of a new town to the east of Exeter. Within our comments upon the 'Spatial Strategy' and 'Housing Distribution' we identify why we consider the allocation of a new town to the east of Exeter to be sound.
- 4.2. Part 1 of the policy identifies that 'around 2,500 new homes' will be delivered on allocated land within the plan period, up to 2040. A further 5,500 new homes will be delivered after 2040. In addition, the second paragraph of the policy identifies that development:

"...will need to occur and proceed on an agreed phased basis".
- 4.3. The final paragraph states:

"Developments shall be developed in a phased and co-ordinated manner alongside the required infrastructure and in accordance with parameter plans for the new town which will be developed in partnership with the developers and the community."
- 4.4. The delivery of the new town in a phased and co-ordinated manner alongside essential infrastructure is considered an important element in the delivery of any new settlement and is supported by our client. It is, however, important that the plan does not seek to unduly restrict the development of the individual parcels providing that the necessary infrastructure is either in place or, dependent upon critical thresholds, can be delivered alongside the development. This is important if the Council is to realise delivery rates of around 300 homes per year, as identified within paragraph 5.12 of the Local Plan. The delivery of such a quantum will require multiple outlets operating consecutively providing homes which meet a wide variety of needs and aspirations.
- 4.5. Our client, therefore, considers it is essential infrastructure, such as the spine road, is delivered early and that this should naturally provide access through to the centre of the new town, including our client's land. This will ensure that a variety of developers and therefore outlets can be delivered simultaneously which in turn improves delivery rates and provides for a mix of design approaches. Early infrastructure delivery can be helped and supported by other funding streams e.g. HIF and we would advocate for early engagement and exploration of such routes with the Council.
- 4.6. It is also important that the policy wording facilitates an effective consortium approach to delivery. This will ensure that all parties have an equal voice and that decisions are made in the interests of the allocation and not simply the interests of one or two landowners / developers.



Technical Work

- 4.7. The October 2022 paper by CBRE for the Council entitled '*East Devon – Options Appraisal for a potential New Settlement*' (New Settlement Options Paper) outlines the outcome of technical work to assess the potential locations of the new settlement. Three options were considered based upon environmental, landscape, infrastructure, development and delivery perspectives. Our client's site, see figure 1, sits entirely within Option 1 and largely within Option 2.
- 4.8. The New Settlement Options Paper provides a number of assessment criteria across 11 different categories to provide an overall score. These criteria cover a wide range of issues including landscape sensitivity, ecology/biodiversity, flood risk, accessibility, net zero carbon and deliverability. Option 1 records the highest score and outperforms other options on critical issues such as deliverability. This option was therefore identified as the preferred option within the Council's 1st November report to its Strategic Planning Committee. The methodology undertaken to assess the three options and recommendation are considered appropriate and sound by our client.
- 4.9. Our client has undertaken further evidence on its site. Whilst discussed in more detail below it identifies that their site actually scores better than the overall site on several issues.

Sustainability Appraisal

- 4.10. The Preferred Options consultation draft Sustainability Appraisal (SA) also considers the second new settlement and identifies that beyond the three identified options no other reasonable alternatives have been identified (page 221).
- 4.11. It is also notable that Option 1 also has more ++effects than any other the other options, with 4 of the 13 objectives being identified as a ++, compared to just 1 ++ for options 2 and 3. This provides further justification for the Council's preferred choice of Option 1 as its second new settlement. All options have the same number of -- scores.
- 4.12. Option 1 scores ++ in areas such as climate change and carbon emissions, jobs and employment, connectivity, and transport and homes. With the exception of homes, as all options could deliver the quantum of housing required, none of the other options score ++. Given that Devon has made a climate emergency declaration the issues of climate change and carbon emissions and connectivity and transport are considered particularly important. Furthermore, the Council's Plan clearly identifies the need for a resilient economy and as such the ++ for jobs and employment is an equally important factor.

Land South of Clyst Honiton

- 4.13. Our client controls the land identified in the Housing and Employment Land Availability Assessment (HELAA) as 'GH/ED/51 and have promoted the site through the HELAA process and Regulation 18 consultation on the emerging Local Plan.
- 4.14. The site itself extends to approximately 70 hectares of gently sloping arable land, comprising a series of field enclosures set within a wider area of similarly characterised landscape. It includes the farm complex of New House farm within its eastern part.



- 4.15. The HELAA identifies that vehicular access could be made from the Clyst St Mary Roundabout, with offsite highway works for improvements to this, and/or Junction 30 of the M5. Together with adjoining land, the site would then require new integrated transport infrastructure. This is currently being considered.
- 4.16. The site, together with adjoining land, is well located in close proximity to the regional city of Exeter, the edge of which abuts the M5 approximately 1.5km to the west. Exeter serves as a centre for employment, higher education, national transport, retail and services, making it an obvious focus for strategic-scale mixed-use development.
- 4.17. The site has an indicative scope to accommodate 1,500–2,000 new homes in addition to making provision for necessary and proportionate infrastructure, services and open space.
- 4.18. Our client is currently engaging with other landowners within the wider 'Option 1' area in order to develop a masterplan for the whole area. We can, however, confirm that our client's site 'Land South of Clyst Honiton' is under single control and unconstrained by any significant legal or other procedural conditions, meaning that it can be swiftly released for development and deliver early in the plan period.
- 4.19. Whilst our client does not wish to dispute the overall scoring against the 11 criteria identified in the New Settlement Options Paper, we have prepared several studies which provide further evidence on the minimal impacts that the development of this site would have. Some of these are contrary, suggesting less of an impact, than the identified scoring in the New Settlement Options Paper. These studies are summarized in the accompanying 'Vision Document' for our client's site and encompass Landscape, Heritage, Transport and Drainage. Accordingly, we believe that Option 1 as a consequence scores more strongly in certain categories and therefore the relative performance of Option 1 is stronger than the consultation documents would suggest
- 4.20. In summary this evidence identifies:
- Landscape
- 4.21. An initial landscape and visual impact assessment has been undertaken. Recognising the importance of landscape character receptors and visual amenity receptors and to identify the constraints and opportunities a study area of 2km radius from the site was selected for a preliminary landscape appraisal.
- 4.22. The site is set within an inconsistent landscape with a rural character scattered with significant industrial and urban elements. These contrasting features combine to present a landscape which is highly tolerant of change, and well connected to the wider surroundings. The site is therefore considered to be of a low susceptibility to this form of development, also having regard to guides such as the Devon County Landscape Character Assessment.
- 4.23. The desktop study and fieldwork highlighted the relatively limited number of potential visual receptors in the public realm. Due to the limited number of existing residential dwellings and Public Rights of Way in the immediate vicinity the number of highly sensitive receptors and receptor groups is also relatively limited.



- 4.24. Potential areas for development in the site with regards to a reduced potential visual impact would be within the central 'valley' area along the existing access track, and along the northern boundary as these areas contain the most depressed elevations within the site and would make good use of the existing mature vegetation in these areas also. More elevated and exposed areas such as the south-eastern edge may be better suited to natural green space.
- 4.25. Opportunities for retaining and enhancing the vast majority of vegetation in and around the site can be maximised to reduce intervisibility from immediate surroundings, but also to develop a strong green infrastructure and provide potential for outdoor recreation. This strategy would need to be sensitively management and mitigated in respect of associated highway infrastructure to avoid adverse impacts on the landscape character due to the current low traffic volume, quiet nature of the site, and to avoid adverse visual impacts through removing significant lengths of established hedgerows.
- 4.26. Based upon our assessment the landscape impact of our client's site is considered low/medium and as such would score a 4 within the options appraisal technical assessment, in contrast to the 2 identified for the wider Option 1 site.

Heritage

- 4.27. The historic environment can present both constraints and opportunities when planning new development, and the site has been assessed at a high level for heritage receptors in terms of surrounding built heritage and archaeological resource. At the application stage, proposals will be supported by detailed assessment in respect of both, including intrusive investigation where this is necessary.
- 4.28. Pegasus Group has prepared a Desktop Archaeological and Built Heritage Appraisal in support of representations for the site, the initial findings of which are summarised below.
- Archaeology
- 4.29. Only a limited amount of earlier prehistoric archaeology is recorded in the vicinity of the site and none is identified within the site. The site is considered to have low potential for significant archaeological remains from these periods.
- 4.30. Only a single possible element of later prehistoric/Romano-British archaeology is recorded in the vicinity of the site, comprising cropmarks potentially representing an enclosure, recorded on land c.50m from the site. No archaeology is recorded within the site and the site is considered to have low potential for significant archaeological remains from these periods.
- 4.31. The site has likely been under agricultural use from at least the medieval period and is considered to have low potential for significant archaeological remains from this period.
- 4.32. No significant archaeological remains from the post-medieval or modern periods are anticipated within the site.



- Built Heritage

- 4.33. There are a number of heritage assets in the surrounds of the site which may be sensitive to development, notably the Grade II Listed Higher Holbrook to the west of the site and the three Listed Buildings within the former Denbow Farm complex.
- 4.34. Following initial consideration of assets considered potentially sensitive, the conclusions of the desk-based analysis are that they are unlikely to be a constraint to development. Given the limited impacts it is considered that our client's site would score at least a 4 within the options appraisal technical assessment, rather than the 3 applied to the whole Option 1 area.

Flood Risk and Drainage

- 4.35. Understanding the hydrological conditions of the site and its surroundings is a fundamental starting point in preparing a scheme that will not only ensure development is resilient to flood risk and the threats of climate change, but which can improve drainage conditions more widely over the long term. We have undertaken initial scoping work in this respect, with the findings and recommendations as set out below.

- Flood Risk

- 4.36. The majority of the site is located within Flood Zone 1 with areas of Flood Zone 2 and 3 surrounding the watercourses that run through the development boundary. The site is currently greenfield undeveloped land consisting of agricultural fields. Any proposed development should place infrastructure in Flood Zone 1, only "water compatible" development should be permitted in Flood Zone 2 and 3, such as play areas and sports pitches. The overland flow routes within the site are all directed towards the watercourse following the natural gradient of the land, any field ditches should be retained where possible to assist in the movement of water from outside of the site boundary, through the development and into the watercourses.

- Surface Water Strategy

- 4.37. The surface water disposal hierarchy looks to allow water to infiltrate into the ground first, the online British Geological Survey mapping notes the underlain substrata to be Exmouth Mudstone and Sandstone Formation whilst the Soilscape online mapping notes the site to have "slightly acid loamy and clayey soils with impeded drainage". This would suggest the site may be suitable to infiltration techniques in some areas across the development but that this would only be known when infiltration testing to BRE365 is undertaken. The presence of a watercourse running inside the site boundary would suggest that at the low points across the site, water does not migrate into the surrounding soils.
- 4.38. The second stage on the disposal hierarchy is to a surface water body, the site has watercourses running through the development at the lowest part. It can be considered that an outfall into this watercourse for the proposed development is the most suitable means of surface water disposal. Discharge rates should be restricted to pre-development greenfield runoff rates calculated using a suitable catchment for the proposed development parcels. Water quality improvements should be reviewed during the design stages of the project and can be provided in a number of different SUDS techniques, such as permeable paving, filter drains and wet / dry attenuation basins.



- 4.39. Given the limited flood risk and drainage impacts of our client's site a score of 4 is considered appropriate and any impacts can be easily mitigated.
- Foul Water Strategy
- 4.40. No sewer records have been obtained to date, the site is bound to the south by and industrial estate consisting of a number of large buildings as well as a small farm compound bounding the west of the site. It can be considered that some form of foul drainage or sewers are located within these areas. A proposed foul water pumping station may be required to address the falls across the site and allow a connection into a suitable existing network that has capacity.
- 4.41. When the above elements are considered, it is notable that our client's site scores better than the scoring within the New Settlement Options Paper. In addition, as noted above our client's site is in single ownership with no constraints to delivery and as such should score a 5 against 'Deliverability'.
- 4.42. It is acknowledged that the site, together with neighbouring parcels, would place an immediate requirement for infrastructure upgrades to existing junctions, together with the primary highways necessary to serve construction. It is anticipated that this infrastructure could be provided within the first 12-18 months following adoption of the Local Plan, subject to technical approval at a county level.
- 4.43. With infrastructure in place, it would be possible, subject to securing detailed planning permission, to achieve completion of the first dwellings and other facilities within approximately 12 months of the supporting infrastructure, with first occupations soon after. Appropriate phasing would ensure that housing comes forward in step with other facilities, green spaces and site landscaping.
- 4.44. Where required as a part of a strategic-scale Green Infrastructure strategy, it would also be feasible to accommodate advance planting to provide a semi-mature vegetated setting for development, as this can be carried out at any time without the need for permission.
- 4.45. In summary, our client supports the development of a second new town to the East of Exeter and considers the Council's preferred choice of 'Option 1' to be soundly based. Our client is committed to working in partnership with the Council, relevant landowners and other stakeholders to ensure that a successful new town can be delivered. The accompanying 'Vision document' and evidence compiled for our client's site clearly demonstrates that the site is not only deliverable but will have minimal impacts, all of which are capable of mitigation.

5. Meeting Housing Needs for All

Strategic Policy 39 – Housing to address needs

- 5.1. The draft policy identifies several issues to be addressed through housing development. These are all considered appropriate issues. It is, however, important that the Council provides evidence in relation to the deliverability of these requirements. It is also recommended that the policy retain flexibility to ensure that schemes can continue to deliver through changing circumstances.

Policy 40 – Affordable Housing

- 5.2. The policy identifies a requirement for at least 15% affordable housing within the second new town with the following mix:

- 50% Social Rent,
- 10% Affordable Rent,
- 30% First Homes (30% discount)
- 10% other affordable homeownership products.

- 5.3. Whilst our client does not seek to object to the requirement or mix identified for affordable homes within the second new town it is currently unclear whether this mix needs to be delivered by each development parcel or across the whole new settlement. Similarly, part 4 of the policy identifies a size mix for affordable dwellings. Whilst this has been derived from the LHNA it should be recognised that this evidence represents a ‘snap-shot’ in time.

- 5.4. In order to provide distinct and unique new neighbourhoods within the second new town it is considered appropriate that flexibility should be provided in relation to the type and size of affordable dwellings provided. This should allow different land parcels to respond to their unique characteristics as well as respond to updated or new evidence.

- 5.5. In accordance with our comments upon part 1 of the Levels of Future Housing Development policy it is also recommended that a whole plan viability study prior to submission of the plan to ensure that when combined with other requirements upon development sites remain viable. Ideally the development industry should be able to provide input into this study prior to its publication.

Policy 43 – Market Housing Mix

- 5.6. Part 3 of the policy identifies a size mix for market dwellings across a site. This identifies the following mix:

- 1 bedroom – 5%
- 2 bedroom – 19%
- 3-bedroom – 53%



- 4+ bedroom – 22%

- 5.7. Whilst it is noted that the mix has been derived from the LHNA this evidence provides only a snap-shot in time. It should also be noted that this mix is based upon the district-wide need and these will vary from location to location. Furthermore, as noted elsewhere in these representations our client is promoting a site within the preferred second new town. In this regard it is unclear whether the 'site' refers to individual land parcels or the wider second new town.
- 5.8. It is noted that parts 4 and 5 do provide some flexibility with regards to the implementation of the policy. This is supported. It should, however, be recognised that the required mix is likely to vary of time and location. In addition, to enable the second new town to provide distinct neighbourhoods it is likely that variations upon the identified mix will be required. It is, therefore, recommended that additional flexibility be built into the policy. This could be included within part 3 to state that the mix of property sizes for market housing shown in the East Devon Local Housing Need Assessment 2022 is a starting point.



6. Protecting and enhancing our outstanding biodiversity and geodiversity

Policy 87 – Biodiversity Net Gain

- 6.1. The policy seeks a biodiversity net gain (BNG) of 20%. This goes beyond the 10% requirement within the Environment Act 2021.
- 6.2. Our client always aspires to achieve more than 10% BNG on all of its sites. It should, however, be recognised that the ability to deliver such gains will vary dramatically from site-to-site dependent upon issues such as existing site conditions and the size of the site. Furthermore, as noted elsewhere in these representations our client is promoting a site within the preferred second new town. In this regard it is unclear whether the 'site' refers to individual land parcels or the wider second new town. Whilst the delivery of 20% BNG may not be an issue for the new town as a whole, it could be for some smaller parcels.
- 6.3. Other than the ability to provide off-site mitigation the policy provides very little flexibility. Given that the policy requirements significantly exceed the requirement within the Environment Act 2021 it is recommended that additional flexibility be built into the policy.



7. Conclusions

- 7.1. The East Devon Local Plan 2020 to 2040 Preferred Options document is generally supported and considered a sound basis upon which to develop a Regulation 19 document for consultation and eventual submission to the Secretary of State for examination.
- 7.2. Our client particularly supports the preferred choice of the second new settlement as Option 1. This is clearly justified by both the SA and the New Settlement Options Paper by virtue of its superior performance against the other reasonable alternatives.
- 7.3. The SA clearly illustrates that Option 1 out-performs the other options on critical issues such as such as climate change and carbon emissions, jobs and employment, connectivity and transport. Furthermore, within the New Settlement Options Paper, Option 1 also outperforms other options on critical issues such as deliverability. The strong performance of Option 1 is reinforced by our client's existing evidence, which is submitted alongside these representations. This will be supplemented by further evidence throughout 2023.
- 7.4. Our client is committed to working alongside the Council, other stakeholders, landowners and developers to deliver a sustainable new settlement within this location.
- 7.5. Whilst our client generally supports the consultation document it is considered that further work is required. This includes:
 - Housing Need – whether a higher requirement would be appropriate given updated household projections and forthcoming economic evidence,
 - Duty to co-operate – provision of clear evidence to support the current strategy and statements of common ground as appropriate,
 - Viability work – to justify the various policy requirements, and
 - Flexibility – in relation to the application of housing mix policies and BNG.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Leeds

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