

Filtered Data Export

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS01

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

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

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: Savills on behalf of Mac Mic Strategic Land

Strategic Policy DS01 contains an extensive list of criteria with which development proposals are required to comply. Criterion D on this list is an obligation to "meet nationally and locally describes space standards".

4. The Nationally Described Space Standard (NDSS) is one of three optional standards that could be incorporated into Local Plan policies where evidence demonstrates a need exists. The Planning Practice Guidance states at Paragraph: 020 Reference ID: 56-020-20150327 that: "Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
- viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.
- timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions."

We are aware of no evidence supporting the Local Plan which justifies the requirement for 100% of new homes to meet the NDSS. And whilst we do not doubt that the vast majority of households would wish to live in large homes if all other considerations were equal, that does not reflect the reality of the housing market. Larger homes are more expensive to construct than smaller properties and consequently have a higher sales value. Requiring all homes therefore to comply with NDSS will inevitably mean that some prospective house purchases are simply unable to afford a new home. In this respect, the policy conflicts with Strategic Policy HN01 (housing to address needs) which seeks to: "support development of dwellings most suited to younger people noting the importance of housing to support and nurture a younger workforce."

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the High Quality Design chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: We strongly recommend that EDDC revisit Strategic Policy DS01 and establish a requirement which reflects the identified need rather than applying a blanket approach to NDSS.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS02

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

2. Do you consider that this part of the High Quality Design chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the High Quality Design chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the High Quality Design chapter is not legally compliant. Please be as precise as possible.: See enclosed representations

2(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.: See enclosed representations

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

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: See enclosed representations We acknowledge that the Council has responded to an extent with some changes proposed to draft Policy DS02 in this further Regulation 19 consultation. In our previous response we highlighted our concerns over the blanket approach taken in requiring all major developments to be supported by a design code. However, we remain concerned that the draft policy not only requires a design code for developments of over 50 homes but also those sites within or adjacent to a National Landscape. Whilst we acknowledge that National Landscapes have a higher sensitivity, our view is that the policy should be consistent in terms of the site size threshold and should not seek to introduce an additional threshold within the policy for all sites within

National Landscapes. This for example could result in the need for small sites within the National Landscape to require a design code which is likely to be disproportionate given the size and nature of those sites. There is also no reflection within the draft policy over whether some of those sites could come forward as outline planning applications rather than detailed planning applications. Design codes are clearly much more relevant to the latter than the former.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the High Quality Design chapter sound. It will be 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 enclosed representations In our view, the draft policy should be updated to include the 50 dwelling threshold now introduced, but remove the additional reference to the requirement for design codes in National Landscapes.

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

4(b). If no, please give details of why you consider this part of the High Quality Design chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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.: TR02

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?: Yes

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

3(a). If yes, and you wish to support the soundness of this part of the Sustainable Transport and Communications chapter, please use this box to set out your comments.: We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support specifically the Sidford to Sidbury Strategic cycle network schemes. We agree that the delivery of this route is critical in developing infrastructure to widen transport choice in the local area. It is also clear however that in order to ensure this critical infrastructure is delivered draft allocation SIDM_06a can play a role given its location at the beginning of the route. As suggested under our response to Policy SD06 (SIDM_06a) the extent of the allocation should be extended which would then help in terms of the delivery of the first section of the route from a placemaking perspective.

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.:

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4. Do you consider that this part of the Sustainable Transport and Communications 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

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.: TR02

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?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Sustainable Transport and Communications chapter, please use this box to set out your comments.: See enclosed representations

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

3(a). If yes, and you wish to support the soundness of this part of the Sustainable Transport and Communications chapter, please use this box to set out your comments.: See enclosed representations

4. Do you consider that this part of the Sustainable Transport and Communications chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Sustainable Transport and Communications chapter's compliance with the duty to co-operate, please use this box to set out your comments.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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.: OL10

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 Landscape chapter is legally compliant?: 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.: We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification. We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

4. Do you consider that this part of the Our Outstanding Landscape 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)?: 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

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.: OL10

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 Landscape chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not legally compliant. Please be as precise as possible.: See enclosed representations

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Landscape 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.: See enclosed representations

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.: See enclosed representations We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape chapter 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 Landscape chapter sound. It will be 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 enclosed representations We explained our reasons for the objection in our representations to the first Regulation 19 consultation

draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

4. Do you consider that this part of the Our Outstanding Landscape 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 Landscape chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

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.: OL10

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 Landscape chapter is legally compliant?: No

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

Strategic Policy OL10: Development on high quality agricultural land We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification. We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Landscape 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 policy

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.: Strategic Policy

OL10: Development on high quality agricultural land We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to the inclusion of this policy on the basis of a complete lack of justification. We explained our reasons for the objection in our representations to the first Regulation 19 consultation draft and these points still stand. We maintain that the draft policy should be removed in its entirety.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape chapter 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 Landscape chapter sound. It will be 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 policy

4. Do you consider that this part of the Our Outstanding Landscape 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

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

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

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

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.: We note that no substantive changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to this policy as currently worded. Most importantly, the draft policy continues to include the requirement for major development to deliver at least 20% BNG. As set out in our previous representations, the PPG is very clear that there is no need for local planning policy to repeat national BNG requirements, and that local plans “should not seek a higher percentage than the statutory objective of ten per cent biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified”. It adds: “to justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.” As a result of the above, the Council must revisit this draft Policy prior to the submission of the draft plan.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity 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)?: 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.: In order to represent the interests of The Sidbury Manor

Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

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

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

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

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

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity 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)?: 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

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

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

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

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.: Savills on Behalf of Mac Mic Strategic Land

Policy PB09 contains a requirement for developers to take out a financial bond prior to commencement of development to cover the cost of monitoring and, if necessary, replacing trees planted as part of the development. This presents a wholly unnecessary and unjustified additional financial burden on development. It is typical for Section 106 agreements to contain provisions requiring the replacement of trees if they fail within the first five years of development. These legal protections exist already and an expensive financial Bond is not therefore required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Our Outstanding Biodiversity and Geodiversity chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: This policy should be deleted.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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.: PB08

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

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Biodiversity and Geodiversity chapter, please use this box to set out your comments.:

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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.: Savills on behalf of Mac Mic Strategic Land

Policy PB08 contains extensive detail details on the approach to trees, hedgerow and woodlands on development sites. While we do not necessarily disagree with the substance of this policy, it is questionable whether such extensive details are required in policy wording and also whether there is unnecessary duplication between this policy and PB03 of the Local Plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

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

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

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

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.: See enclosed representations

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.: See enclosed representations

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.: See enclosed representations We note that no substantive changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to this policy as currently worded. Most importantly, the draft policy continues to include the requirement for major development to deliver at least 20% BNG. As set out in our previous representations, the PPG is very clear that there is no need for local planning policy to repeat national BNG requirements, and that local plans “should not seek a higher percentage than the statutory objective of ten per cent biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified”. It adds: “to justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a

higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”

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.: See enclosed representations As a result of the above, the Council must revisit this draft Policy prior to the submission of the draft plan.

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.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

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

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

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

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Biodiversity and Geodiversity chapter, please use this box to set out your comments.:

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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.: Strategic Policy PB05: Biodiversity Net Gain We note that no substantive changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to this policy as currently worded. Most importantly, the draft policy continues to include the requirement for major development to deliver at least 20% BNG. As set out in our previous representations, the PPG is very clear that there is no need for local planning policy to repeat national BNG requirements, and that local plans “should not seek a higher percentage than the statutory January 2026 10 objective of ten per cent biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified”. It adds: “to justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.” As a result of the above, the Council must revisit this draft Policy prior to the submission of the draft 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.: Revisit the policy

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.:

Strategic Policy PB05: Biodiversity Net Gain We note that no substantive changes have been proposed to this draft policy since the first Regulation 19 consultation draft, and we therefore continue to object to this policy as currently worded. Most importantly, the draft policy continues to include the requirement for major development to deliver at least 20% BNG. As set out in our previous representations, the PPG is very clear that there is no need for local planning policy to repeat national BNG requirements, and that local plans “should not seek a higher percentage than the statutory January 2026 10 objective of ten per cent biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified”. It adds: “to justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.” As a result of the above, the Council must revisit this draft Policy prior to the submission of the draft 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.: Revisit the policy

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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.: OS02

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

3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:
Savills on behalf of Mac Mic Strategic Land

The first section of Policy OS02 reiterate the requirements of the Fields in Trust and the Natural England Green Infrastructure and Accessible Greenspace Standards. We have no objection to the provision of open space within Development in accordance with the standards provided this reflects the availability of open space existing in the locality. In other words, if there is existing sufficient open space within the maximum walking distance guidelines, then there should be no need to provide further space on site.

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.: We do however fundamentally object to the second part of policy OS02. The unduly prescriptive standards proposed would compromise the effective masterplanning of a development and have potential to lead to inefficient use of land, in conflict with the desire to optimise density expressed in Policy DS02 of the plan. Rather than prescribing specific distances and standards, each site should be considered on its merits and with an understanding of the layout, form, topography etc. Only with this site specific information is it possible to design an effective masterplan which accommodates the necessary open space in a manner which also achieves the other policy aspirations and objectives contained within the Local Plan.

5. The second paragraph in the first part of the policy already requires the submission of a clear 'Open Space Strategy' which sets out how the site responds to local needs and

provision. It is through this strategy and the masterplanning of the site where the provision of open space can be carefully considered on a site specific basis.

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.: For this reason, we recommend that all of the text under the heading "additional requirement for residential developments over 200 dwellings" is deleted.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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.: HE04

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 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.:

Savills on behalf of Mac Mic Strategic Land

For the same reasons as we object to Policy HE02, we also object to Policy HE04.

4. The opening sentence a Policy HE04 establishes a requirement to "protect" schedule monuments and other archaeological artefacts whether designated or not. If this policy statement is to be complied with then there could be no harm arising from development, however, the policy later goes on to state that:

"Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposed development."

The policy approach is therefore inconsistent as it is setting two separate and incompatible tests for development proposals.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter 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 Historic Environment chapter sound. It will be 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 remove this

incompatibility in the Policy and the inconsistency with the Framework, the opening sentence of Policy HE04 should be deleted.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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.: HE02

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

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

-

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.:

Savills on behalf of Mac Mic Strategic Land

There is an internal inconsistency in the tests set out within Policy HE02 which must be addressed prior to Local Plan adoption.

4. The opening paragraph and Criterion A of the policy states at all proposals "will be expected to: ... Conserve, enhance or better reveal those elements which contribute to the heritage significance and/or it's setting". This sets a binary no loss or no harm test for proposed development which, in itself is incompatible with heritage policy in the Framework (2024).

5. The policy approach in the Framework however is an integrated into the subsequent two sections of the Policy which relate to circumstances where development would cause substantial, or less substantial, harm to a heritage asset or its setting.

6. At present therefore the policy both states that there will be in effect no harm permitted but then recognises that harm could exist and explains how development proposals should respond in those circumstances.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment chapter 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 Historic Environment chapter sound. It will be

helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Due to its incompatibility with the Framework, we recommend that the first section of Policy HE02 is deleted.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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

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.: It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory. In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to

progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that “any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)”. This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading “How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?”, this further highlights the issues with the Council’s approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. We therefore maintain on the above basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to

reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

4. Do you consider that this part of the Spatial Strategy 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)?: 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Summerfield Homes

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. 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 Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review 2020-2042. This representation is submitted by Savills on behalf of Summerfield Homes Ltd who have an interest in the Land adjacent to Markers Park, Payhembury (Payh_03a).

Representations were submitted to the last Regulation 19 consultation, supported by site specific information including an indicative layout plan to confirm that whilst we are fully supportive of the allocation of the site we considered amendments should be made to the allocation boundary to ensure the best possible scheme can be delivered in the future.

It is pleasing that changes have been made to the draft allocation to reflect the comments we made at the last consultation stage.

Our representations to this consultation reconfirm our position on the emerging allocation, but also address some concerns with key strategic aspects of the draft Local Plan, most notably the proposed housing requirement, which we consider remains an unsound basis upon which to proceed with the plan.

Our comments on this consultation and supporting evidence base are set out below and are made in accordance with paragraph 36 of the revised NPPF (e.g. that they are positively prepared, justified, effective and consistent with national policy), to assist in ensuring that the Local Plan is found sound when examined in the future. However, in its current form, we do not consider that the Local Plan is sound, and should not therefore progress to submission without amendment.

Strategic Policy SP02: Levels of Future Housing Development

It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft.

Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below.

Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period.

Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

- Whether the Local Plan can proceed under the transitional arrangements

- The proposed stepped trajectory

We address each of the two matters in turn below.

Whether the Local Plan can proceed under the transitional arrangements

Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

We maintain that it was clear at the beginning of 2025, and continues to be the case given the lack of any additional evidence provided by the Council, that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output.

This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads.

However, more fundamentally, given the absence of any further justification provided by the Council to support this consultation, we maintain that the draft Local Plan

cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: “234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83.”

This is supported by two related footnotes. The first of these – Footnote 82 – is as follows:

“Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).” (emphasis added)

We highlight again reference to “each of the proposed submission documents” which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose.

This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that “any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)”.

This suggests that the direction given in the current NPPF will remain unchanged.

Furthermore, when looking at the latest guidance in the PPG, under the heading “How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?”, this further highlights the issues with the Council’s approach to the draft plan. Paragraph 86 states:

Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced.

However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis)

It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole.

We therefore maintain on the above basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply.

Stepped Housing Trajectory

We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years

(approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

The Planning Practice Guidance helpfully attends directly to the question of ‘When is a stepped housing requirement appropriate for plan-making?’. In so doing it provide the following guidance:

- “A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.”

The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base.

Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made specific changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method.

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.: In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the ‘Positively Prepared’ test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

Full name: George Lewis

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

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.: SP04

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.: Savills on behalf of ***

Personal details have been removed ***

2. Securing economic growth is about delivery. It requires a planning system which enables and facilitate growth in the locations which fit with a diverse range of business strategies and growth plans. A location which suits one business will not necessarily suit others and a wide range of employment land opportunities and flexibility in the land market is therefore required in order to maximise economic growth.

3. There has been a large amount of land allocated for employment purposes within East Devon since the adoption of the previous Local Plan. The Council's Employment Land Review (Spring 2024) indicates that the combination of sites under construction, with planning permission, and allocated totals 181.52 ha. Paragraph 6.3 of the Statement expands upon this stating that: "Most of the allocated land is in the West End of the District and this is a focal point for future development and job creation. Key sites include: a) Skypark Business Park with 29.60 hectares remaining. b) Science Park provision of 13.34 hectares of land remaining. c) Exeter logistics park with 11.88 hectares of vacant land. d) Exeter Airport Business Park Phase 2 with 7.54 hectares. e) Policy provision at Cranbrook for 10.04 hectares of employment land. f) Exeter Logistics

Park, although not mentioned in policy in the local plan can be expected to be developed for B8 use and has 11.88 hectares of remaining vacant land”.

4. Whilst there is a large quantity of land allocated for economic growth, the location and type of that land will not suit all businesses. It is for this reason that, despite the availability of land elsewhere in East Devon, the owners of the Greendale Business Park receive regular enquiries from local businesses for space. Since there are no vacancies within the Business Park (as evidenced by the Employment Land Review – ECN004 – Pages 68-73), these enquiries have to be rejected.

5. At a time of stagnant economic growth and national Government concerns over productivity, the Local Plan policies and proposals must support a wide range of employment opportunities. This needs to include not only the high profile business parks such as Skypark and the Science Park, but the more affordable employment locations across the authority area.

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.: In other representations we make the case that this necessitates two changes to the Local Plan:

- The allocation of employment land at the Greendale Business Park. This location is: o capable of expansion within environmental limits as demonstrated by our Omission Site representation; o a popular location for businesses as demonstrated by the Employment Land Review which shows that there are no vacancies; and o can deliver new affordable employment floorspace which is powered by onsite renewable energy generation which supports the Council’s sustainability objectives and provides below market rate running costs for businesses.
- Increased flexibility in Policy SE02 to allow for the expansion of existing businesses and business parks where there is a demonstrable demand.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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?: No

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

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.: Savills on behalf of Mac Mic Strategic Land

Mac Mic broadly support the proposed spatial strategy contained within Strategic Policy SP01. The West End of East Devon is closest to the employment opportunities, higher order services and facilities and supporting infrastructure which will enable the delivery of strategic scale sustainable development.

Whilst the West End is not a spatially defined policy area, the description clearly includes the land close to Exeter at Mosshayne Lane.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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. 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.: Savills on behalf of Mac Mic Strategic Land

Policy SP02 of the Local Plan Regulation 19 Pre-Submission Draft (the 'Plan') sets out the proposed housing requirement for East Devon District Council (EDDC) during the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. This is proposed to be split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

4. We have two specific objections to the draft housing requirement proposed in Policy SP02 of the Local Plan. These are as follows: a. The Local Plan cannot proceed under the transitional arrangements and the housing requirement must therefore reflect the revised Standard Method for calculating local housing need; and b. The emerging Exeter Local Plan does not propose the delivery of a level of housing which matches it's local housing need as defined by the Standard Method. There is therefore a shortfall across the HMA which should be addressed by the neighbouring authorities under the Duty to Cooperate as strengthened by the December 2024 NPPF.

5. The remainder of this representation addresses these matters in turn before concluding on the changes that it is considered are needed to remedy the unsoundness of the Local Plan.

Standard Method Starting Point for Establishing Local Housing Need

6. It is evident from both the Forward to the Plan and the Justification for Policy SP02 that EDDC has initiated consultation on the Local Plan prematurely. The reason for this is clear; EDDC is seeking to take advantage of the transitional arrangements of the National Planning Policy Framework (the 'Framework') to advance with a housing requirement that is lower than the Government's revised Standard Method for determining local housing need.

7. This intention is no more obvious than in how the proposed housing requirement has been described in paragraph 3.11 of the Plan. The justification for the policy in this paragraph explains that the requirement has been set at a level that just (by less than one dwelling per annum) exceeds the 80% threshold in paragraph 234(a) of the Framework.

8. This approach flies in the face of the spirit and purpose of the transitional arrangements, and the Government's aim of delivering 1.5m new homes across the country during the course of this Parliament. These provisions are intended to enable Local Plans to progress where an emerging local plan has already reached an advanced stage but not yet made it to Regulation 19 so as not to render existing work wasted, not to set a minimum threshold for Local Plans which are at Regulation 18 stage. However, this is precisely how it has been approached by EDDC.

9. As the intention is clear, we do not consider that the Local Plan consultation is able to proceed on the basis of the transitional arrangements and on that basis this crucial strategic policy of the Local Plan is unsound. 10. Annex One of the Framework details the arrangement for emerging local plans. There are various scenarios which could apply depending upon the stage that the emerging local plan has reached. The extract from Paragraph 234(a) of the Framework which EDDC is seeking to rely upon is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83."

There are two related footnotes to paragraph 234. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations'). In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." [emphasis added] 12. The reference to "each of the proposed submission documents" within Regulation 19 of the Regulations is

explicit and very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of the 'submission documents', must have been made available. This is a very deliberate piece of drafting by Government and we suspect its purpose is to preclude circumstances where a local planning authority could progress under the transitional arrangements contrary to their spirit and purpose.

13. Not all of the proposed submission documents for EDDC have been published. Indeed, the 'About this Consultation' section of the Local Plan states explicitly that: "Consultation starts on Thursday 13 February 2025. This will be the first planned phase of Regulation 19 consultation. A second phases of Regulation 19 consultation is planned to run from Spring 2025 through to the early summer (dates to be confirmed). Thereafter the plan will be submitted for examination in Autumn 2025." 14. Mac Mic contend that the Local Plan cannot therefore proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. 15. In such circumstances the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". 16. There are two relevant components to this policy. The first explicitly and unambiguously requires local planning authorities to use the Standard Method as prescribed in the PPG, the second, addressing the unmet needs of neighbouring authorities, is addressed later in sub-section (b) of this Representation. There is no room for manoeuvre, with the references in the December 2023 Framework to 'exceptional circumstances' having very deliberately been deleted. 17. The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the Plan. For the reasons set out above, it is this figure which the Plan must put in place proposals to deliver in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the Framework. As it stands, the Plan is unsound and significant Main Modifications are required to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

Accommodating the unmet housing needs of Exeter City Council 18. The Exeter Plan (Regulation 19) was published for consultation in December 2024. Policy H2 establishes a housing requirement for the plan period of 642 dpa between 2021 and 2041. This housing requirement is based on the previous version of the Standard Method. The revised version of the Standard Method increases the requirement to 800 dpa. 19. Whilst The Exeter Plan is progressing in accordance with the transitional arrangements, there is nevertheless a shortfall against the latest assessed local

housing needs. This shortfall is not addressed in the (undated) Duty to Cooperate Statement which states in relation to 'Housing – meeting neighbouring housing requirements': "There are no requests to meet the housing requirements on other local planning authorities at this stage. Early in the plan making, Torbay Council requested that the Exeter Housing Market Area (which includes the western part of East Devon) help to meet its housing requirement. This issue has been resolved through the examination of the Teignbridge Local Plan, which borders Torbay". 20. It is not clear when this Statement was produced but it appears that it has since become out of date. Regardless of any request from a neighbouring authority, it is evident from the figures above that a shortfall now exists. 21. In such circumstances the Framework is clear that unmet needs for neighbouring authorities should be accommodated. Indeed, the publication of the revised Framework in December 2024 significantly changed national policy in respect of the approach to housing supply and the accommodation of sufficient land for housing. It is now explicitly clear that the plan-making authority must plan for a scale of growth which accommodates their own local housing need as defined by the Standard Method and, where appropriate, some or all of the local housing need of the neighbouring authorities if those needs cannot be accommodated within their respective authority areas. Of particular relevance are the following paragraphs of the Framework: "24. Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered, by addressing key spatial issues including meeting housing needs, delivering strategic infrastructure and building economic and climate resilience. Local planning authorities and county councils (in two-tier areas) continue to be under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. 27. Once the matters which require collaboration have been identified, strategic policymaking authorities should make sure that their plan policies align as fully as possible with those of other bodies where a strategic relationship exists on these matters, and take into account the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that: ... b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b.

Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are: a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; 62. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need

assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.” [emphasis added] 22. These policies are very clear. If an unmet need from a neighbouring authority exists, then it is a responsibility of the plan making authority to engage through the duty to cooperate to determine where that need is to be accommodated. Not only is this required in order to produce a sound plan, but it is crucial to address the housing affordability challenges within the area which have a direct impact on the lives of those people living across the Exeter Housing Market Area.

23. The key question is how much growth should the East Devon Local Plan seek to accommodate to address the unmet needs of its neighbours. It would appear that there is no agreement on this at present and that there is therefore a degree of uncertainty.

24. Prior to the December 2024 Framework there was no clear guidance available to plan making authorities or inspectors as to how to respond in such circumstances. However, the revised Framework directly addresses this matter. The new paragraph 28 acknowledges that: “28. In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning practice guidance, and be made publicly available throughout the plan-making process to provide transparency. Plans come forward at different times, and there may be a degree of uncertainty about the future direction of relevant development plans or the plans of infrastructure providers. In such circumstances strategic policy-making authorities and Inspectors will need to come to an informed decision on the basis of available information, rather than waiting for a full set of evidence from other authorities.” 25. It is therefore incumbent upon the authorities to come to an evidenced judgement and to uplift the housing land supply to reflect those needs and we urge the authorities to come together as soon as possible to come to a view on the appropriate distribution.

Conclusion 26. “This Government has inherited an acute and entrenched housing crisis.” (Minister of State for Housing and Planning - *** Personal details have been removed *** MP – in his Statement introducing the revisions to the NPPF on 12 December 2024). 27. For decades too few homes have been constructed across the country, housing affordability has spiralled and millions of households are unable to access the housing market. The new Government has moved rapidly and radically to revise national planning policy within six months of the General Election in order to put in place policies designed to increase the number of new homes being planned for and delivered. It’s target of 1.5 million new homes during the current parliament is a hugely important ambition for the Government but it will be extremely challenging to achieve

unless there is a dramatic change in approach from all parties involved in the planning and delivery of new homes. 28. EDDC needs to play its part in addressing the housing crisis. Rather than trying force an unsound plan through under the transitional arrangements to justify a lower housing requirement the Council should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. This misses the point of the new standard method entirely, which is to significantly increase the amount of housing delivery nationally for both social and economic reasons. 29. As it stands, the transitional arrangements do not apply to EDDC as not all of the Local Plan has been published for consultation in accordance with the requirements of Regulation 19 of the Regulations. The housing requirement in Policy SP02 of the draft Local Plan is therefore unsound. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan must be updated to reflect the revised Standard Method. 30. In addition to the housing needs of EDDC are the wider unmet needs of the housing market area. If EDDC doesn't seek to accommodate a proportion of the revised Standard Method for Exeter City there is a significant risk of under-delivery across the HMA. This under-delivery won't just affect the communities of Exeter City but it will increase the pressure on housing and affordability in East Devon.

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 housing requirement for the emerging Local Plan should therefore be uplifted to reflect the updated Standard Method and to accommodate a proportion of the unmet need for housing arising from Exeter City.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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.: SP06

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.: Savills on behalf of Mac Mic Strategic Land

Strategic Policy SP06 states definitively that development proposals outside of the existing defined settlement boundaries will not be permitted unless in accordance with specific local or neighbourhood plan policies. In so doing, it effectively assumes that the Local Plan will deliver as hoped by EDDC and that there will be no shortfall in delivery.

4. We can appreciate why EDDC would present the position in these definitive terms, however, there is inevitably some degree of uncertainty in the delivery of allocated and windfall development which it would be prudent to acknowledge and reflect in this policy.

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.: To that end, we would recommend that the following additional paragraph is incorporated into the policy:

"If the scale of housing and employment development does not deliver new homes and employment floorspace at the rate anticipated within the Local Plan and the land

supply short for engages the presumption in favour of sustainable development, then the local planning authority will work positively and proactively to support development proposals in appropriate and sustainable locations beyond the existing defined settlement boundaries.”

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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. 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.: Savills on behalf of Mac Mic Strategic Land

Mac Mic has instructed Savills on their behalf to submit representations on their behalf to the emerging Local Plan in relation to the Land at Mosshayne. This land was previously promoted for development by another party and representations submitted in support of its allocation at the Regulation 18 stage of the consultation on the emerging Local Plan. It was also assessed through the HELAA process and assessed as a 'reasonable alternative' through the Sustainability Appraisal (SA) under site reference Brcl_31.

Whilst the site was tested as a reasonable alternative to the proposed strategic scale development in the West End, it is not on that basis that it is proposed for allocation. In other representations to the Regulation 19 Local Plan (the 'Plan') we have raised significant concerns over the compatibility of the housing requirement with the revised Standard Method and the consequent shortfall in the housing land supply. There is a need for the Plan to allocate further land for development in order to address this shortfall. For the reasons explained in this representation, the site is an ideal opportunity to accommodate a significant proportion of that shortfall. In summary it is:

- a. Compatible with the EDDC Spatial Strategy, providing strategic scale growth in a sustainable location within the West End of the authority area;
- b. Suitably and sustainably located in a relatively unconstrained location close to Exeter with good access to a wide range of services, facilities and sustainable movement opportunities;

and c. Available for development with the landowner having confirmed its availability and having entered into a promotion agreement with Mac Mic.

The site is therefore 'developable' in the first phase of the plan period in accordance with the definition in the Framework Glossary. The remainder of this representation expands upon these reasons.

Compatible with the EDDC Spatial Strategy

The Plan and the supporting evidence base provide very strong support for strategic scale growth in the West End of East Devon and the site aligns with the East Devon Local Plan spatial strategy for several key reasons: a) Strategic Location within the West End The East Devon Local Plan focuses on directing significant development towards the West End of the district, which includes land near Exeter and along key transport corridors. This area is deemed to be the most sustainable strategic location due to the collocation of housing and jobs. The site falls within this strategically important area, which has been identified for both housing and employment growth due to its connectivity and existing infrastructure. As explained in the following section, the site benefits from close proximity and sustainable transport connectivity to a significant range of employment opportunities. b) Sustainability and Infrastructure Support The West End is considered a highly sustainable development location because of existing and planned infrastructure, including public transport links, green infrastructure, and employment opportunities. The plan aims to cluster development in areas where services can be efficiently provided, reducing the need for car travel and minimising environmental impact. The site is perfectly placed to benefit from this existing and planned infrastructure growth. c) Proximity to the Clyst Valley Regional Park The sustainability appraisal of the Local Plan emphasises the importance of integrating new developments with the Clyst Valley Regional Park to provide green infrastructure, enhance biodiversity, and mitigate recreational pressure on sensitive sites. The site's location offers potential for such integration and enhancement by extending the regional park, thereby contributing to the plan's environmental objectives. d) Economic Growth and Job Creation The spatial strategy supports employment-led growth in the West End, recognising its role as a hub for high-value industries, including those linked to the Science Park and Exeter's economy. Development on the site would contribute to this vision by providing new homes for the future employees of the area.

For these reasons the site is compatible with the Local Plan spatial strategy because it supports sustainable development principles, aligns with infrastructure investment priorities, and fits within the overarching goal of focusing growth in the West End. EDDC has identified it as a viable option for development, pending resolution of access issues, making it a strategic and sustainable choice for future expansion

Suitably and Sustainably Located

7. The evidence produced by EDDC clearly demonstrates that the site represents a suitable and sustainable location for development. The two key pieces of evidence which point to this conclusion are the Sustainability Appraisal and the East of Exeter (brcl_31) Site Selection Report.

8. The former compiles high-level evidence regarding the sustainability of the site within the framework of the 13 objectives of the Sustainability Appraisal (SA). While the analysis conducted by the East Devon District Council (EDDC) and its consultants, LUC, indicates that the site is a suitable location, the methodology used does not consider potential mitigation options available. These options could address, and in some instances, overcome the adverse impacts of development. Furthermore, it does not account for opportunities for the development to enhance public benefits.

The analysis below ((see attachment)) responds to each of the SA objectives, commenting upon the 'score' that has been attributed to the site and how this would change through suitable design and/or mitigation measures.

The Site Selection Report produced by EDDC briefly summarises the key planning considerations. Whilst it recognises that there is a degree of landscape and heritage sensitivity with regards to the location, these matters are capable of mitigation through appropriate masterplanning and landscaping. The residual / post-mitigation adverse impact arising from the development would be significantly reduced if not eliminated.

11. The Report correctly notes that there would be a minimal ecological impact from the development of the land provided the existing trees and hedges are retained and that there are opportunities to integrate the on-site green infrastructure with the adjacent Clyst Valley Regional Park. 12. It is also recognise that the site is currently within good walking/cycling distance from a range of existing services and facilities. Whilst it is anticipated that further provision would be made on site as part of the development, the active travel accessibility of the site to existing services and facilities would reduce private car use and is therefore a significant positive benefit to the location. 13. The only technical challenge noted previously as part of the Reg 18 consultation to delivery of the

development was the ability to secure a suitable vehicle access due to no agreement having been reached with National Highways regarding the potential for a site access due to land ownerships. Further details are provided on this later in our representation. 14. The overall conclusion regarding the potential contribution of the site to spatial strategy presents an extremely positive assessment stating that: "Land at Mosshayne Lane is a sustainable location for new development, which would align with the council's overall spatial strategy. The site is in close proximity to the extensive facilities and services available in Exeter, as well as other existing infrastructure in the vicinity of the site, including Pinhoe railway station to the south west and Exeter science Park to the south. The proposed development could facilitate a connection over the railway providing a link to these facilities." 15. Despite this positive assessment the site was not proposed for allocation and the reason for this is explained in the following section of the report entitled 'Reasons for allocating or not allocating'. Under this heading EDDC reached the following conclusion:

"The proposed development would accommodate approximately 1000 dwellings, land for educational use and extensive areas of public open space (including a country park), which would collectively represent a sustainable community that could benefit future and existing residence within the Western part of East Devon. But because of highway access concerns allocation is not credible."

Conclusion

Based upon the EDDC evidence it is clear that there are no environmental constraints to development on the site and that the location is considered a sustainable opportunity to deliver strategic scale development. The only outstanding concern raised by policy officers is highways, a matter addressed in the following section.

Available for Development 17. Mac Mic is promoting the land with the express intention of securing planning permission for the site prior to bringing the land forward to the market for development. 18. The only outstanding matter to resolve with regards availability of the land for development is the creation of a suitable vehicle access. To that end, Mac Mic are in extensive negotiations with National Highways and Devon County Highways regarding the creation of an access from the B3181 in the north and from Langaton Lane to the south. There is a good degree of confidence that this will result in a legal agreement that enables the delivery of a vehicle access into the site. Whilst this has not been completed yet, it is anticipated that agreement will be reached in

advance of the Local Plan Examination. 19. Once the access arrangements have been resolved, the site will be available and development achievable within the Plan period.

Overall Conclusion The current Draft Regulation 19 Local Plan is not consistent with national policy and therefore sound as it does not currently propose a housing requirement which would deliver the Standard Method output, nor allocate sufficient land to accommodate the Standard Method output. In accordance with our representation to Policy SP02 it is therefore necessary to increase the supply of housing land by a minimum of 5,227 homes during the plan period.

Consistent with the Local Plan evidence base and this representation, the Land at Mosshayne is a suitable, sustainable and achievable location to deliver a significant proportion of the housing land supply shortfall. Indeed, it could deliver up to 1,000 homes as part of a new neighbourhood which is compatible with the spatial strategy and exceptionally well located close to existing services, facilities, employment opportunities and sustainable transport infrastructure. Once the highway accessibility of the site has been confirmed, there is no reason why the land could not therefore be allocated in order to remedy the land supply shortfall that currently renders the Plan unsound.

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.: In accordance with our representation to Policy SP02 it is therefore necessary to increase the supply of housing land by a minimum of 5,227 homes during the plan period.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

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.: See enclosed representations

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.: Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory. In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of

the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. In addition, the PPG states that “in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage”. It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

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.: As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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.: See enclosed representations

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.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land south of the Land North side of Grove Road, Whimple (Whim_13) (omission site), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

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.: Savills, on behalf of The Exeter Diocesan Board of Finance Ltd

Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. We therefore object to the Policy on the basis of whether the Local Plan can proceed under the transitional arrangements and the proposed stepped trajectory. In terms of whether the Local Plan can proceed under the transitional arrangements, it is noted that draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

We maintain that the approach taken by the Council suggests an intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which

just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads.

However, more fundamentally, when looking at the NPPF, in order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. In addition, the PPG states that “in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage”. It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole.

On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework and therefore should be increased to reflect the Standard Method output for East Devon which is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. This would be an additional 5,227 dwellings if assuming the standard method output

would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02.

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.: We also consider there to be no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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.: See enclosed representations

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.: See enclosed representations

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.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land south of The Vicarage, Broadhembury (Brhe_07) (omission site), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

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.: See enclosed representations

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.: See enclosed representations It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below. Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period. Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

- Whether the Local Plan can proceed under the transitional arrangements

• The proposed stepped trajectory We address each of the two matters in turn below. Whether the Local Plan can proceed under the transitional arrangements Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that it was clear at the beginning of 2025 and continues to be the case given the lack of any additional evidence provided by the Council that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, given the absence of sufficient justification provided by the Council within the latest Housing Delivery Paper (November 2025), we maintain that the draft Local Plan cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." (emphasis added) We highlight again reference to "each of the proposed submission documents" which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority

could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that “any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)”. This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading “How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?”, this further highlights the issues with the Council’s approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework: “To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. The Standard Method output for East Devon from the revised methodology of the PPG is

1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. Stepped Housing Trajectory We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. The Planning Practice Guidance helpfully attends directly to the question of 'When is a stepped housing requirement appropriate for plan-making?'. In so doing it provide the following guidance: "A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs." The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. We do not consider that the latest Housing Topic Paper (November 2025) within the supporting evidence base includes sufficient justification for this approach. Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made any changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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.: See enclosed representations

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.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns 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_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.: See enclosed representations

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.: See enclosed representations

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

3(b). If no, please give details 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 enclosed representations We note that the proposed spatial strategy is predominantly unchanged from that set out in the first Regulation 19 consultation draft, with the exception of the inclusion of the specific name for the proposed new community of Marlcombe. We therefore continue to be supportive of the proposed spatial strategy in broad terms, and agree that there is a need to focus the spatial strategy on development at the most sustainable settlements in the district. However, as set out in our comments to draft policy SP02, we continue to consider that the most sustainable

villages are capable of playing a significant role within the spatial strategy, and indeed may need to play a more significant role given the likely need for the authority to revisit the proposed housing requirement and with it the need for an increase in the number of allocations. Linked to this, we continue to maintain that reference within the Draft Plan to an allowance for only “limited development to meet local needs at the Service Villages” should be carefully considered to ensure that the growth directed to those villages is proportionate. No changes have been made in this respect since our representations to the first Regulation 19 consultation draft. It remains the case that for a number of villages more than simply “limited” development is already proposed to be directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services. We continue to maintain therefore that the authority review the proposed use of the word “limited” for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft 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.: See enclosed representations

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 enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan. In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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?: 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 full representation text is appended Policy SP02

3. Savills submitted a number of representations to the Regulation 19 (Phase 1) Local Plan in March 2025. These representations included a critique of the proposed housing requirement in Policy SP02, contending that: a. the Local Plan cannot proceed under the transitional arrangements and the housing requirement must therefore reflect the revised Standard Method for calculating local housing need; and b. the emerging Exeter Local Plan does not propose the delivery of a level of housing which matches its local housing need as defined by the Standard Method. There is therefore a shortfall across the HMA which should be addressed by the neighbouring authorities.

4. No changes are proposed to the Local Plan between the Phase 1 and Phase 2 consultations which overcome our objections and, for the reasons explained below, it is very clearly the case that the further revisions to the Regulation 19 Local Plan remain unsound. Our original response to Policy SP02 remains pertinent, the objections below are additional / supplementary to matter (a).

5. In summary, our objections under this heading at the previous stage of the Regulation 19 Local Plan were that EDDC has prematurely begun its Local Plan consultation in order to exploit transitional arrangements within the National Planning Policy Framework (NPPF). These arrangements allow a lower housing requirement only if a full set of Regulation 19 submission documents had been published by 12 March 2025. However, not all required documents were published, meaning EDDC has not legally

reached Regulation 19, so cannot rely on the transitional provisions. As a result, our view was that EDDC must use the revised December 2024 Standard Method to determine housing need. For the avoidance of doubt, the representation submitted to the Phase 1 Regulation 19 consultation remains relevant and this representation provides further / supplementary information. Our Phase 1 representation on this policy is appended.

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 full text is appended- The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the Plan. For the reasons set out above, it is this figure which the Plan must put in place proposals to deliver in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the Framework. As it stands, the Plan is unsound and significant Main Modifications are required to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

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.: We have fundamental objections to the policy which it is important to explain at the hearing sessions.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

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.: CC06

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

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.:

Strategic Policy CC06: Embodied Carbon As with draft Policy CC01, we note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft. We continue to consider that this draft Policy is neither justified nor consistent with national policy. Given the Government's position on setting standards at a national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

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.: Delete policy

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.: Strategic Policy

CC06: Embodied Carbon As with draft Policy CC01, we note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft. We continue to consider that this draft Policy is neither justified nor consistent with national policy. Given the Government's position on setting standards at a national

level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

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.: Delete policy

4. Do you consider that this part of the Mitigating Climate Change 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

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?: Yes

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.:

Strategic Policy CC01: Climate Emergency We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft. The draft policy therefore remains generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy. We therefore continue to recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

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.: We therefore continue to recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

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.: Strategic Policy CC01: Climate Emergency We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft. The draft policy therefore remains generally vague in its language and it is not at all clear what development is required to

achieve in order to accord with the wording of this policy. We therefore continue to recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

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.: We therefore continue to recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

4. Do you consider that this part of the Mitigating Climate Change 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

7. Adapting to Climate Change

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

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

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

2(a). If yes, and you wish to support the legal compliance of this part of the Adapting to Climate Change chapter, please use this box to set out your comments.: Strategic Policy AR01: Flooding Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we are concerned that the draft policy remains inconsistent with the provisions of the latest NPPF, notably paragraph 175 which updated the approach to the sequential test. This is copied below for convenience: "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)." Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

2(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to 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 Adapting to 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.: Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

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.: Strategic Policy AR01: Flooding Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we are concerned that the draft policy remains inconsistent with the provisions of the latest NPPF, notably paragraph 175 which updated the approach to the sequential test. This is copied below for convenience: “The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).” Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

4. Do you consider that this part of the Adapting to Climate Change 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

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.: Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below. Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period. January 2026 3 Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

- Whether the Local Plan can proceed under the transitional arrangements
- The proposed stepped trajectory We address each of the two matters in turn below. Whether the Local Plan can proceed under the transitional arrangements Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32

and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that it was clear at the beginning of 2025 and continues to be the case given the lack of any additional evidence provided by the Council that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, given the absence of any further justification provided by the Council to support this consultation, we maintain that the draft Local Plan cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the January 2026 4 planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." (emphasis added) We highlight again reference to "each of the proposed submission documents" which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that "any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless

any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)". This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading "How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?", this further highlights the issues with the Council's approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19 consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. January 2026 5 In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and

that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. Stepped Housing Trajectory We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. The Planning Practice Guidance helpfully attends directly to the question of ‘When is a stepped housing requirement appropriate for plan-making?’. In so doing it provide the following guidance: “A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.” The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base. Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made any changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. January 2026 6 In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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.: the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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.: Strategic Policy SP02: Levels of Future Housing Development It is noted that no changes are proposed to draft Strategic Policy SP02 from that published in the first Regulation 19 consultation draft. Therefore, whilst we do not intentionally wish to repeat previous comments made, given the importance of what we consider to be significant issues with this draft policy which remain, we have outlined again our principal concerns below. Firstly, in terms of the proposed plan period, this remains as 2020 – 2042. Ordinarily the plan period start date would be brought forward closer to the likely plan adoption date but we note the Council has sought to make reference to supporting evidence dating back to the 2020 start date. However, of greater concern is that the draft plan is unlikely now to be adopted until 2027 at the earliest and that will only be if the Council can, in our view, make changes to ensure the plan is found sound. Even if that is done, we consider that the plan period should be extended to ensure that a 15-year plan period is provided post adoption of the plan. The evidence base will also need to be updated to ensure that it is consistent with the plan period. January 2026 3 Secondly, given the absence of any changes to the proposed housing requirement for the plan period, we continue to have two principal concerns over the approach taken. These are:

- Whether the Local Plan can proceed under the transitional arrangements
- The proposed stepped trajectory We address each of the two matters in turn below. Whether the Local Plan can proceed under the transitional arrangements Draft Policy SP02 remains unchanged and therefore continues to propose at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042, with delivery being split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We maintain that it was clear at the beginning of 2025 and continues to be the case given the lack of any additional evidence provided by the Council that the Council commenced consultation on the Plan in early 2025 before the full Regulation 19 draft was ready. We continue to consider that the intention was to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government’s revised Standard Method output. This intention was very clear when reading how the proposed housing requirement had been described in paragraph 3.11 of the first Regulation 19 draft in early 2025 and the text in the second Regulation 19 draft remains unchanged. The consultation text seeks to justify that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. This approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage.

This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, given the absence of any further justification provided by the Council to support this consultation, we maintain that the draft Local Plan cannot proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: “234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83.” This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: “Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the January 2026 4 planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).” (emphasis added) We highlight again reference to “each of the proposed submission documents” which is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. This government intention is unchanged in the latest consultation launched in December 2025 on potential changes to the NPPF. Within that consultation, the published draft NPPF at Annex 1 (paragraph 8) very clearly re-states that “any other plans being prepared should be produced in accordance with the version of this Framework published in December 2024, unless any of the transitional arrangements in Annex 1 to that Framework apply (in which case those transitional arrangements continue to apply)”. This suggests that the direction given in the current NPPF will remain unchanged. Furthermore, when looking at the latest guidance in the PPG, under the heading “How do the implementation aspects of the NPPF apply to plans where more than one round of Regulation 19 consultation has been undertaken?”, this further highlights the issues with the Council’s approach to the draft plan. Paragraph 86 states: Some local planning authorities may undertake more than one round of Regulation 19 consultation on a plan. Where this is the case, for the purposes of implementing Annex 1 of the Framework, a plan is normally to be taken as having reached the Regulation 19 stage at the date on which the first round of Regulation 19 consultation commenced. However, in some limited circumstances, a plan is to be taken as having reached Regulation 19 on the date that a subsequent round of consultation commenced. These limited circumstances could include instances such as when the content of an emerging plan has changed significantly from the one presented at the initial Regulation 19 stage. (underlining our emphasis) It is very clear that the plan has changed significantly between the first Regulation 19

consultation and this second consultation. This consultation clearly relates to a significantly different plan. There are, for example, a significant number of track changes in this second Regulation 19 document which highlight the stark differences between the two documents. The Council themselves acknowledge back in early 2025 that the first Regulation 19 consultation would not be the final version and further consultation on the policies relating to the new community would be required. There are now a significant number of changes presented in the latest consultation document relating to the new community which further highlights the changes to the plan as a whole. On this basis we are concerned that the second Regulation 19 consultation draft has not sought to make changes or provide further justification. We therefore maintain on that basis that there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. January 2026

5 In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework: “To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”. The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the ‘Positively Prepared’ test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate the additional housing required between the total output from the standard method and that proposed in draft Policy SP02. This would be an additional 5,227 dwellings if assuming the standard method output would be 26,136 homes based on the same plan period, against the 20,909 homes proposed within draft Policy SP02. Stepped Housing Trajectory We continue to consider that there is no justification for adopting a stepped trajectory in the draft plan that effectively reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. The Planning Practice Guidance helpfully attends directly to the question of ‘When is a stepped housing requirement appropriate for plan-making?’. In so doing it provide the following guidance: “A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and

revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.” The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base. Having raised these concerns over the first Regulation 19 consultation draft, the Council does not appear to have made any changes or reacted to this. Rather, it continues to appear that the authority is seeking to do the bare minimum to scrape through under the transitional arrangements, when there was an opportunity in 2025 to start the process of positively and proactively updating the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. January 2026 6 In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

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 housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

4. Do you consider that this part of the Spatial Strategy 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

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.: Strategic Policy SP01: Spatial Strategy We note that the proposed spatial strategy is predominantly unchanged from that set out in the first Regulation 19 consultation draft, with the exception of the inclusion of the specific name for the proposed new community of Marlcombe. We therefore continue to be supportive of the proposed spatial strategy in broad terms, and agree that there is a need to focus the spatial strategy on development at the most sustainable towns in the district. However, as set out in our comments to draft policy SP02, we continue to consider that the most sustainable villages are capable of playing a significant role within the spatial strategy, and indeed may need to play a more significant role given the likely need for the authority to revisit the proposed housing requirement and with it the need for an increase in the number of allocations. Linked to this, we continue to maintain that reference within the Draft Plan to an allowance for only 'limited development to meet local needs at the Service Villages' should be carefully considered to ensure that the growth directed to those villages is proportionate. No changes have been made in this respect since our representations to the first Regulation 19 consultation draft. It remains the case that for a number of villages more than simply 'limited' development is already proposed to be directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services We continue to maintain therefore that the authority review the proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

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.:

We continue to maintain therefore that the authority review the proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

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.:

Strategic Policy SP01: Spatial Strategy We note that the proposed spatial strategy is predominantly unchanged from that set out in the first Regulation 19 consultation draft, with the exception of the inclusion of the specific name for the proposed new community of Marlcombe. We therefore continue to be supportive of the proposed spatial strategy in broad terms, and agree that there is a need to focus the spatial strategy on development at the most sustainable towns in the district. However, as set out in our comments to draft policy SP02, we continue to consider that the most sustainable villages are capable of playing a significant role within the spatial strategy, and indeed may need to play a more significant role given the likely need for the authority to revisit the proposed housing requirement and with it the need for an increase in the number of allocations. Linked to this, we continue to maintain that reference within the Draft Plan to an allowance for only 'limited development to meet local needs at the Service Villages' should be carefully considered to ensure that the growth directed to those villages is proportionate. No changes have been made in this respect since our representations to the first Regulation 19 consultation draft. It remains the case that for a number of villages more than simply 'limited' development is already proposed to be directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services We continue to maintain therefore that the authority review the proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

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.:

We continue to maintain therefore that the authority review the

proposed use of the word 'limited' for the service villages, in order to ensure that the important role the villages can play is strengthened within the draft plan.

4. Do you consider that this part of the Spatial Strategy 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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

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.: Strategic Policy SP03: Housing requirement by Designated Neighbourhood Area Our comments to draft Policy SP03 are consistent with our comments made to the first Regulation 19 consultation draft. We welcome the fact that Land north and east of Exton Farm (Wood_28) is accounted for within the housing requirement figures breakdown. It is clear from the Regulation 19 plan that the site forms part of the proposed local plan allocations figure of 311 dwellings for the Woodbury area (including Exton). However, we continue to have concerns over overall housing requirement within which the designated neighbourhood area figures are derived, as set out in our response to draft Policy SP02 above.

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.: However, we continue to have concerns over overall housing requirement within which the designated neighbourhood area figures are derived, as set out in our response to draft Policy SP02 above.

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

4. Do you consider that this part of the Spatial Strategy 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: George Lewis

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

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.:

4.1

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

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

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52. Both schemes will require engagement between EDDC and landowners. The expansion of GBP would be well-placed to link up with these LCWIP projects, in turn supporting the sustainable use of these routes and to enhance travel to GBP by active and sustainable modes of travel. Indeed, within the Council's site assessment, under 'opportunities' it has recognised that "the site includes a significant employment site and could provide pedestrian/cycle links through it and to the wider area". 53. In addition, by locating employment growth at an existing business park with a clear demand for expansion, it will make the best use of existing infrastructure. Unlike other proposed allocations, no new major highways or infrastructure (with its associated carbon) would be required to sustainably expand GBP. 54. It is also important to note that there will in the future be a significant increase in the number of potential employees residing within active travel distance of the Greendale Business Park. The draft Local Plan currently intends to allocate land for a major new settlement in the West End of the District, immediately to the north of the Business Park. The 8,000 new homes that are anticipated to be delivered will introduce thousands of potential employees within walking or cycling distance of the business park. The proposed expansion of GBP would directly complement and help meet the employment needs of the new town and encourage the use of sustainable modes of travel between the new homes and a wider range of employment opportunities. 55. The assessment also claims that the site is 'just' within 1,600m of a bus route with an hourly or better service. GBP is directly served by the 58/58A bus which operates throughout the day between Exeter

Bus Station and Exmouth and stops in the centre of the Business Park. For Exeter residents, this service enables employees to arrive at the Business Park on weekdays at 08:48 and leave in the afternoon at 17:19 (or earlier). For Exmouth residents, they may arrive at 08:01 and leave at 17:19 (or earlier). Further, a more frequent half-hourly service 9/9A runs between Exeter and Honiton/Seaton which serves stops at the entrance to Greendale Business Park on Sidmouth Road (A3052). Employees that live in Woodbury Salterton are approximately 800m from the centre of the business park. This is considered an acceptable distance for walking and cycling, as set out within guidance produced by the Chartered Institution of Highways and Transportation. GBP has clear access to sustainable travel links.

56. Beyond the above, there are further opportunities to enhance the accessibility of the site as part of its expansion. Opportunities include:

- The introduction of electric vehicle charging facilities, powered by locally generated renewable energy to support travel by electric vehicles. As confirmed by the UK Government on 28 September 2023 alongside its Zero Emission Vehicle Mandate, “the switch to zero emission cars and vans will be the single biggest carbon saving measure in the UK’s journey to net zero”
- Enhanced bus transport and travel planning measures to encourage sustainable patterns of movement;
- The provision of a pedestrian footpath to connect to the bus stop of the A3052. 57. EDDC’s negative assessment of the site with regard to infrastructure and accessibility should be reviewed and re-considered in light of the above. Landscape 58. With regard to landscape, EDDC stated the below: “Medium sensitivity. The site is not in a designated landscape. Medium-Limited sense of the site from the A3052 to the north, but views from the access road quickly become apparent showing the extensive existing business park in the foreground and fields beyond. There are open views of the site from lane (Warkidons Way) to the south, which show the built form of the existing business park set lower down the valley, along with Hogsbrook Farm buildings to east, surrounded by rural context of agricultural fields rising to the south. Similar findings for view along White Cross Road and Honey Lane - predominantly rural context, with the presence of existing business park in views to the north.”

59. The assessment report also includes a ‘Landscape Sensitivity Assessment’. This ultimately concludes: “Medium. The site is partly previously developed but this is restricted to the less visually obtrusive lower valley slopes. Further development would be more visible in short, medium and longer range views.” 60. In developing the

Masterplan, landscape sensitivity, and the potential visibility of new development at the Business Park, were assessed using LiDAR land height data and photography. A 'Zone of Theoretical Visibility' assessment was undertaken, to understand the impact of new buildings of varying heights across the business park expansion land. Views from Woodbury Salterton were also considered and assessed. 61. Visibility from key receptors was a key factor in the masterplanning of the site, and indeed landscape impact was the driving force behind the selection of the areas proposed for development. This robust exercise found that the development of Plots F1 and H (the two development areas within the reduced site boundary) could reach heights of 12m-14m before they would become visible from the National Landscape to the south of GBP. 62. It is recognised that the development of the site would change the local landscape character. To assist with integrating the expanded business park into the local landscape, additional tree planting in the forms of orchards and woodlands are proposed at the perimeter of the masterplan area to provide a natural form of visual mitigation from viewpoints in Woodbury Salterton. As noted within the masterplan, these interventions would mitigate any perceived negative impacts on the landscape.

63. We therefore wholly disagree with the conclusions of EDDC with regard to landscape impact. Historic Environment 64. With regard to heritage, EDDC stated the below: Medium - There is evidence of prehistoric enclosure and field boundaries. An archaeological survey is needed prior to development and it may be possible to design a layout to incorporate any subterranean remains. Grade II listed Greendale Barton is located in the centre of the site, on the southern edge of the existing business park. Grade II listed Brooklands Farm is around 30m from edge of site in north west - mature trees obscure views into the site, but potential impact upon this asset. 65. Further to the above, the Council's report also includes a 'Historic Environment Site Assessment'. This ultimately concludes: "Medium: no significant effects which cannot be mitigated. An impact is predicted, but would not compromise the asset(s) cultural heritage value to the extent that the attributes that led to its designation, or ability to understand or appreciate its value, are diminished or compromised. Mitigation may make the impact acceptable. The overall significance of the asset would not therefore be materially changed." 66. As recognised within EDDC's assessment, the Business Park contains Greendale Barton, a Grade II Listed Building. This building is used as the headquarters of Greendale Group, has been directly associated with the operation of the business park for a number of years and is established within its industrial/commercial setting. The Grade II Listed Higher Greendale Farmhouse sits outside of the proposed Business Park boundary. The Masterplan was prepared with a robust understanding of the heritage assets within and near the site. At this stage it is not anticipated that the proposed expansion of the business park would cause any physical harm to heritage assets, nor would it impact upon the significance derived from its setting due to the

existing context of these buildings. 67. The Council's conclusion that there are no significant effects which cannot be mitigated is welcome, however on that basis it appears irrational to conclude the impact would be 'medium'. At most it should be characterised as a 'minor' adverse impact. Ecology 68. Under the 'Ecology' heading, EDDC concluded: "Minor adverse effect predicted (not significant). Several TPOs cover parts of the site. Hogsbrook Farm County Wildlife Site located 131m to south." 69. The 2020 Masterplan demonstrated that the site is capable of delivering significant on-site gains in biodiversity. The preparation of the masterplan was informed by a detailed desk-based ecological study and an on-site Phase 1 Habitat Survey which found that the site mainly comprised agricultural (arable) land with low ecology value. 70. The masterplan was subsequently designed with the biodiversity metric in mind, along with the objectives of the Clyst Valley Regional Park (with specific focus on the Grindle Brook corridor). Development areas were concentrated on those parts of the site with low biodiversity value, with surrounding areas providing a net biodiversity gain through habitat creation. New habitat features were proposed, such as meadow grassland, orchards, woodland planting, wetlands, new and enhanced species-rich hedgerows, along with bird/bat/invertebrate boxes within built areas. 71. The 2024 updated boundary reduces the amount of land that would be sought for a development allocation. While the area of land sought for allocation has reduced, BNG enhancements can still be provided outside of the allocation areas, and FWS Carter and Sons have committed to providing at least 25% BNG through the development of the site if allocated. This extends beyond the statutory minimum and the draft Local Plan Policy requirement and therefore should be considered a significant positive in this regard.

72. As recognised by EDDC, the proximity to the Hogsbrook Farm County Wildlife Site is noted, though mitigation for negative effects on these sites via financial contribution is only required by proposals that include overnight accommodation. The site, as an employment site, would not include overnight accommodation, and therefore financial mitigation would not be required from the proposal as there would be no impact.

73. As there would be no impact on the County Wildlife Site, no impact on trees subject to Tree Preservation Orders through sensitive design, and due to the potential for the development to deliver a significant net gain in biodiversity units, we consider that the development would deliver a net benefit to ecology as opposed to the minor adverse effect assumed by the Council. Other Constraints 74. Under the heading 'other constraints', the council have raised the following items: "Northern tip of site may contain Grade 2 agricultural land, but the remainder is Grade 3. A slither of Flood Zone 3 and high surface water flood risk bisects the central part of the site, east to west. Flood

risk also present on western and eastern fringes. Most of site, except southern and eastern edge, is within waste consultation zone. No overhead high voltage electricity lines. High pressure gas pipeline and related safety/buffer zones lie beneath 26.8 Ha of site. Also 24.5 Ha on land with existing employment development. Discount 51.3 Ha to reduce gross development area to 20.8 hectares. Southern part of site is within (outer) water protection zone. Part of the site (the field north of Honey Lane- approx 3.7 Ha) is within the proposed Clyst Valley Regional Park. Within Green Wedge in adopted Local Plan 2013-31 or made Neighbourhood Plan.” 75. The reduced site boundary does not include any Grade 2 agricultural land and the developable areas within the expansion area are not located within Flood Zone 2 or 3 (being Flood Zone 1, low risk). The reduced site is also not located directly over a gas pipeline. The site’s location within waste consultation or gas pipeline safety zones should not preclude the site being allocated for employment development – the HSE’s guidance does not advise against low sensitivity land uses (such as factories) being developed within their consultation zones¹ and the HSE would regardless be consulted at planning application stage if the sites were allocated. 76. Finally, in its conclusion, the Council has provided the following statement under ‘Reasons for allocating or not allocating’: “Countryside location remote from facilities (these are not accessible on foot and there are no cyclepaths). Landscape impact varies across the site but the least intrusive areas have already been developed and the undeveloped parts of the site will be much more visually intrusive. The position and extent of the HSE High Pressure Gas pipeline and its safeguarding zones across the central/ eastern part of the site, plus the amount of land within the Flood Zone, reduce the site capacity. Sites to the west might be achievable but they are quite visible in the wider landscape (and the least visible field is within the proposed CVRP extension) and are not well related to the existing business park.” 77. As demonstrated within this representation, the site is sustainably located for its proposed use and the concerns expressed, including those regarding landscape impact, the gas pipeline, flood risk and agricultural land have all been eliminated by the reduction in the size of the expansion area as submitted in 2024. 78. In assessing the site, EDDC should also consider the substantial and significant benefits that would be provided by the expansion of GBP. The economic benefits of delivering the masterplan in full have been set out earlier in these representations.

Conclusion 79. The assessments that EDDC have undertaken to date, and resulted in the decision not to allocate GBP for expansion within the draft Local Plan, have been based on an out-of-date site boundary that was submitted to EDDC as part of a HELAA submission in 2020. These have not taken into account the updated boundary or information submitted by EDDC during the Regulation 18 consultation stage in 2024. 80. As set out within our representations to Strategic Policy SP04, whilst there is a large quantity of

land allocated for economic growth in the draft plan, the location and type of that land will not suit all businesses. It is for this reason that despite the availability of land elsewhere in East Devon, the owners of the GBP receive regular enquiries from local businesses for space. Since there are no vacancies within the Business Park (as evidenced by the Employment Land Review – ECN004 – Pages 68-73), these enquiries have to be rejected. 81. With housing, there are some households able to afford a house which meets their needs and others who are in need of housing which is available to rent below average market rates. The same is true for employment. Part of the popularity of GBP is that it provides (a) more affordable accommodation than other employment locations within East Devon; and (b) the onsite generation of renewable energy which is provided to the units below market levels keeps the cost of business operations lower than elsewhere. 82. At a time of stagnant economic growth and national Government concerns over productivity, the Local Plan policies and proposals must support a wide range of employment opportunities. This needs to include not only the high profile business parks such as Skypark and the Science Park, but the more affordable employment locations across the authority area. 83. Further, expanding successful existing employment destinations is considered a more deliverable, sustainable and sound process for allocating employment sites to meet this need than EDDC's current strategy which generally seeks to identify entirely new sites for employment within or adjacent to settlement boundaries or as part of larger housing allocations. Past experience has demonstrated that this approach has failed to deliver the necessary quantum of additional employment. 84. Allocations for employment land at the GBP would be delivered and occupied in a very short amount of time, subject to securing the necessary post-allocation consents. This contrasts with EDDC's current approach to allocating new employment land, where new strategic infrastructure may need to be funded, approved and delivered first before any employment opportunities are delivered, or allocating small sites which may have no evidence demonstrating that there is any market interest in those particular sites.

85. GBP is a sustainable location for further employment growth. Its location adjacent to EDDC's preferred option for the 8,000-home new town will provide employment in close proximity to new residents and encourage the use of active and sustainable modes of transport. There are also opportunities to enhance public transport accessibility and incorporate sustainable travel infrastructure such as electric car charging points as part of the expansion. 86. Furthermore, the business park is powered by an on-site anaerobic digestion plant and photovoltaic panels which generate further energy from renewable sources. The new businesses on site would therefore benefit from locally generated renewable energy from an energy supply which is already in situ.

87. In conclusion, it is recommended that EDDC fully review its assessment of the expansion of GBP against the assessment methodology and reconsider the many positive reasons for allocating the site for employment uses. Through the revisions to the boundary of the Business Park expansion that were submitted in 2024, and the explanation given in these representations, we consider the very significant economic benefits of doing so substantially and demonstrably outweigh the harms

Full name: George Lewis

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

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.:

4.1

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.:

Savills on behalf of FWS Carter and Sons

These representations are submitted by Savills on behalf of FWS Carter and Sons (owners of Greendale Business Park) in response to the Regulation 19 Consultation on the Draft East Devon Local Plan. Savills has also submitted representations to Strategic Policy SP04 and Policy SE02.

Our overarching objection to the draft Local Plan is that it does not incorporate a sufficiently flexible or positive approach to employment growth across East Devon. Whilst employment land has been allocated, the focus has been on locations and sectors which do not meet all of the economic growth needs of the authority area. This has resulted in a draft Local Plan which is not consistent with national planning policy in the Framework and not therefore sound.

There are two remedies we propose to address that unsoundness. Whilst either would address the issue, both in combination would deliver the step change in economic growth which the Labour Government has made one of its top priorities. These two changes are: a) allocate further land for development, including locations such as

Greendale Business Park; and b) introduce greater flexibility into Policy SE02 to allow more land to come forward adjacent to existing Business Parks as well as within their boundaries.

The latter is covered by our separate representation to Policy SE02. The former – the additional allocation of the land at Greendale Business Park (GBP) – is addressed in this submission.

These representations demonstrate that the Council's process in negatively assessing GBP has failed to take into account all available evidence submitted to the Council. The failure to robustly assess, and, in turn, allocate the land for the expansion of GBP within the draft Local Plan means that the plan should be considered unsound.

Within the following sections, we will explain why the expansion of GBP should be specifically allocated within the Local Plan. In doing so, we will elucidate why the GBP is: Available for development with the landowner having confirmed its availability and having continually promoted its expansion throughout the plan-making process;

- Compatible with the EDDC Spatial Strategy which seeks to provide strategic scale growth in a sustainable location within the West End of the authority area; and
- Suitably and sustainably located in a relatively unconstrained location close to Exeter with good access to the strategic highway network and within close proximity to East Devon's 'New Community' which will introduce a significant number of new residents to the area.

Available for Development

7. The promoted land is entirely within the ownership of FWS Carter and Sons who have owned and operated the thriving Greendale Business Park for many years. During this time it has grown into a significant contributor to the East Devon economy, employing over 2,000 people and generating over £2.5m of annual business rates revenue for EDDC. A diverse range of companies occupy the GBP, from national and international companies and organisations including FedEx, Royal Mail, Viridor and the NHS, to local start-ups including the award winning Powder Keg Brewery.

8. Savills has submitted representations on behalf of FWS Carter and Sons with regard to GBP at several earlier consultation stages of the Local Plan. These have included:

- A completed questionnaire, set of written representations, HELAA Call for Sites form, and Strategic Masterplan in response to the Issues and Options Consultation in March 2021;
- A presentation to Strategic Planning Committee members in November 2022; and
- A set of written representations in response to the Regulation 18 Draft of the Local Plan in January 2023 which provided commentary on the visions, strategies and policies of the draft Local Plan.
- A set of written representations in response to the Further Regulation 18 Draft of the Local Plan in June 2024 which included a revised masterplan for a (reduced) expansion area and a comprehensive sustainability appraisal (to contrast EDDC's own SA for the site (reference Wood_38)).

9. Further, representatives of GBP submitted written statements regarding the site to EDDC's Strategic Planning Committee on 8 March and 11 March 2024 and spoke at a meeting of the Strategic Planning Committee on 12 March 2024. The statements and the speech raised concerns with EDDC's recommendations for the allocations of new employment sites in the draft Regulation 18 Local Plan, and specifically the reasons for the exclusion of the land at GBP. 10. GBP is clearly available for development and there is significant demand for space at GBP. Despite the challenging economic climate there are no vacancies within the Business Park. To the contrary, there is a substantial, up-to-date register of interests from businesses keen to locate to the Business Park. In our previous representations of October 2022 the register of interests comprised a wide range of businesses with a requirement for a total of 392,000 sq ft which would require circa 4-5 hectares of employment land. In just the six months between January and June 2024, Greendale received dozens of enquiries with a requirement for 337,000 sq ft of floorspace. Over 3 hectares of land would be required to satisfy these enquiries alone. Despite the poor growth of the national economy, this clearly demonstrates that demand for employment land is still very high in East Devon and at GBP in particular, and that this demand is not being satisfied by the currently allocated employment sites. 11. There is significant interest in operating at GBP, especially among Small-Medium Enterprises (SMEs), due to the provision of quality, affordable accommodation. Rental levels are considerably lower than other employment locations within the authority area and given the ongoing inflationary pressures and consequential economic challenges facing many businesses, affordable accommodation is crucial to their long-term sustainability. 12. In addition to accommodation, one of the greatest challenges for businesses, particularly SMEs and start-ups, has been the rising cost of energy. Commercial enterprises do not benefit from the Government energy price cap and so

have been particularly hard hit by the energy crisis following the war in Ukraine. As widely reported in the media, rising energy prices have significantly impacted businesses across the country. This has not been the case at GBP – not only does the Business Park provide affordable accommodation, but it also benefits from its own direct, locally sourced renewable energy. Occupiers have saved money on energy bills in the last year, allowing these businesses to further invest in their productivity and staffing rather than spending money on energy costs.

13. FWS Carter and Sons have invested significantly in the on-site Anaerobic Digestion (AD) plant which, for the vast majority of time, supplies 100% of the electricity needs of the Business Park. Energy generated by the on-site anaerobic digestion plant has been estimated to save occupiers approximately 20% in energy costs when compared to electricity sourced from the national grid, which is a substantial cost-saving for SME businesses. In a drive to further enhance its sustainability credentials and contribution towards net zero ambitions, photovoltaic arrays have also been installed on the rooftops of buildings within the Business Park. Combined the AD Plant and photovoltaics generate sufficient energy to meet the needs of the expanded Business Park. 14. The continued success and expression of confidence in the Business Park has been a catalyst for the owners to investigate the potential for further future expansion. 15. The only reason that this land has not been developed for the expansion of GBP is due to the restrictive wording of the adopted Local Plan, particularly Strategy 7 which limits development outside of Built-up Area Boundaries and site-specific allocations, and Policy E7 which supports extensions to existing employment sites except Greendale (and Hill Barton) business parks. 16. EDDC's own Economic Development Strategy 2024-2029 (EDS) which forms part of the evidence base for the draft Local Plan (ECN002) confirms that there is a 508,000 sqm demand for industrial and logistics workspace which significantly outstrips the 17,000sqm supply within the District. In demonstration of this, page 9 of the EDS includes a number of quotes from local residents and businesses that demonstrate how this lack of supply is actively affecting local business growth in real terms: "There is no space available and businesses will just leave rather than wait for workspace to come forward" "The real struggle is the lack of small commercial units." "We're so busy trying to find workspace for our growing business, it is hard to focus on other business needs"

17. The policy position of EDDC within both the adopted and draft Local Plans with regard to GBP actively prevent GBP from assisting in addressing these concerns from local businesses and meeting these economic growth needs. 18. As noted in our previous representations, to avoid an 'ad hoc' approach to the expansion of the business park, the owners developed a 10-15 year Masterplan and sustainable vision for

its future. A systematic and robust analysis of environmental and landscape considerations contributed to this masterplan, which was produced in late 2020. Robust technical assessments were undertaken to inform this masterplan, including Landscape and Visual Impact, Transport, Drainage, and Ecology. A copy of the masterplan was submitted in support of the HELAA 'call for sites' submission which proposed the allocation of the site for employment uses. 19. The benefits of the 2020 Masterplan were assessed and found to be able to deliver a major boost to the East Devon economy:

- creating an estimated 1,368 new permanent jobs;
- generating circa £90m Gross Value Added, which represents a 3.5% growth on the GVA in East Devon (2020);
- delivering an additional £2.3m in business rates, approximately half of which would go to the authority to support local priorities;
- rebalancing the employment market, diluting the reliance placed upon the service industry and boosting average wages;
- addressing unemployment; and FWS Carter & Sons March 2025 6
- reducing out-commuting from the authority to employment in Exeter and elsewhere.

20. The environmental-led masterplanning of the Business Park demonstrated how these considerable economic benefits could be delivered in a manner which would not have a limited impact on the environment. 21. In 2024, the evidence base for the Regulation 18 draft of the Local Plan included a document entitled 'Employment Site Selection Summary Findings' raised some concerns regarding the potential allocation of the land proposed within the 2020 site boundary including the proximity of a gas pipeline in the south east of the site, a 'sliver' of land within an area of flood risk, and potential landscape impacts in that exercise. To progress positively in light of these concerns, FWS Carter and Sons reduced the scale of the proposed Business Park expansion. The land above the pipeline was removed from the proposed area of allocation, as was the sliver of land that (whilst not proposed for any form of development) fell within the flood risk area. The reduced expansion area was submitted to EDDC within Savills representations to the Regulation 18 Consultation in 2024 and it is this revised area which has been promoted for an allocation through the emerging Local Plan. 22. The site-specific allocation promoted within these representations will enable the expansion of GBP which could deliver a developable area of approximately 10.34 ha (c.103,400 sqm) of new employment space (across two plots with a total site area of 15.26 ha). This would make a significant contribution to addressing the clear need for new employment/business space identified within EDDC's evidence. 23. In

summary, this land is clearly available for development. Compatible with the EDDC Spatial Strategy 24. The Plan and the supporting evidence base provide very strong support for strategic scale growth in the West End of East Devon. The expansion of GBP aligns with the East Devon Local Plan spatial strategy for several key reasons:

Strategic Location within the West End 25. The Local Plan focuses on directing significant development towards the West End of the District, which includes land near Exeter and along key transport corridors. This area is deemed to be the most sustainable strategic location due to the collocation of housing and jobs. The site falls within this strategically important area, which has been identified for both housing and employment growth due to its connectivity and existing infrastructure. As explained in the following sections, the site is within close proximity to the future strategic-scale new settlement in the West End. Sustainability and Infrastructure Support 26. The West End is considered a highly sustainable development location because of existing and planned infrastructure, including public transport links, green infrastructure, and employment opportunities. The plan aims to cluster development in areas where services can be efficiently provided, reducing the need for car travel and minimising environmental impact. GBP can both contribute toward and benefit from this existing and planned infrastructure growth. Economic Growth and Job Creation 27. The spatial strategy supports employment-led growth in the West End. Development on the site would contribute to this vision by providing this employment-led growth for new and existing residents in the area. 28. For these reasons the site is compatible with the Local Plan spatial strategy because it supports sustainable development principles, aligns with infrastructure investment priorities, and fits within the overarching goal of focusing growth in the West End.

Suitably and sustainably located Sustainability Appraisal 29. At Regulation 18 stage EDDC published a Sustainability Assessment Report Addendum which included an assessment of each of the preferred housing and employment sites and ‘reasonable

alternatives’ against a set methodology . 30. GBP was identified as site reference Wood_38 and assessed by EDDC as being a ‘reasonable alternative’ for the following reasons: This site is a reasonable alternative as it has been assessed as suitable, available and achievable in the HELAA for employment use. It is located in the western side of East Devon, where the emerging Local Plan spatial strategy focusses new development. It is adjacent to an existing employment use (Greendale Business Park), where the emerging Local Plan supports employment development subject to meeting certain criteria. In addition, it is not already allocated in a ‘made’ Neighbourhood Plan,

and does not currently have planning permission. 31. Despite the positive commentary above, EDDC concluded that the site should not be allocated in the draft Local Plan “due to [its] countryside location with poor access to services and [its] adverse landscape impact.” 32. To assist EDDC in updating their SA for the reduced expansion area, our Regulation 18 representations critically assessed the 2024 (current) expansion area against EDDC’s sustainability appraisal methodology and compared our assessment against the assessment undertaken by EDDC. On this basis it was requested that EDDC reconsider their assessment of the site and proceed to allocate the revised Wood_38 boundary to enable the sustainable expansion of the business park. 33. To avoid repetition, our Regulation 18 representations are appended to these representations. For ease of reference, an extract of our Sustainability Appraisal from the Regulation 18 representations is provided below. (see attachment)

As demonstrated within the above table, the 2024 Masterplan area scored positively against the sustainability assessment methodology, with no negative scores identified. 35. In support of the current Regulation 19 draft Local Plan, EDDC published an updated Sustainability Appraisal (East Devon Local Plan 2020-2042 - Publication Draft Local Plan Sustainability Appraisal report, February 2025 (Document reference CSD003). Page 311 of this document recognises ‘Land adjoining Greendale Business Park (Wood_38)’ as a ‘reasonable alternative’ among four other potential employment sites. 36. Notably, the Council’s SA acknowledges that the expansion of GBP is consistent with the Local Plan and national policies: “The employment sites are located adjacent to existing employment areas, rather than isolated locations, consistent with Local Plan and national policies.” 37. Further, it states that: “The reasonable alternatives listed above have all been assessed as suitable, available and achievable in the HELAA which provides evidence that they have potential to be delivered (subject to further consideration through the planning process).” [emphasis added]

38. Regrettably, this further assessment of the site does not reflect the boundary of the revised masterplan submitted at Regulation 18 stage despite the February 2025 SA being published eight months after the revised boundary was submitted in June 2024. The SA instead assessed the entirety of the original Wood_38 boundary from the 2020 Masterplan. It has then concluded on page 325 that the site “is rejected due to countryside location with poor access to services and adverse landscape impact.” 39. The Sustainability Appraisal has not assessed the correct site boundary for Greendale Business Park which has led to the draft Local Plan failing to properly consider (and in turn allocate) the revised boundary for GBP submitted at Regulation 18 stage. This component of the evidence base is therefore flawed and does not accurately appraise

the site against the SA objectives. 40. It must also be noted that various consultees at Regulation 18 stage also raised issues with the Council's Sustainability Appraisal. Pages 171 to 173 of the Reg 18 Further Consultation Feedback Report Summer 2024 (document KSD005) confirm that out of 66 respondents, only 20 (30%) of respondents were either 'satisfied' or 'very satisfied' with the SA. 41. Statutory consultees were amongst those who raised issues with the SA. Most notably for GBP, Historic England stated: "Note that it should not be assumed that in all circumstances the presence of listed buildings on site means that development would result in an adverse impact – need to understand the significance of the asset and likely impact of development on that significance." 42. Despite this, EDDC's 2025 SA continues to score Wood_38 negatively ('-') against SA Objective 3 (Historic and built environment), stating: "Grade II listed Greendale Barton is located in the centre of Wood_38, on the southern edge of the existing business park. Grade II listed Brooklands Farm is around 30m from edge of site in north west – mature trees obscure views into the site, but potential negative impact upon this asset."

43. EDDC has failed to take into account the feedback from Historic England or the updated land proposed for development. Simply because a listed building is present nearby the site it does not automatically mean that there will be an adverse impact, which can be assessed at application stage after the site is allocated. We consider that the correct score for this objective should be '0' on the basis that there will be a negligible impact upon the setting of the listed building. 44. It is strongly recommended that EDDC revisit its Sustainability Appraisal to assess the correct site boundary for the expansion of GBP, take into account the issues raised by various consultees with regard to the SA, and give due regard to the highly sustainable nature of the site. Site Selection Report 45. EDDC has published a document with the Regulation 19 draft of the plan called "Site Selection report Employment Site, Greendale Barton" (SAL 017). 46. Like the SA, this assessment has been undertaken on the original 2020 site boundary, not the revised boundary submitted in 2024, and reviews the potential constraints at a very high level without regard to the opportunities for mitigation. The potential constraints identified are considered to be over-stated and do not take into consideration the evidence submitted in support of the allocation through the previous consultation stages of the Local Plan. Infrastructure and Accessibility 47. Under the Infrastructure heading, EDDC and Devon County Council have stated the following: "The site contains one main existing business park and several smaller areas in business use. DCC state - The highway network already has capacity issues, there are limited public transport options and distance from the main attractors is beyond most walking and cycling distance. There are numerous sites in the vicinity and they need to be considered in a comprehensive masterplan and access strategy."

48. Further, under the Accessibility heading, EDDC stated the below: “Site adjoins an existing employment site. All of the site is (just) within 1,600 metres of a bus route with an hourly or better service. Poor pedestrian or cycle accessibility.” 49. These statements fail to recognise the enhancements to accessibility that were identified within section 4.3 of the submitted Masterplan. The Masterplan identified a range of measures that could be provided by the comprehensive extension of GBP to encourage active and sustainable modes of travel. 50. All new internal roads within the masterplan area would be accompanied by footways, and a network of off-road pedestrian/cycle links would be provided within and around GBP. Perhaps of most interest to the local community, these links would include a new pedestrian/cycle path between the Greendale Farm Shop and the community of Woodbury Salterton, to support and formalise an existing desire line between these areas. Such a link would also support active commuting for those that live in Woodbury Salterton and work at GBP. 51. Further, the Council’s own evidence supports the delivery of new active and sustainable travel links to and from the Greendale area, which, if delivered, would further enhance the sustainability of GBP. Page 18 of the ‘Clyst Valley & New Communities LCWIP’ (document TRI 018) includes two recommended projects with relevance to GBP:

-

6. A3052 Sidmouth Road: There are key destinations on this route including Westpoint Area, Hill Barton Business Park, Crealy Theme Park & Resort, Greendale Farm Shop and Business Park, with this route identified in the Exeter LCWIP. All new settlement options in this area would further increase demand on this route. A high-quality protected route, separated from the carriageway by a buffer should be delivered between Clyst St Mary and Greendale. To include crossing points (e.g. signalised crossings) for the Clyst Valley Trail, Cat & Fiddle, Crealy, and Greendale. This would require engagement and negotiation with landowners.

-

8. Woodbury Quiet Lanes: Several quiet routes linking Woodbury to nearby destinations were proposed by stakeholders and are shown in yellow. While there are housing sites identified in Woodbury in the current Local Plan, the absence of a major new settlement in the immediate vicinity would make securing funding for significant cycling infrastructure in this area challenging. The quiet lanes could be progressed at relatively low cost through use of wayfinding and minor works to reduce motor traffic volumes and speeds to improve conditions for active travel.

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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.: 88. For the reasons set out above, we consider that the following policy should be introduced into the Local Plan:

Strategic Policy XXX: Employment Land at Greendale Business Park An area of 15.26 hectares of land, as shown on the Policies Map, is allocated for new business units. The following uses will be considered appropriate: A. B2; B. B8.

The following information will be required to inform any planning application:

- Landscape and Visual Impact Assessment;
- Sustainable Drainage Strategy;
- Biodiversity Net Gain Assessment;
- Heritage Statement; and
- Transport Assessment.

This policy does not apply in the Cranbrook Plan area.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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.: WS09

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.:

Savills on behalf of Mac Mic Strategic Land

It is our understanding that one of the primary functions of the Clyst Valley Regional Park (CVRP) is to act as a Suitable Alternative Natural Greenspace (SANG) which absorbs recreational pressure in acceptable locations physically divorced from European protected habitat with in East Devon. The CVRP is therefore in itself the SANG require to support development which would otherwise exacerbate existing recreational pressure.

It is therefore somewhat confusing to include a requirement in Strategic Policy WS094 for development proposals to open "reduce recreational pressure on environmentally sensitive locations, through the creation of accessible green space and where appropriate suitable alternative natural green space". Is it the Council's intention that the SANG required through Criterion D of this policy is in addition to or part of the proposed improvements to the CVRP? Greater clarity is needed to ensure that those promoting development and determining planning applications are fully cognisant of the policy requirements. Furthermore, whilst Mac Mic support the principle of the CVRP and its enhancement through relevant development proposal, any contributions to works within the CVRP from major development must be compatible with Regulation 122 of the Community Infrastructure Levy Regulations. With that in mind it is unclear how Criterion F of the policy will be applied in practice.

If for example a proposed development included all necessary open space within the proposed development to adhere to the Fields in Trust standards set out in Policy OS02, there would be no planning justification for a contribution towards the delivery of the CVRP targets.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Unless greater clarity is provided on the application of Criterion F, we consider it ought to be deleted from the draft policy wording.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns 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

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.: This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to support the emerging allocation for the Land west of Two Bridges Road, Sidford (Sidm_06a). We fully support the inclusion of SIDM_06a in the plan, and consider Sidford to be a suitable location for future growth and to accommodate a proportion of the required growth within the spatial strategy. The development of the site would provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in both Sidford and Sidmouth more widely. We have however raised objections to the proposed reduction in the scale of development within Policy SIDM_06a from 30 dwellings to 15 dwellings with no supporting justification. As part of this we have requested changes to the allocation text and also an amendment to the allocation boundary to reflect the extent outlined in the plan at Appendix 1. Outside of this draft allocation however, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF. Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method. We hope that these comments will be helpful

to inform the submission version of the Local Plan, but would be very happy to assist further with any queries relating to SIDM_06a, particularly any discussions relating to the proposed allocation text and boundary.

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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns 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

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.: We full support the principle of the allocation of the Land west of Two Bridges Road, Sidford (Sidm_06a). The is well related to the existing settlement edge, lying adjacent to existing residential dwellings on Lower Brook Meadow and Brook Close. The land is generally flat, with trees located along the site boundaries along with hedgerow. Vehicular access can be achieved into the site via Two Bridges Road, although more direct pedestrian and cycle connections could be achieved via Lower Brook Meadow to the south. The site falls within the National Landscape, albeit the National Landscape washes over the whole of Sidmouth and the wider area. The site falls within flood zone 1 so is not at risk of flooding. It is considered to be entirely suitable for future development and is well located on the edge of the town. Development could also easily be delivered in a sensitive manner given the National Landscape designation. Sidford is also an entirely appropriate location to allocate additional land and direct a proportion of growth within the Council's wider spatial strategy, with good connectivity to local services and facilities in Sidford as well as more widely within Sidmouth. We consider that the development of this site will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the Sidford, and Sidmouth more generally.

However, in terms of the draft allocation itself, we note that changes have been made to the allocation text from the first Regulation 19 consultation.

We note the new draft wording reads: Land west of Two Bridges Road, Sidford (Sidm_06a) This land is allocated for development to the north of Sidford to accommodate around 3015 new homes. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development will need to play its part in supporting delivery of DCC's Sidbury - Sidmouth cycle route. The site is in the East Devon National Landscape and development should be informed by detailed assessment and design work to conserve and enhance the natural beauty of the site and its wider landscape setting. A new boundary hedge to the north-west of the site should be planted and maintained; The existing hedgerows should be retained where possible and a suitable scheme agreed and implemented to incorporate the existing spring into the development. It is not clear from reviewing the draft plan and supporting evidence base why the proposed scale of development has been reduced from 30 dwellings as part of the first Regulation 19 consultation to 15 dwellings as part of this second consultation. We can see that the 'Schedule of Changes made to the 2nd Reg. 19 Local Plan – CSD-0001b – November 2025' document confirms the reason for the change is "In response to additional landscape work undertaken". This is mentioned once within the supporting document and does not include any further explanation or context. Then looking at the supporting landscape evidence it is clear that the Council has published a Topic Paper titled 'Our outstanding landscape' (February 2025). This presents nothing in terms of supporting evidence to justify a reduction in the capacity of Site SIDM_06a. Additionally, whilst the Council published a 'East Devon and Blackdown Hills Landscape Character Assessment' which sits within the evidence base this is dated March 2019 and is therefore not up to date. Indeed, from a review of the supporting evidence base there is nothing new which justifies the Council's proposed reduction in the scale of development on the site from 30 dwellings to 15 dwellings. All of the relevant available evidence was available prior to the publication of the first regulation 19 consultation upon which the 30 homes proposed within SIDM_06a was based. In light of the fundamental issues with the soundness of the draft plan given the proposed housing requirement, as outlined in our response to Policy SP02, we are surprised that the Council is not proactively exploring the opportunity to maximise the use of this particular draft allocation. Rather than seeking to reduce the scale of development we consider opportunities to increase the scale of development on the site should be explored. As an absolute minimum, and in the absence of any evidence to support the proposed reduction in scale of development to only 15 homes, the draft policy should be amended to reinsert the previously proposed 30 homes. However, we consider there to be good reasons, given the significant pressure to boost housing

delivery, to explore an increase in both the scale of development and extent of the allocation boundary for this site. Our view is that the allocation boundary could be extended from the boundary as drawn for SIDM_06a into part of the area falling within SIDM_06b which had previously been assessed by the Council and rejected. The plan attached at Appendix 1, outlines what we consider to be a sensible and logical allocation boundary for SIDM_06a. This would follow the existing hedgerows from north to south and would avoid the need for the planting of new hedgerows as included in the amended policy text. Such development within this extended allocation boundary could still easily be sensitively designed given the National Landscape designation. But the opportunity exists to deliver a small increase in the scale of development on the site which would still be read in context against the backdrop of the existing settlement edge. The increase would also help to deliver an important increase in the number of affordable homes on the site given the ongoing substantial local need. In addition, the importance of the delivery of the first phase of the Sidford to Sidbury cycle route could be better supported by the development of this site if increasing the allocation boundary. As drawn, SIDM_06a excludes the first section of the cycle route, but extending the allocation boundary as suggested in Appendix 1 would help to ensure the first section of the cycle route is designed and delivered in connection with this site, which would be a much better placemaking solution. Overall, whilst we fully support the principle of allocation SIDM_06a and consider it to be ideally located to deliver both market and affordable housing as required by the draft plan, we object to the proposed reduction in the number of homes within the allocation. Instead, we consider the scale and extent of the allocation should be amended, and therefore request the draft text is amended as follows: Land west of Two Bridges Road, Sidford (Sidm_06a) This land is allocated for development to the north of Sidford to accommodate around [30](15) new homes. In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented. Development will need to play its part in supporting delivery of DCC's Sidbury - Sidmouth cycle route. The site is in the East Devon National Landscape and development should be informed by detailed assessment and design work to conserve and enhance the natural beauty of the site and its wider landscape setting. (A new boundary hedge to the north-west of the site should be planted and maintained;) The existing hedgerows should be retained where possible and a suitable scheme agreed and implemented to incorporate the existing spring into the development. The above amended text should sit alongside an amendment to the allocation boundary as suggested in Appendix 1.

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)?: 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns 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(b). If no, please give details 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 continue to support Strategic Policy SD24 and specifically the proposed allocation at Payhembury, the Land adjacent to Markers Park (Payh_03a).

We outlined in our representations to the first Regulation 19 consultation why we consider Payhembury to be a suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. We continue to maintain that the proposed allocation of Land adjacent to Markers Park (Payh_03a) for the development of around 15 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village.

This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to support the emerging allocation for the Land adjacent to Markers Park, Payhembury (Payh_03a).

We fully support the inclusion of the Land adjacent to Markers Park (Payh_03a) in the plan, and consider Payhembury to be a suitable location for future growth and to accommodate a proportion of the required growth within the spatial strategy. The proposed allocation of Land adjacent to Markers Park (Payh_03a) for the development

of around 15 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village.

We have however suggested in the representations some changes including that we consider it would be sensible to amend the extent of the allocation boundary to align with the Indicative Layout Plan appended to these representations.

Outside of this draft allocation however, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF.

Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

We hope that these comments will be helpful to inform the submission version of the Local Plan, but would be very happy to assist further with any queries relating to Payh_03a, particularly any discussions relating to the proposed allocation boundary.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: In terms of the draft allocation itself, we specifically welcome the proposed changes to the draft policy text which partially addresses the comments we made at the last Regulation 19 stage.

We note the new draft wording reads: Land adjacent to Markers Park (Payh_03a) This site is allocated for 15 homes. Design and layout of proposals should be appropriate to this village gateway location and sensitively sited to take account of both the topography, with built development limited to the lower two-thirds of the site and the heritage and any ecological significance of the marl pit (a non- designated heritage asset) which must be retained in the end proposals. Access should be designed to retain existing mature trees and minimise hedgerow removal, whilst ensuring highway safety. No house shall be occupied until a footpath connection is provided with existing

pedestrian routes to the centre of the village. Landscaping which responds appropriately to the introduction of built form in this location shall be provided, including the introduction of substantial boundary screening along the southern boundary to maintain the rural character of the lane and the significance of the setting of the Grade II listed Glebe Farm on the southern approach.

We consider that whilst the scale of development proposed is supported, it would be helpful in order to provide flexibility for future delivery to amend the allocation text to read: "This site is allocated for around 15 homes".

Whilst we welcome the changes already proposed which have introduced a recognition that the lower parts of the site are likely to be more suitable in order to help manage heritage and ecological constraints, we cannot see any proposed changes to the extent of the draft allocation boundary. In our representations to the first Regulation 19 consultation we appended the attached Indicative Layout Plan (Appendix 1) which we consider would best enable the delivery of the new homes whilst providing a suitable access and associated open space.

We continue to maintain that the allocation boundary for Payh_03a should be amended to align broadly with the extent of the Indicative Layout Plan attached at Appendix 1. This would help to ensure the future allocation best reflects what is likely to be delivered on the site. Indeed, to ensure flexibility for future delivery we suggest that the new allocation boundary broadly reflects that suggested in Appendix 1, but also ensures space within the allocation boundary to accommodate not only the developable area but also the necessary landscaping and public open space which would be required as part of a future planning application. We therefore recommend officers build in this flexibility and propose a revised allocation boundary with this extra space incorporated rather than a boundary which is unnecessarily tightly drawn.

We did provide an Indicative Layout Plan with our first Regulation 19 representations which reflects the current extent of the allocation boundary, confirming that none of the identified constraints represent an insurmountable bar to delivery of the policy aspirations. It is our view however that the allocation should best reflect the extent of site which will facilitate the best scheme for the site, and therefore our view is that the boundary should be amended as requested above.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns 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

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.: See enclosed representations

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

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

Strategic Policy: SD29: Development allocations at Whimble We continue to object to draft Policy SD29 in its current form on the basis that insufficient allocations are included. As per our response to draft Policy SP02, the housing requirement should be increased and further allocations included within the plan, including at sustainable settlements such as Whimble. Whimble, unlike a number of other small towns and villages in the district, benefits from a railway station providing mainline railway services. The village is therefore very well connected to Exeter, providing direct connections into Exeter. These public transport services provide residents with good connections to Exeter and the range of regional employment, retail and leisure facilities on offer as a result. The village hosts a range of day-to-day services and facilities which supports its sustainability and promotes self containment. This includes a shop / convenience store, post office, primary school and GP surgery. As a result, we continue to maintain that Whimble is an entirely appropriate location for additional growth beyond that proposed. Again, in the context of the need to increase the overall housing requirement and with it the need for the Council to identify additional site allocations, we continue to promote the land north of Grove Road, Whimble, (Whim_13) as one such site which the Council could look to as an easy way to identify an additional small site

at one of the sustainable villages. We specifically consider that the land north of Grove Road, Whimple, (Whim_13) should be included in the plan as an allocation to help support a potential increase in the overall housing requirement. The site has been assessed previously by the Council as part of the emerging local plan, and specifically through the HELAA process but was rejected in earlier stages of the draft local plan and not included as a preferred allocation in the Regulation 19 draft. The latest site assessment evidence is contained within the Site Selection Report Whimple (February 2025). Within the Site Selection Report, the site is assessed under reference 'Whim_13' 'Land North side of Grove Road'. The site is assessed on the basis of a potential capacity for around 100 dwellings. However, the Council's site assessment assess the whole site, identifies the relevant constraints and then makes conclusions on that basis. The red line boundary for the whole site assessed under Whim_13 is far larger than it necessarily needs to be, and results in the site being considered unsuitable as a whole. However, there is no recognition in the site assessment that the north western part of the site, closest to the village, is suitable for development. Indeed, the top field is separated from the remainder of the site to the east by a tree / hedgerow which provides two distinct and separate parcels. Instead the top field is very well contained, surrounded by either existing built development or trees / hedgerows on all sides. Any landscape and visual impacts of developing that parcel would be limited. The top parcel is outside of the flood zone, identified in the Council's assessment as covering the bottom part of the site, beyond the centre tree belt. This parcel of land already benefits from an existing access from Grove Road between existing housing. As stated, this parcel falls within flood zone 1 with only the northern boundary of the site falling within flood zone 3 nearest to a watercourse. There are no other environmental designations or constraints to development. We therefore consider that the Council's assessment of the site unnecessarily discounts Whim_13 on the basis that there are constraints relating to the part of the site we would consider to be least suitable. Equally, it is misleading to assess a potential site capacity of around 100 homes and then use that to conclude that the site is unsuitable as it would represent a scale of development too large for the village. If the Council were to assess just the top parcel then that would likely represent a scale of development of around 50 dwellings.

Local Plan Review, predominantly to promote the Land north of Grove Road, Whimple, (Whim_13) as an additional allocation for residential development. We have outlined why we consider Whimple a suitable location for a higher level of growth than that already proposed in the plan, and why the site itself is suitable to be included as a third allocation at the village. Outside of this, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF. Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification,

and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Overall, there is a clear need for the Council to revisit and increase the housing requirement as part of the draft local plan and Whimble is a suitable location to accommodate a proportion of the future growth. To assist the Council with this inevitable further work, we have appended to these representations a plan which outlines the boundary for the site we consider should be reassessed, and for which we are confident officers would agree is suitable for inclusion as an additional allocation. The plan is attached at Appendix 1. In addition, to further assist, we believe the text for an allocation for the site could be included as set out below:

Land north of Grove Road, Whimble, (Whim_13)

The site is allocated for around 50 homes.

The site will need to deliver safe and accessible walking and cycling routes through to the primary school, shop and other facilities at the centre of the village.

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 enclosed representations

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.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land North side of Grove Road (Whim_13) (omission site), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

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

1(c). If the comment is related to a site, please state the site reference here::
Brhe_07

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.: We continue to object to draft Policy SD12 in its current form on the basis that insufficient allocations are included. As outlined in our response to draft Policy SP02, the housing requirement should be increased and further allocations included within the plan, including at sustainable settlements such as Broadhembury. We outlined in our representations to the first Regulation 19 consultation why we consider Broadhembury to be a suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. However, one a single allocation is included for the village for only 10 dwellings. We refer to our first regulation 19 representations on why we consider Broadhembury is an appropriate location to direct a higher proportion of growth, over and above this current level. Again, in the context of the need to increase the overall housing requirement and with it the need for the Council to identify additional site allocations, we continue to promote the Land south of The Vicarage, Broadhembury (Brhe_07) as one such site which the Council could look to as an easy way to identify an additional small site at one of the sustainable villages. The site has been assessed previously by the Council as part of the emerging local plan, and specifically through the HELAA process but was rejected in earlier stages of the draft local plan and not included as a preferred allocation in the Regulation 19 draft. The latest site assessment evidence is contained within the Site Selection Report

Broadhembury (February 2025). Within the Site Selection Report, the site is assessed under reference (Brhe_07) 'Land south of The Vicarage, Broadhembury'. The site is assessed on the basis of a potential capacity for around 10 dwellings, consistent with the site already included as a draft allocation (Brhe_09). We strongly disagree with the broad and sweeping conclusions for the site presented in the Site Selection Report.

Firstly, in terms of landscape impact, the Report states: "National Landscape site. Very high landscape value and the site slopes so the upper parts are visible, increasing its development sensitivity to high". Secondly, in terms of heritage impact, the Report states: "Significant heritage implications- adjacent, and higher than, adjoining listed buildings and the site would (to a lesser degree) impact upon the setting and appearance of the Grade 1 listed Church"

We are amazed by how vague and generalised the landscape assessment of this site is within this Report. Whilst the site is within the National Landscape, there is no recognition of any other relevant factors, such as site containment, and reference to how the visibility of the site in the context of the National Landscape is completely misleading. In fact, whilst there is a gentle slope across the site, the site is in fact well contained and is not a site with high visibility from other parts of the village or wider National Landscape. Our view is that a very broad and generalised conclusion has been included in the Report without a proper assessment being undertaken. Simply being located within a National Landscape does not support a quick conclusion that a site is simply unsuitable. The council's weak position on this is demonstrated by the fact that they have already identified a site for allocation in the village (brhe_09) which adjoins the National Landscape. The site assessment for that particular site in that instance does go into further detail on how the development of that site could manage the identified impacts, by stating: "Adjoins National Landscape, high landscape value and intervisibility and forms part of the setting, but largely screened from it by mature trees and hedgerow to northern boundary". The same can be said of potential heritage impacts. Whilst the Report correctly makes reference to the local village church, it is completely misleading on the potential impacts on the church which the Report contends would result from the development of the site. There is a complete lack of reference to the fact there are already existing dwellings situated between the site and church to the west, nor any recognition that a site can be planned with careful consideration to heritage constraints. We do not consider there would be any material impacts on the church in any case given the immediate context and existing built form of the village. Overall, the Council's assessment of the site in terms of potential landscape and heritage impacts is poor, and entirely misleading given it does not represent a proper assessment of the site and context on the ground. It completely

exaggerates potential impacts, and is too quick to conclude that such impacts would be too great to overcome. This is demonstrated by the inclusion of the following statement in the Report: “The site performs well in terms of accessibility and ecology but landscape and heritage impacts cannot be satisfactorily overcome”. It is completely unreasonable to make such a broad conclusion on the basis of a) a lack of proper assessment of the site in the first place, and b) without the benefit of a draft scheme for officers to reach a conclusion that there are apparently no design and layout solutions which might help to manage any identified risk (of which for the avoidance of doubt we consider to be limited in any case). The site assessment should be prepared again so that it represents a proper and fair assessment of the site. We consider that once the site assessment is undertaken properly that will demonstrate the suitability of the site. The site has very few other constraints given it is located within flood zone 1, and there are no environmental designations or constraints to development. The site benefits from access from Dukes Square, providing onward links into the village. Our view is that Broadhembury is a sustainable location capable of accommodating a slightly higher level of growth than that already proposed through Brhe_09. Indeed, a second allocation in the village would provide more certainty in terms of delivery and market choice. Site Brhe_07 should be reconsidered and included as an additional allocation to provide that extra delivery and choice.

This Representation is made in response to the second Regulation 19 Publication Draft of the East Devon Local Plan Review, predominantly to promote the land south of The Vicarage (Brhe_07) as an additional allocation for residential development.

We have outlined why we consider Broadhembury a suitable location for a slightly higher level of growth than that already proposed in the plan, and why the site itself is suitable to be included as a second allocation at the village.

Outside of this, we continue to have significant concerns over the proposed housing requirement and whether the plan can even proceed under the transitional arrangements set out in the NPPF. Our concerns relate to both the proposed stepped trajectory, which we consider is not supported by any evidence or justification, and the proposed housing requirement which in our view should be increased in order to reflect the updated Standard Method.

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

make this part of the Development in the Towns and Villages chapter sound. It will be 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 assist, we have included below our suggested wording for a site allocation for Brhe_07:

Land south of The Vicarage, Broadhembury (Brhe_07) The site is allocated for around 10 homes. This site is sensitive in heritage and landscape terms and careful detailed assessment and design work will be needed to ensure that the design respects the special character of the area. This should incorporate an assessment of appropriate dwelling heights for this historic village and the wider character of the Blackdown Hills. The site should be landscaped to provide boundary screening appropriate to the National Landscape location to conserve and enhance the natural beauty of the site and its wider landscape setting. This should include the provision and appropriate maintenance of additional planting of native species where required. There is an absence of a defined pedestrian access to bus stops/local amenities, so opportunities to enhance this should be addressed through development.

Any application to develop the site must include a study of the impact of development on the setting of the Church, which is a Grade I listed building, and the Conservation Area. Proposals must show how adverse impacts will be avoided and where appropriate impact on these heritage assets will be mitigated.

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)?: 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.: In order to represent the interests of The Exeter Diocesan Board of Finance Ltd in relation to their interests in the Land south of The Vicarage, Broadhembury (Brhe_07) (omission site), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns 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?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: See enclosed representations

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

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.:

See enclosed representations which set out the requested amendments to the draft site allocation policy. We continue to fully support Strategic Policy SD26 and specifically the proposed allocation of the Land South of Furzehill, Sidbury (SIDM_34). It is noted however that the draft allocation text for the site has changed. We have no objections to the changes proposed to draft allocation SIDM_34. We recognise that there will be a need to secure the delivery of the component of the second phase of the Sidford to Sidbury multi-use path which would run through the site. Indeed, ensuring this is in place in the early stages of the development is sensible as it will enable the available connections at the outset of the scheme. In terms of the latest position on the site itself, a comprehensive overview of the land south of Furzehill, Sidbury was provided as part of representations to the previous stages of the Local Plan, and an update was provided as part of representations to the first Regulation 19 consultation draft. Rather than repeat this, the latest position is set out below. Outline Planning Application and Public Consultation An outline planning application for the site was submitted in November

2025 (ref: 24/2434/MOUT) and is currently pending determination with East Devon District Council. The proposals are for the development of 43 residential dwellings, and entirely consistent with the emerging allocation in terms of scale and nature. Indeed, the following aspects of the pending outline planning application demonstrate consistency with the emerging allocation for the site under SIDM_34: the delivery of 43 new homes, comprising 28 market homes and 15 affordable homes for the local community to address the current housing shortfall;

- the delivery of a high quality and sustainable off-road multi-use path linking Hillside and Furzehill - extending the proposed Devon County Council multi-use path, for which the first phase has now received planning permission;
- integration of the development with the existing urban form and surrounding landscape (specifically ensuring that the upper slopes are kept free of development in accordance with the requirements of emerging policy SIDM_34);
- the delivery of a high-quality residential environment;
- delivery of considerable open space provision, over and above adopted policy requirements;
- net biodiversity gain through the retention and enhancement of existing habitats, and creation of new habitats alongside delivery of a range of ecological mitigation and enhancement measures. Indeed, as demonstrated by the supporting plans the application proposals can provide more than the Government's 10% requirement in Biodiversity Net Gain across habitats, hedgerows and watercourses; and
- a sustainable drainage strategy which will restrict site runoff to the greenfield equivalent rate and provide long-term storage. The submission of the outline planning application demonstrates the intent of the applicant, Sidbury LVA LLP, to deliver the site in the context of the significant need for housing in the district, as well as delivering the second phase of the multi-use path. Importantly, the first phase of the multi-use path was approved by Devon County Council on 28 April 2025 (ref: DCC/4404/2024). This is a significant update to the position set out in our previous representations in early 2025 when the application was still pending. This now further demonstrates the importance and significance of the Land South of Furzehill to enable both the delivery of housing to address local housing needs but also to delivery the second phase of the multi-use path. The submitted masterplan includes a significant amount of integrated multifunctional green space that is easily accessible for the use and enjoyment of the whole community and makes connections with the wider landscape - including a new pocket park, a community orchard and new hedgerows, wetland and meadow areas to enhance biodiversity. The development of the site would comprise a natural extension to the existing houses at Furzehill and Hillside, sitting in the lower part of the valley with minimal landscape and visual impact on the wider area, sensitive to the AONB setting.

Indeed, the site is physically surrounded by built development to the north, south and east, and is therefore capable of seamless integration with the village and being developed with relatively limited visual impact. Overall, it is clear from the submitted planning application plans and documents that the pending outline planning application demonstrates intent by Sidbury LVA LLP to bring forward this site now to facilitate new homes and the delivery of the second phase of the multi-use path. It also demonstrates that the pending outline application is entirely consistent with the requirements of the emerging allocation particularly through the number of new homes proposed, the provision of the second phase of the multi-use path and the protection of the upper slopes from built development. In terms of engagement and joint working with key stakeholders, much of this was set out in our representations to the first Regulation 19 consultation draft. Engagement is ongoing with Devon County Council in relation to the delivery of the second phase of the multi-use path, and how the pending planning application can facilitate that, as well as ongoing engagement in relation to the outline planning application, particularly with officers at East Devon District Council. In summary, the Land south of Furzehill, Sidbury remains a very good candidate for allocation in the emerging Local Plan Review. As the masterplan for the site and supporting technical work demonstrates, the site is capable of accommodating the 43 new homes proposed in draft Policy SIDM_34, including a policy compliant level of affordable housing, as well the delivery of the second phase of the Sidford to Sidbury cycle link. Given the lack of local affordable housing delivery and lack of any other feasible options at Sidbury, the Land south of Furzehill is an ideal candidate for allocation in the plan and we will continue to support it through the development of the draft 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 enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

5. Development in the Towns and Villages

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD17

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

1(c). If the comment is related to a site, please state the site reference here::
Wood_28

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

2(a). If yes, and you wish to support the legal compliance of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.: We continue to support Strategic Policy SD17 and specifically the proposed allocation of the Land north and east of Exton Farm (Wood_28). We outlined in our representations to the first Regulation 19 consultation why we consider Exton to be an entirely suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. We continue to maintain that the proposed allocation of Wood_28 for the development of 39 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village. In terms of the draft allocation wording itself, we note that the draft allocation text has been amended from that included within the first Regulation 19 consultation draft, and now reads: Land north and east of Exton Farm (Wood_28) The site is allocated for around 39 dwellings. Development will need to provide safe and suitable pedestrian and cycle access along Mill Lane south to the existing pedestrian crossing at the A376/Station Road junction, to enable easy access to facilities in the settlement. This pedestrian crossing should be upgraded to accommodate cyclists, to enable access to the Exe Estuary Trail via Station Road. Development should provide pedestrian/cycle links to Wood_01 adjacent to the north - west. Development should include tree planting on the southern field to reflect their historic presence; and retain the hedgerow that dissects the site, as far as practically possible. Development should address the existing flooding issues along Mill Lane. The

south-west corner of Wood_28 is within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre, within which inhabited buildings must be deemed as 'non vulnerable' structures that are of a robust design and construction to the satisfaction of the Ministry of Defence. Anyone preparing a planning application at or for this allocation site should consult with the Ministry of Defence with whom the local planning authority will also engage with in respect of determination of any planning application. January 2026 7 The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. We do not have any concerns about the request to engage with the MOD as part of a future planning application. We understand their interests given a small part of the site falls within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre. However, we do question the specific reference to the need for the provision of open space in the northern part of the site in order to "conserve and enhance the rural setting grade II* listed Exton Farmhouse". The farmhouse is situated to the west of the site and the most sensitive part of the site would be the north west corner where there may be visibility to and from the listed farmhouse. In our view it is only this north western part of the site which is likely to be more sensitive, so we do not agree with the inclusion of the broad requirement for the provision of open space in the 'northern part of the site. For example, the north and north eastern parts of the draft allocation could easily be developed through sensitive design and layout work to ensure that any impacts on the nearby listed farmhouse are limited. Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. Overall, the land north and east of Exton Farm remains a strong candidate for allocation in the emerging Local Plan Review. The site is available and very much capable of accommodating the 39 new homes proposed in draft Policy Wood_28, including a policy compliant level of affordable housing.

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.:

Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development.

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

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.:

We continue to support Strategic Policy SD17 and specifically the proposed allocation of the Land north and east of Exton Farm (Wood_28). We outlined in our representations to the first Regulation 19 consultation why we consider Exton to be an entirely suitable location for future growth, and support for the Council's commitment to direct a proportion of the required growth to the village. We continue to maintain that the proposed allocation of Wood_28 for the development of 39 residential dwellings will provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village. In terms of the draft allocation wording itself, we note that the draft allocation text has been amended from that included within the first Regulation 19 consultation draft, and now reads: Land north and east of Exton Farm (Wood_28) The site is allocated for around 39 dwellings. Development will need to provide safe and suitable pedestrian and cycle access along Mill Lane south to the existing pedestrian crossing at the A376/Station Road junction, to enable easy access to facilities in the settlement. This pedestrian crossing should be upgraded to accommodate cyclists, to enable access to the Exe Estuary Trail via Station Road. Development should provide pedestrian/cycle links to Wood_01 adjacent to the north -west. Development should include tree planting on the southern field to reflect their historic presence; and retain the hedgerow that dissects the site, as far as practically possible. Development should address the existing flooding issues along Mill Lane. The south-west corner of Wood_28 is within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre, within which inhabited buildings must be deemed as 'non vulnerable' structures that are of a robust design and construction to the satisfaction of the Ministry of Defence. Anyone preparing a planning application at or for this allocation site should consult with the Ministry of Defence with whom the local planning authority will also engage with in respect of determination of any planning application. January 2026 7 The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the northern part of the site. Flood

mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. We do not have any concerns about the request to engage with the MOD as part of a future planning application. We understand their interests given a small part of the site falls within the Vulnerable Building Distance statutory safeguarding zone surrounding the Royal Marines Commando Training Centre. However, we do question the specific reference to the need for the provision of open space in the northern part of the site in order to “conserve and enhance the rural setting grade II* listed Exton Farmhouse”. The farmhouse is situated to the west of the site and the most sensitive part of the site would be the north west corner where there may be visibility to and from the listed farmhouse. In our view it is only this north western part of the site which is likely to be more sensitive, so we do not agree with the inclusion of the broad requirement for the provision of open space in the ‘northern part of the site. For example, the north and north eastern parts of the draft allocation could easily be developed through sensitive design and layout work to ensure that any impacts on the nearby listed farmhouse are limited. Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development. Overall, the land north and east of Exton Farm remains a strong candidate for allocation in the emerging Local Plan Review. The site is available and very much capable of accommodating the 39 new homes proposed in draft Policy Wood_28, including a policy compliant level of affordable housing.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Development in the Towns and Villages chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Therefore, to ensure the allocation accurately reflects the known constraints whilst not imposing restrictions which are over and above that necessary, we request that the last paragraph of the allocation text is changed as follows: The design and layout of development should conserve and enhance the rural setting grade II* listed Exton Farmhouse, including through the provision of public open space in the north west northern part of the site. Flood mitigation is required to ensure existing surface water flood risk along Mill Lane is not exacerbated by the development.

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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

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

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.: Savills on behalf of Mac Mic Strategic Land

We recognise that Strategic Policy CC01 is intended to set the overall scene for the subsequent policies that follow within Chapter 6 of the Local Plan. However, it is extremely vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

Furthermore, since the detailed requirements for development follow in subsequent policies within this section Strategic Policy CC01 does not in itself add anything.

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.: On that basis we recommend that it is converted into introductory text for this chapter rather than policy wording.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

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.: CC06

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

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.: See enclosed representations

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.: See enclosed representations

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.: See enclosed representations As with draft Policy CC01, we note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft. We continue to consider that this draft Policy is neither justified nor consistent with national policy.

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.: See enclosed representations Given the Government's position on setting standards at a national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

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

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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

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.: We note that no changes have been proposed to this draft policy since the first Regulation 19 consultation draft. The draft policy therefore remains generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

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.: We therefore continue to recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

7. Adapting to Climate Change

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

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

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

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.: Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we are concerned that the draft policy remains inconsistent with the provisions of the latest NPPF, notably paragraph 175 which updated the approach to the sequential test. This is copied below for convenience: "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)." Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

4. Do you consider that this part of the Adapting to Climate Change 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)?: 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

7. Adapting to Climate Change

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

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.: Savills on behalf of Mac Mic Strategic Land

Criterion A of Strategic Policy AR01 seeks to apply the sequential and exception tests to all development proposals in areas at risk of flooding from any source. Whilst that very strict policy approach was consistent with the previous version of the Framework, in December 2024 there was a change to paragraph 175 which updated the approach to the sequential test. This is copied below for convenience:

“The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).”

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Adapting to Climate Change chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph.

Please be as precise as possible.: We understand that further changes to the related section of the Planning Practice Guidance on Flood Risk are also due to be published imminently. Once this has been published a full review of Strategic Policy AR01 should

be undertaken to ensure that it is compatible with the most up to date national policy and guidance.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

7. Adapting to Climate Change

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

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

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we are concerned that the draft policy remains inconsistent with the provisions of the latest NPPF, notably paragraph 175 which updated the approach to the sequential test. This is copied below for convenience: “The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).” Given the recent changes to the NPPF and the more recent changes to the Planning Practice Guidance on Flood Risk, it is clear that draft Policy AR01 should be reviewed and amended to ensure consistency with the most up to date national policy and guidance.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

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.: HN05

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

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

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.: Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and

custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs 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)?: 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury Manor Estate

Proposal:

8. Meeting Housing Needs

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

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

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

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

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

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs 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.: In order to represent the interests of The Sidbury Manor Estate in relation to their interests in the Land west of Two Bridges Road, Sidford (Sidm_06a), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

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.: HN05

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

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: See enclosed representations

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs 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 Meeting Housing Needs 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.: See enclosed representations

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.: See enclosed representations Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.

- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the “host” site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner.

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.: See enclosed representations Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

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

4(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter fails to comply with the duty to co-operate. Please be as precise as possible.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

8. Meeting Housing Needs

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

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

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

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: See enclosed representations

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

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: See enclosed representations We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Meeting Housing Needs chapter's compliance with the duty to co-operate, please use this box to set out your comments.: See enclosed representations

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.: In order to represent the interests of Sidbury LVA LLP in relation to their interests in the Land south of Furzehill, Sidbury (SIDM_34), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

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.: HN05

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: Policy HN05: Self-build and custom build housing Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider January 2026 9 absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the

extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs 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 Meeting Housing Needs 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.:

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

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.:

Policy HN05: Self-build and custom build housing Whilst a few minor changes have been made to this draft policy since the first Regulation consultation draft, we continue to consider the draft Policy is not sound. Whilst we still support the Council's efforts to deliver a diversified range of housing as part of the plan, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider January 2026 9 absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites. At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.
- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.
- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the "host" site is a significant health and safety challenge. Our position is that if there is demonstrable and viable demand for self and

custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

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.:

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner. Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs 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)?: 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Developments Ltd

Proposal:

8. Meeting Housing Needs

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

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

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

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Strategic Policy HN02: Affordable housing We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

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

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: Strategic Policy HN02: Affordable housing We note that this draft policy is broadly unchanged from that consulted on as part of the first regulation 19 consultation draft. We therefore remain in general support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”. We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan. We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs 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.: In order to represent the interests of 3West Group in relation to their interests in the Land north and east of Exton Farm (Wood_28), and other draft policies in the plan.

Full name: George Lewis

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

9. Supporting the Economy and Town Centres

1. To which part of the Supporting the Economy and Town Centres chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SE02

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

3. Do you consider that this part of the Supporting the Economy and Town Centres chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Supporting the Economy and Town Centres chapter is not sound. Please be as precise as possible.: Savills on behalf of *** Personal details have been removed ***

2. There are huge economic growth and productivity challenges within the UK, with growth virtually stagnant for many years. A key objective of the Labour Government is to drive economic growth and planning reform is a key tenet of that objective.

3. In her Statement on 27 January 2025, Chancellor of the Exchequer *** Personal details have been removed *** MP set the scene, reaffirming her commitment to delivering economic growth and stating: “I am fighting every single day in our mission to kick start the economy, deliver on our Plan for Change, and make working people better off. That includes avenues that others have shied away from. Too often the answer to new development has been “no”. But that is the attitude that has stunted economic growth and left working people worse off. We need to do things differently and that journey began as soon as I started at the Treasury in July. These are our next steps and I can say for certain, there is more to come.”

4. There can be no doubt that this Government is committed to delivering economic growth in the short, medium and long-term. To achieve this step change within East Devon will require a policy framework in the Local Plan which moves away from the traditional predict and provide approach and allows for greater flexibility in securing economic growth.

5. Such an approach would be entirely consistent with national policy in paragraphs 85 and 86 of the Framework. Paragraph 85 sets the scene stating that:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.” [emphasis added]

6. Paragraph 86 then goes on to provide a direct policy requirements for local plans. Of particular relevance to policy SE02 is criterion E of paragraph 86 which states: “Planning policies should: ... be flexible enough to accommodate needs not anticipated in the plan, and allow for new and flexible working practices and spaces to enable a rapid response to changes in economic circumstances.”

7. By restricting growth outside of existing designated employment areas, Policy SE02 as currently drafted is unnecessarily restrictive, inflexible and therefore incompatible with the Framework. It does not incorporate the flexibility sought by Paragraph 86 of the Framework and on the contrary restricts economic growth to land within existing operational site boundaries. Such an approach is also in conflict with the spirit of Government economic policy on the drive to support growth. The policy is not therefore consistent with national policy and is therefore unsound.

8. Whilst the allocation of land plays an important part in this and provides certainty, alongside this national policy envisages a flexible approach which enables further land to come forward where it is demonstrated that this would support economic growth in locations which are desired by the market and are capable of responding rapidly to changes in economic circumstances.

9. To that end, and in order to remedy the unsoundness of the local plan, we advocate the addition of the words "or adjacent to" within the first paragraph of policy SE02. This change would enable the growth of existing businesses and business parks beyond their existing boundaries where it is demonstrated that they are currently operating at or close to full capacity and that there is a demonstrable economic need which that expansion would satisfy.

10. In addition to addressing the unsoundness of the Local Plan, there would be a number of benefits in making this change to the policy.

11. First, it would provide considerably greater flexibility to ensure that the wider economic needs of the functional economic area are accommodated. As explained within other representations, there is significant change proposed within the Exeter City Local Plan which will see the replacement of many traditional employment areas with mixed use residential and office floorspace. This will inevitably displace existing businesses and remove land and buildings available to a wide range of businesses including many SME and start up operators. These businesses will either close or look to relocate and opportunities therefore needs to be provided to accommodate this growth within the wider functional economic area. 12. Second, as paragraph 86 of the Framework suggests, flexibility is required to enable a rapid response to changing economic circumstances. It is impossible to determine and defined through the Local Plan precisely where all businesses will seek to locate. There may be some where the profile of the Exeter Science Park is important, whereas for others affordable, less prestigious surroundings are needed to meet the requirements of the business. Positively supporting growth across a wider variety of locations would ensure that all opportunities are taken to achieve economic growth objectives.

Conclusion 13. In conclusion, Policy SE02 as currently drafted is unduly inflexible, not consistent with the Framework and therefore unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Supporting the Economy and Town Centres chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Supporting the Economy and Town Centres chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: A relatively minor change to the policy which enables the growth of existing businesses and business parks where there is a proven economic need, would remedy this unsoundness and deliver economic benefits to East Devon during the plan period.