

13 January 2023

Planning Policy
East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ

Our Ref: DS/22.178

SENT BY EMAIL

Dear Sir or Madam

**East Devon Local Plan 2020 to 2040 Preferred Options – Regulation 18 Consultation
Land at Old Winslade Farm, Clyst St Mary**

I am writing on behalf of my client Tollgate Farming Limited (hereafter the landowner) in response to the East Devon District Council's (hereafter EDDC) Regulation 18 consultation on the East Devon Local Plan 2020 to 2040 Preferred Options (hereafter Draft Local Plan).

Background

The landowner is the freehold owner of Old Winslade Farm. Land at Old Winslade Farm (hereafter the site) was previously submitted to the Council for consideration following a call for sites in 2021. The site was identified as having potential for residential development. It was confirmed at the time of the submission that it is available within the next 5 years. The site was assessed through the Housing Economic Land Availability Assessment (HELAA) under reference Clge_18.

The landowners' comments on the Draft Local Plan are set out below. In summary, these cover the following topics:

- An objection to EDDC's assessment of the site through the HELAA process;
- A proposal to include the site within the area identified for New Settlement Option 3; and
- Comments on proposals to designate the site as an area for solar energy development.

Each of these topics is covered in detail below.

EDDC assessment of the site

The Council assessed the site as part of the HELAA (November 2022). The fact that the assessment concluded that the site was both available and suitable for residential development is welcomed.



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Following the input from the HELAA panel, the site was judged to be ‘probably unachievable’. No detailed explanation of why the panel reached that conclusion is provided in the published assessment. The panel’s conclusion is recorded as:

Probably unachievable due to challenging access, highway capacity and road safety issues.

In addition to being inconclusive and somewhat vague, the panel’s conclusion is also unfounded and unsupported by the available evidence in respect of both access and road safety. Specifically, the conclusion does not accord with the evidence in the form of comments of the highway authority Devon County Council (hereafter DCC). It is highly relevant that the highway authority did not raise any issues or concerns in respect of either issue in their submission to the HELAA which is recorded within the assessment as:

A3052/A376 Sites – 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.

It is not clear if the panel or EDDC have carried out any further detailed highway related assessment to inform the HELAA. If however further analysis has been completed, this should be published and provided to the landowner.

In the absence of any further evidence, the HELAA conclusion is unfounded and as such it is incorrect.

The issues highlighted by DCC in respect of highway capacity in the HELAA assessment are noted. However, as highlighted within DCC’s comments, these are matters which should be considered as part of a more detailed assessment of all of the sites in the vicinity together. This would be the case for all strategic allocations that comprise of a number of different sites – individually each small site may be unachievable due to the infrastructure related constraints and/or costs. Importantly, this does not provide a reasonable or robust reason to consider that an individual site is unachievable.

A review of the assessment indicates that there are no other technical issues that would render the site unsuitable for future residential development as part of a wider allocation of land. As the assessment concludes, the site is considered to be suitable for residential development. Furthermore, and as confirmed in the submission to the Council’s call for site, the site is available.

In light of the above, the Councils’ assessment of the site, and in particular the reliance on the HELAA panel’s conclusions with regard to achievability does not stand up to scrutiny and is not agreed with.

The HELAA assessment should be revised to confirm that the site is available, suitable and achievable and as such that it is developable.

It is understood and accepted that the HELAA itself does not allocate sites and that it is for the plan making process to determine which of the developable sites should be identified for future development. It is however essential to start that part of the plan making process from a point where all of the potential sites have been appropriately and fairly assessed through the HELAA. That would not be the case should EDDC not make the changes proposed here.

New Settlement Option 3

The Draft Local Plan confirms that EDDC are proposing to allocate a site for a further new town within close proximity of Exeter in the west of the district. As part of the process of identifying a suitable site for this new settlement, the following three options have been considered and assessed:

- Option 1 – Land to the north of A3052
- Option 2 – Land adjacent to the A3052
- Option 3 – Land to the south of A3052

Whilst the Draft Local Plan indicates that Option 1 is currently the Council's preferred location for the new settlement, the assessment published alongside the consultation (East Devon – Options Appraisal for potential New Settlement October 2022) confirms that the analysis carried out to date indicates that there is very little if any difference in terms of overall scoring for both Option 1 and Option 3. It is clear that a difference in the scoring of the two site options of 0.1 does not alone constitute reasonable grounds for selecting one site over the other.

As already identified in the report to the Council's Strategic Planning Committee held on 1 November 2022, further analysis is being carried out to assess each of the two remaining options more thoroughly.

The site lies immediately to the west of the area identified in the Draft Local Plan as the location of Option 3. On the basis that the site is available, suitable and (contrary to the HELAA assessment conclusions) achievable, there is no reason why it should not be included in the Council's ongoing assessment of Option 3.

In light of the information above, the site should be added to the area identified for Option 3.

In addition to offering further flexibility through the provision of additional development land within the potential allocation, the inclusion of the site will provide a direct link to the area already identified for the Clyst Valley Regional Park. Furthermore, land within the site has already been identified to provide a section of the Clyst Valley Trail. The trail is intended to provide a commuting and recreational route linking Killerton House and Park in the north with Clyst St George.

The integration of the trail within or immediately adjacent to a new town offers considerable advantages and benefits, including enhancing its accessibility for users and providing ready access to the proposed commuter and leisure route for residents of the new settlement. A direct link from a new town to the route represents good planning and simply makes sense. The site has the potential to directly facilitate this and this should be seen as a clear benefit of an Option 3 that includes Old Winslade Farm.

The allocation of Option 3 is supported by the landowner and in the event that EDDC identify Option 3 for allocation, that allocation should be extended to the west to include the site.

Solar energy development

The site is identified in the Draft Local Plan (see East Devon Local Plan 2020-2040 Western Side of East Devon Map) as an 'area considered suitable for solar energy'. The landowner does not currently have any intention to develop the site for solar energy and that as such the site is not available for that use.

The site should be removed from the area identified for solar development.

Next steps

The landowner intends to continue to engage positively with the remaining stages of the plan making process and would welcome an opportunity to discuss this representation and the proposals for the area further with officers.

We will contact the Council following the completion of the consultation, with the view to making arrangements to discuss the proposed allocation of the site further. If in the meantime any additional information or clarification is required, please let us know.

Yours faithfully



**Darren Summerfield MA MRTPI
Director
Summerfield Planning Ltd**

