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Planning Policy
East Devon District Council
Blackdown House
Border Road
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Devon
EX14 1EJ

30 March 2025

Dear Sir/Madam,

**East Devon Local Plan 2020-2042: Regulation 19 Publication Draft
Land at Clyst Honiton (Second New Settlement)**

I write on behalf of my clients Clyst Honiton LVA LLP in response to the Regulation 19 Publication Draft of the East Devon Local Plan Review 2020-2042. This representation focuses on land that is within the control of Clyst Honiton LVA LLP (LVA) which forms an integral part of the land identified by the Plan as a second new community to the East of Exeter under Strategic Policy WS01. Accordingly, the focus of these representations are principally in relation to this element of the Plan but we pick up on wider policy matters where relevant.

Regulation 19 Consultation

As per the Section “About this Consultation” makes clear this current consultation is being progressed by the authority as part of a two-staged approach to Regulation 19 consultation with a second consultation, focussed predominantly on the new community and “*further policy refinement*” will take place later in 2025.

We understand that the rationale for such an approach is to hit the transitional arrangements introduced by the National Planning Policy Framework (December 2024) in respect of the application or otherwise of the revised Standard Method on housing requirement. We are concerned by the Council’s approach in this regard as we can see a real danger that the approach will be the subject of challenges as to whether it is in fact compliant with the transitional arrangements such that the Plan is ultimately further delayed prior to submission to correct matters, noting of course that the Council is planning in housing requirement purposes for almost exactly the 80% of the Standard Method figure.

In a broader context we feel as though the Council, in planning only for the minimum housing requirement, is only storing up problems for a later date and we firmly believe that there exist ample opportunities for the Council to have taken a more positive approach and tackled the full housing need head on, not least because there is a pressing and extensive affordability issue across much of East Devon and an exceptionally high affordable housing need. If we plan only for the minimum then we miss the opportunity

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to deliver lasting change, and this is solely at the detriment of all of those people who currently cannot afford to own their own home.

Strategic Policy SP01: Spatial Strategy

We support the approach of this policy noting that the focus of new development will be at the West End of the District and that includes the inclusion of a new community. It is clear that the Council has gained a great deal of experience from the development of Cranbrook and more recently with the Expansion Areas to Cranbrook and we are confident in the Council's ability to learn lessons from these previous experiences and that these will have a positive influence on the planning of the second new community.

It is clear from the Sustainability Appraisal that of the three options considered in respect of the location of the new community the one identified by the Council is the most suitable option and location and LVA is working with other landowners and promoters in a collaborative way to move forward further evidence in support of bringing this strategically important component of the Council's Spatial Strategy forward and we will supplement this during the second consultation later this year.

Strategic Policy SP02: Levels of future housing development

As we have alluded to in our response above the Council is planning for at least 20,909 dwellings and this represents approximately 80% of the Standard Method output. We understand that if the Council is correct in its approach to the splitting of the Regulation 19 consultation then planning for only 80% would be compliant with the requirements of transitional arrangements. However, we consider that planning for the minimum is fundamentally a missed opportunity and that sufficient Sites exist and have been identified which would enable the Council to actually meet its full need now and evidently that would have been the better course of action.

Strategic Policy WS01: Development of a second new community east of Exeter

We note that the wording of the Policy makes clear that there is a future or longer term aspiration for the new community to deliver at least 10,000 homes albeit the first 8,000 new homes are to be allocated within the Policies Plan. We welcome the recognition of the opportunity that exist to grow the community to the 10,000 scale. We note that the Council suggests that the community will get to 10,000 to be informed by further work.

We consider that the Council could ear mark future directions for growth on the Policies Plan as there are limited directions the settlement could grow and there would be nothing preventative to indicate these as options now and these would naturally sit outside the red line allocation boundary.



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Whilst we understand why the Council wishes to consider the accommodation of at least 10,000 homes in the future we are somewhat concerned by some of the wording within the policy as is currently drafted as on the one hand it appears to suggest that only information is known now for 8,000 but that capacity and needs work should take account of achieving 10,000 homes. Accordingly, it is important that within the evidence base that accompanies the final plan makes this distinction clear as to what is required for this plan period and what any extra over might be required to unlock dwellings beyond this plan period. This is again of relevance because of the 8,000 only 3,300 are anticipated to be delivered up to 2042 with the balance (4,700) post 2042.

Masterplan

We note that the policy as worded requires “*Development will need to occur and proceed on the basis of an agreed whole new community masterplan and on an agreed phased basis.*”. LVA can confirm that a good deal of collaboration is already underway amongst the key landowners within the proposed allocation. We consider it however important that further guidance is given as to the expectations of how the Council will resolve what is an agreed masterplan and how that approval process takes place, given that this involves multiple landowners with their individual aspirations and considerations some of which are fully aligned and some which require further discussion.

The Policy makes clear the expectation to start development within this plan period. We consider that whilst this is a perfectly reasonable aspiration and one which the key stakeholders are committed to, but in order to facilitate this ambition careful consideration must be given to the timing of infrastructure delivery and ensuring that the phasing is structured such that the opening up of the Site can be achieved from multiple points. This is important because to deliver the associated infrastructure and aspirations around a town centre needs to be supported by multiple outlets being facilitated at an early stage.

We hope therefore that the secondary Regulation 19 consultation will provide further guidance on the details of the requirements for the masterplan, noting it is crucial to understand the level of detail, who the process is to be led by, how approval is given. We understand that at this stage it is not the Council’s intention to produce something equivalent to the Cranbrook Plan as a separate DPD.

Affordable Housing

We note that the Policy cross refers in respect of affordable housing to the requirements of Policy HN02: Affordable Housing. When that is reviewed it is noted that this is to be the subject of further viability work and this will be defined within the secondary Regulation 19 consultation. We reserve our right to comment on this detail in due course but we would highlight the need to have a robust and detailed evidence base of the infrastructure requirements and the associated phasing of delivery in order to



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ensure that the parties have appropriate time to review and consider the evidence that the Council is preparing.

Density

The policy makes clear the intention to achieve an average density of at least 45 dwellings per hectare, with high density housing of at least 55-60 dwellings per hectare within the town and neighbourhood centres and around key destinations and transport hubs. Whilst we believe at this stage this is achievable it is unclear as to whether compliance with aspects such as this are necessary to be approved within the aforementioned masterplan or this is assessment under individual applications. It is of note that achieving such densities needs careful consideration and the Council may need to be pragmatic in meeting the requirements of Policy HN01 as there could well be tension in this regard.

Town and Neighbourhood Centres

We further highlight that further clarity should be provided as to the expectations of what the town centres and neighbourhood centres are to deliver as in a more general spatial planning context the needs of such locations today are vastly different from those which are seen within existing towns across England particularly focussing on changes in habits of around where consumers make purchasers and the move away from traditional high street formats.

It is of equal importance that if the Council wishes to redress the mistakes of Cranbrook and seek the early delivery of the town and neighbourhood centres, this is likely to require the opening up of the Site from multiple points so as to achieve critical mass to serve such locations in a timely manner but equally the co-location of key community facilities to such locations. The infrastructure requirements of any new community are substantial and careful consideration must be given to phasing (noting the aspiration of 5 hectares being completed and operational by 2042) and realistic aspirations provided and we hope that this level of detail features as part of the next element of the Regulation 19 consultation.

Social, Community and Educational Facilities

In a similar manner to other parts of our response the amount of information within the policy in this regard is limited and we anticipate further clarification will be provided in the forthcoming focussed consultation.

We agree that the timing of delivery of education infrastructure is of crucial importance and this needs to be considered alongside its spatial provision. It is equally the case, given infrastructure delivery costs that this is factored into viability assessment as it is likely to be a number of years before such facilities will be operational and if they are to be delivered early then careful planning in respect of infrastructure phasing is a necessity.



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Infrastructure

We recognise and support the need for the timely provision of an Infrastructure Delivery Plan which will set out the key infrastructure requirements. This is to be welcomed but essential in our view for this to feature as part of the supplementary consultation.

We note that the policy under this heading requires the phasing and co-ordination to be in step with parameter plans for the new community. We assume that these are distinct from the masterplan referred to earlier in the policy wording. We are unclear as to what these are anticipated to cover and equally with which community developers are expected to agree these with. Or is it simply a typo and that it should read with the Council. Clarification needs to be provided as to the process and how this is managed so as to ensure all landowners/promoters have the ability to influence and shape such documents and that it should not be driven by a single party.

Within the subsequent paragraph requirement the proposals to be in accordance with “an allocation-wide masterplan, Infrastructure Delivery Strategy (to accord with the Infrastructure Delivery Plan produced by the Council), Phasing Strategy and Financial Appraisal which will have been submitted to and approved by the local planning authority.”

We note that this list does not include the previously mentioned parameter plans and equally it is unclear as to how the Council anticipates that such documents will be prepared, by whom and how they will be approved. The information requirements of such documents is equally unknown and greater clarity is needed.

It is equally the case that the level of detailed required by the policy and compliance with the aforementioned documents is key to the likely success of any application(s). Whilst this is to be welcomed in terms of ensuring that one party does not decide to advance a conflicting application it is nonetheless important that sufficient structure is given to the requirements for these documents as the preparation is likely to take place over a reasonable timeline which needs to be factored into parties delivery trajectories.

It is welcomed that there is an expectation that there is a degree of equalisation associated with the provision of infrastructure, however it is again unclear in how the Council intends this to work, noting that again there is not a mechanism yet defined as has been prepared in respect of the Cranbrook Expansion Areas. We have some concerns that if such mechanisms and approach are not agreed/clearly defined at an early juncture it may well make the subsequent application processes particularly difficult.

We are supportive of the principles the Council are advancing, again there is at the



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current time a lack of detail which we believe should be addressed on an urgent basis so that further clarity is provided in advance of a submission for Examination.

Though we consider it highly unlikely, unnecessary and of limited relevance to state within policy wording the ability or otherwise for compulsory purchase powers to be used. If planned appropriately with a well provided evidence base then such considerations will not be necessary.

To conclude therefore we are supportive of the Council's strategy which identifies the need for a new settlement and we are supportive of the proposed land to be allocated with LVA controlling a significant proportion.

We consider that whilst the current wording is helpful in progressing the Council's thinking in respect of the new settlement further clarity is needed on a wide range of matters and we are hopeful that the secondary consultation will shed some light on many of the issues raised.

We look forward to working with the Council to progress this allocation and we confirm our commitment to working positively and proactively with other stakeholders associated with the new community.

Kind regards



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