



**East Devon Local Plan 2020 to**  
**2040 – Preferred Options**  
**Consultation**

**Land South of Otter Close Tipton St  
John (OTRY\_04)**

**January 2023**



## 1. Introduction

- 1.1. This brief representation is made on behalf of the landowners of the subject site. It is supported by two indicative layouts; one for the 45 dwellings referenced under Strategic Policy 26 and one for a one form entry primary school, with some limited residential development on the eastern part of the site fronting the main road.

## 2. The National Planning Policy Framework (NPPF)

- 2.1. The current NPPF dates from July 2021 and is the current extant and relevant statement of national planning policy. Proposed amended wording for the NPPF was published for consultation in December 2022. Both documents are referred to throughout. The 2021 NPPF is currently the most relevant, but there has to be an acknowledgement that policy wording is likely to change; this may or may not reflect the text as set out in the December 2022 iteration.
- 2.2. Para. 1 is proposed to be amended to refer to providing for '*sufficient housing*' (as opposed to the current wording relating to just 'housing'). This national policy desire to deliver sufficient housing is again emphasised in proposed amended text at para. 7 and para. 15 of the 2022 iteration. With regard to the latter reference, it is telling that the amended text refers to 'meeting' housing need rather than the current reference to 'addressing' housing need. Chapter 5 is entitled 'Delivering a sufficient supply of homes', with amended text at para. 60 stating that '*the overall aim should be to meet as much housing needs as possible...to meet the needs of the community*'.  
  
2.3. Para. 61 refers to housing needs derived from a needs assessment using the 'standard method'. This text goes on to reference '*exceptional circumstances*' which might '*justify an alternative approach*'. This echoes current advice found in the PPG as set out in full below.

*'Is the use of the standard method for strategic policy making purposes mandatory?'*

*No, if it is felt that circumstances warrant an alternative approach, but authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.*

*Paragraph: 003 Reference ID: 2a-003-20190220*

*Revision date: 20 02 2019'*

2.4. Para. 61 goes on to state that any alternative approach should also *'reflect current and future demographic trends and market signals'*.

2.5. There has been considerable rhetoric and opinion around pronouncements from central Government and possible/potential consequences for housing delivery. However, in terms of housing requirements, there is very little change; local planning authorities have to plan to meet housing needs and the identified housing requirements set out in policy have to have some relationship with that need. Where they deviate, this has to be justified, but only in exceptional circumstances. Interpretation of key words in amended guidance, in whatever final form it takes, will no doubt become clearer over time, but our considered view is that East Devon District Council should focus on aiming to meet needs as it currently doing rather than being distracted by possible changes to the NPPF.

### **3. Strategic Policy Matters**

3.1. Chapter 2 – Vision and objectives – We **support** the vision under the three identified priorities, particularly reference to *'better homes and communities for all'*. We consider that this reflects national policy and guidance.

3.2. Strategic Policy – Spatial strategy – In broad terms, we **support** the spatial strategy which recognises the strategic function of Exeter and the ability of the Local Plan to respond to this in the growth strategy. Whilst we consider that growth should occur throughout the District in as many places that can be deemed as sustainable (or capable of being more sustainable) as possible, growth in tiers 3 and 4 of the settlement

hierarchy benefit from that focus on the western side of the District that links to Exeter. It is clear that this applies to Tipton St John.

3.3. We **support** the change to the settlement hierarchy and the amended distribution strategy. Tier 4 includes, amongst others, Tipton St John. The proposed amendments are informed by the evidence base, most notably the document entitled 'The Role and Function of Settlements'.

3.4. The role and function document assesses settlements within the plan area against three main criteria, these being;

3.4.1. Population;

3.4.2. Employment; and

3.4.3. Facilities and services.

3.5. Tipton St John is shown as having a population of 606. It is shown as having an economic activity rate of 62%, which is less than the plan wide average of 67%. It is a relatively well-connected settlement with easy links (including scheduled and regular bus services<sup>1</sup>) to significant areas of employment (as set out on the plan shown on page 25 of the document).

3.6. Figure 4.2 sets out services and facilities found in settlements in the plan area. Tipton St John is identified as playing a '*local role for both the settlement and immediate surrounding area in meeting the basic needs for residents on a day-to-day basis*'.

3.7. The conclusion of the role and function document offers the conclusion, which informs the settlement hierarchy as set out in the Local Plan.

3.8. We **support** the Local Plan's proposed focus on some limited growth in Tier 4 settlements, including Tipton St John. We consider that this reflects NPPF(11a) which requires that '*all plans should promote a sustainable pattern of development*' and NPPF(79) which states that '*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural*

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<sup>1</sup> Tipton is served by the 382 and 387 bus services

*communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services'.*

3.9. Strategic policy – Housing distribution – Insofar as this strategic policy affects the subject site, we **support** the general thrust of this policy as it plans for growth in this location. We reserve judgment on the reliance on over 60% of the housing growth being located in the western side of the district as we have not had sight of the proposed housing trajectory. The following policy states that this information will be available in due course and appended to the Local Plan. Para. 4.3 of the Local Plan states that detailed assessments of the sites in the western side of the plan area have not taken place.

3.10. We **object** to the lack of both the detailed site assessment work and the housing trajectory to justify such heavy reliance on delivery from this source of housing supply. This information is of fundamental importance to strategy setting, but the spatial strategy has been set without it.

3.11. Strategic policy – Levels of future housing development – We **support** the overall level of housing growth proposed in this policy and agree with the Council that unless there is evidence in the Interim Topic Paper to justify using an alternative method, the Local Housing Need for East Devon is 946 dwellings per year (paragraph 2.37). Moreover, in order for the Council to progress its plan-making process and maintain a planned system this housing needs figure must be “fixed” as the starting point for the Local Plan (paragraph 2.41). . Regardless of what iteration of the NPPF is referred to, there is a policy imperative to deliver sufficient housing. We **support** the policy’s reference to setting the housing requirements for the specified designated Neighbourhood Areas.

3.12. Para. 3.18 refers to the level of need for affordable housing numbers. It is imperative that efforts are made to deliver as much of this as possible in the plan period. The most effective means of achieving this is to plan for adequate housing growth in general where affordable housing forms a certain percentage (whatever it ends up in adopted policy) and is secured as part of the various planning obligations under a general housing proposal. To seek to reduce the overall housing

numbers will impact negatively on the number of affordable houses that will be secured in the plan period.

#### 4. Site specific matters

4.1. Chapter 5 – Future growth and development on the western side of East Devon – We **object** to this section forming part of an overall Local Plan strategy where the most basic assessment of the various sites has not informed it. We support the ‘spirit’ of this approach, but it must be based on evidence.

4.2. Strategic policy – Development at Service Villages - We **support** the identification of this tier of settlement, specifically relating to Tipton St John. There is a clear evidence base underpinning this policy approach. This location is relatively sustainable and focussing growth will offer many sustainability benefits to the identified settlements. We **support** the identification of the site at for 45 dwellings<sup>2</sup>, but **object** to the reference to it being a second choice. The site is in one ownership and can be delivered quickly, certainly within the next five years. This will aid plan wide delivery and the land supply position whilst larger sites may take longer.

4.3. The assessment of the Tipton St John site stated the following;

*‘Any significant development within the village should consider the requirement for a new primary school site’.*

*‘Site is large and relatively level, although there is a slight fall from north to south and a further fall towards the east corner. Site is scrubby and previously grazed, with hedge providing roadside screening. Some intervisibility with the AONB which would increase if site were developed, however this would be seen in the context of existing development, as the rear gardens of houses in Otter Close abut the northern boundary and the gardens of Mallocks Close abut to the south and wrap around the south west corner’.*

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<sup>2</sup> Notwithstanding what we propose regarding the school on the site

*'The site should be considered as a 2nd best site due to the uncertainty around future school provision and the lack of a frequent bus service'.*

4.4. We are aware that the existing school suffers from severe flood risk and there has recently been an allocation of funding under the School Rebuilding Programme. There have been previous efforts to relocate the school to Ottery St Mary<sup>3</sup>. In fact Local Plan states that *'it should be noted that in the event that land is allocated in Ottery St Mary for the relocation of the primary school in Tipton St John then the village would no longer meet the threshold for a Tier 4 settlement and this potential allocation would not be taken forward'*.

4.5. We believe that the proposal to take a primary school out of the village is in direct conflict with NPPF(79) and also reference within this Local Plan to a desire to make settlement 'more sustainable'. Actively planning to remove such an integral part of the community's facilities will be counter productive to the future sustainability of the village. We consider that the local planning authority should work in partnership with the education authority to ensure that the school remains in the village. Now that funding has been secured, there will clearly need to be a formal process of assessing suitable sites and we would consider that a site in the village should be given preference over moving the school to the nearest town. If a site is found for a school elsewhere in the village, the subject site should be upgraded to a first-choice allocation for around 45 dwellings. If, on the other, the subject site is considered suitable for a school site, the landowners have intimated a desire to work with the relevant officers of the District and County Councils to potentially deliver this. As part of a comprehensive scheme for the site, we propose a small amount of self/custom build housing. Release of a small amount of land for housing would facilitate the possible release of land for the new school. This is a genuine offer, and we would be happy to discuss further with both the District and County Councils.

## **5. Concluding comment**

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<sup>3</sup> Refused application for 150 dwellings and school (EDDC ref.20/1504/MOUT)



- 5.1. We commend the subject site to the LPA and would like to confirm our availability to discuss this site further with relevant officers and ward members on either option shown on the attached.
  
- 5.2. We appreciate that setting out such a complex and multi-faceted document is a difficult task for the local planning authority. We look forward to working through our comments at the eventual examination.