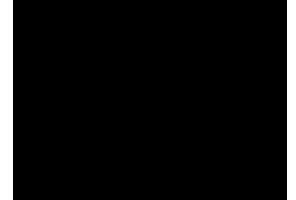


30 March 2025



East Devon District Council
Blackdown House
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EX14 1EJ

Dan Yeates BSc (Hons) MA MRTPI



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Dear Planning Policy Team

Representations to the East Devon Local Plan Regulation 19 Publication Draft

This Representation is made in response to the consultation on the East Devon Local Plan Regulation 19 Publication Draft, and is submitted by Savills on behalf of The Exeter Diocesan Board of Finance Ltd who have an interest in land south of The Vicarage, Broadhembury.

The site was previously assessed by the Council under reference Brhe_07 (Land south of The Vicarage, Broadhembury) but is not currently included within the plan as a draft allocation.

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.

Response to Draft Policies

The following section sets out our responses to the draft policies within the Draft Plan.

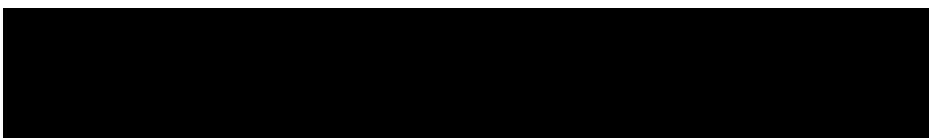
Strategic Policy SP02: Levels of Future Housing Development

Draft Policy SP02 sets out the proposed housing requirement for the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. However, 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.

We have concerns over the approach taken in draft Policy SP02 for the following reasons:

- Uncertainty over whether the Local Plan can proceed under the transitional arrangements
- The proposed stepped trajectory

From our reading of the Forward to the Plan and the Justification for Policy SP02, it is clear that the Council has commenced consultation on the Plan before it is ready, with the intention 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 is very clear when reading how the proposed housing requirement has been described in paragraph 3.11 of the Plan. This justification for the policy in this paragraph explains 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.

In our view 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, we are concerned over whether the Local Plan consultation is even able to 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)

The reference to “each of the proposed submission documents” 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.

On the basis of the above we consider 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.

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 a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

In terms of the proposed stepped housing trajectory, in very simple terms, we consider that there is absolutely no justification for adopting a stepped trajectory in the draft plan for that 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.

Overall, the Council needs to play its part in addressing the housing crisis. Rather than trying to do the bare minimum to scrape through under the transitional arrangements, the Council could and 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.

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 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.

Strategic Policy: SD12: Development allocations at Broadhembury

We object to draft Policy SD12 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 Broadhembury.

Broadhembury hosts the following which provide day-to-day services and facilities:

- Shop / convenience store
- Post office
- Primary school
- Pub
- Village hall
- Children's play area

As a result, Broadhembury is an entirely appropriate location for additional growth beyond that proposed.

We specifically consider that the Land south of The Vicarage, Broadhembury (Brhe_07) 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 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.

However, the site is available for development and therefore able to contribute given the increasing need for more land to be identified.

The site benefits from access from Dukes Square, providing onward links into the village.

The site falls within flood zone 1, and there are no environmental designations or constraints to development.

In our view 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.

Conclusion

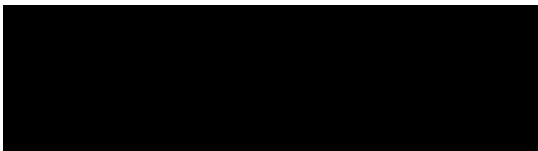
We welcome the Council's decision to progress with the Local Plan given the government's objective to significantly boost housing delivery.

However, we have objections to draft Policy SP02. 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 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.

Broadhembury, covered by draft Policy SD12, is a sustainable location capable of accommodating a second allocation in the village, and in our view the land south of The Vicarage (Brhe_07) should be included as an allocation to help accommodate a proportion of this growth.

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 Brhe_07 should such assistance be required.

Yours faithfully,



**Dan Yeates BSc (Hons) MA MRTPI
Director
Planning**