

## Contents

11.1 .....	3
11.3 .....	4
11.22 .....	6
11.28 .....	8
TR01 .....	9
TR02 .....	11
TR03 .....	25
TR04 .....	31
TR05 .....	59
TR06 .....	60
TR07 .....	64

## Second Regulation 19 Consultation – East Devon Local Plan – Responses by Chapter

Filtered Data Export

## 11.1

**Full name:** Grace Lewis

**Organisation (where relevant):** Network Rail

**Proposal:** 11. Sustainable Transport and Communications

**1. To which part of the Sustainable Transport and Communications chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 11.1

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** As a general comment, the key role of the railway, combined with bus integration, does not come across strongly in the 2nd regulation document, nor the priority around delivering infrastructure and service enhancements on the West of England and Exmouth lines. It would be good to see these points given greater prominence.

## 11.3

**Full name:** Roy Russell

**Organisation (where relevant):** Sidmouth Cycling Campaign

**Proposal:** 11. Sustainable Transport and Communications

**1. To which part of the Sustainable Transport and Communications chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 11.3

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

**2(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Typographical error: This paragraph correctly refers to the Local Cycling and Walking Infrastructure Plans, but has an error in the associated reference (94). The correct reference for these plans is: <https://www.devon.gov.uk/roads-and-transport/traffic-information/transport-planning/local-cycling-and-walking-infrastructure-plans-lcwips/>

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Full name:** Grace Lewis

**Organisation (where relevant):** Network Rail

**Proposal:** 11. Sustainable Transport and Communications

**1. To which part of the Sustainable Transport and Communications chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 11.1

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** As a general comment, the key role of the railway, combined with bus integration, does not come across strongly in the 2nd regulation document, nor the priority around delivering infrastructure and service enhancements on the West of England and Exmouth lines. It would be good to see these points given greater prominence.

## 11.22

**Full name:** Thomas Shillitoe

**Proposal:** 11. Sustainable Transport and Communications

**1. To which part of the Sustainable Transport and Communications chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 11.22

**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?:** No

**2(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.:** 11.22 stating “Encouraging developments that exceed such standards” is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

**2(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Awaiting air quality mitigation strategy to comment further

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** 11.22 stating “Encouraging developments that exceed such standards” is unclear and aspirational and requires clarification as there is no clear methodology for

implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Awaiting air quality mitigation strategy to comment further

**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.:** Awaiting air quality mitigation strategy to comment further

## 11.28

**Full name:** Devon Wildlife Trust

**Organisation (where relevant):** Devon Wildlife Trust

**Proposal:** 11. Sustainable Transport and Communications

**1. To which part of the Sustainable Transport and Communications chapter does your representation relate?:** Paragraph

**1(a). Please write down the paragraph, policy or figure number that your representation relates to.:** 11.28

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** ‘...in comparison the mean for all English district local authorities are 96.61% and 73.24% respectfully’. There is a typo here. ‘Respectfully’ should be replaced with ‘respectively’.

## TR01

**Full name:** Tamsin Robertson

**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.:** TR01

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Chapter 11: Sustainable Transport

The proposed estate on Exmo\_17 would bring a further 800-900 vehicles onto local roads. The access road would be directly opposite the Liverton Trading Estate, which is a well-known bottleneck with queues of cars waiting to exit.

A new roundabout has been proposed, plus two pedestrian crossings on the busy main road into and out of Exmouth. Traffic would be significantly held up at this point, causing increased air pollution and slowing drivers' progress. To reach Exeter, where the jobs are, the choice would be to drive there, or to catch two buses (passing every half hour) or to catch a bus plus a train.



## TR02

**Full name:** Roy Russell

**Organisation (where relevant):** Sidmouth Cycling Campaign

**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(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Typographical error: "Cranbrook to Exeter (E3) Otter Trail" should be two separate bullet points: "Cranbrook to Exeter (E3)" and "Otter Trail"

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

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Full name:** Nicola Wilson

**Organisation (where relevant):** Devon County Council

**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

**Full name:** Danielle Halford

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Persimmon Homes South West Limited

**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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:**

2.30 Since the submission of written representations to the Draft LP first consultation, PHSW have undertaken a review of evidence base documents and make the following observations in respect of the relief road:

1. There is only one reference within the updated Sustainability Report, November 2025 which identifies Axminster relief road as an outstanding project (page 117 of 686).

2. The Local Plan Viability Assessment Addendum, November 2025 includes reference to including a section of relief road under proposed allocation for land east of Lyme Road (Axmi\_22). As detailed at paragraph 2.5 the previous version of the Local Plan Viability Assessment Addendum (CSD-004) commented that it was understood from the Council that the relief road is unlikely to proceed in the foreseeable future and that the requirement will require a suitable layout instead.

3. The Promoting Sustainable Transport Background Evidence, January 2025 has not been updated. Resultantly, PHSW maintain their position that whilst Devon County Council has requested the route of the potential relief road to be protected , EDDC have acknowledged within their own Local Plan evidence base that the relief road is unlikely to proceed within the foreseeable future and there is no evidence of funding being available to deliver the link road.

4. The updated Infrastructure Delivery Plan, November 2025 does not make any reference to the Axminster relief road.

5. There has been an updated Site Selection Report addendum – Historic Environment Site Assessment for Axminster, November 2025. This is not relevant to Axmi\_22 and does not reference the Axminster relief road.

6. The Settlement Boundaries Topic Paper, Second Regulation 19 consultation version does not reference the Axminster relief road.

2.31 In light of the above and previous submitted representations, PHSW must strongly reiterate that it does not consider it appropriate to continue to safeguard a possible relief road route which has no funding or evidence of its ability of it being

delivered. Its inclusion is simply not justified within the requirements of the site allocation particularly given the Site is identified to include up to 100 homes.

2.32 To ensure the Draft LP is robust, PHSW maintains that any reference to the route of Axminster relief road is removed from Strategic Policy TR02: Protecting transport sites and routes as there is no evidence available to demonstrate it is deliverable or indeed viable and therefore its retention is unjustified.

**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.:** Our attendance is necessary to effectively discuss the points raised in these representations.

**Full name:** Simon Coles

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** DABB Partnership

**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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Our previous comments have not been addressed and on further review the reference to addressing transport impact of later development is not considered to be sound. Accounting for the effects of committed development is national policy, whereas it would not be appropriate for LP policy to require developers to provide infrastructure or capacity for developments which have no status in planning and are outside of the LP period / geographical area

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Amend ‘potential that may arise though later developments in adjoining or nearby areas’ to ‘potential that may arise though committed developments in adjoining or nearby areas’.

**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)

**Full name:** Simon Coles

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** DABB Partnership

**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?:** No

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Our previous comments have not been addressed and on further review the reference to addressing transport impact of later development is not considered to be sound. Accounting for the effects of committed development is national policy, whereas it would not be appropriate for LP policy to require developers to provide infrastructure or capacity for developments which have no status in planning and are outside of the LP period / geographical area

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Amend ‘potential that may arise though later developments in adjoining or nearby areas’ to ‘potential that may arise though committed developments in adjoining or nearby areas’.

**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)

**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.

**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:** Alan Lascelles

**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?:** No

**2. Do you consider that this part of the Sustainable Transport and Communications chapter is legally compliant?:** No

**2(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.:** If your intention is to be sustainable, then you need to look to the future and plan in a rail link from the main line, Exeter to London Waterloo to a) Exeter Airport Terminal from a point west of old broadclyst station 3.2K b) Marcombe Town Centre 3K c) Sky Park 1K. Clearly the proposed population of Marcombe would justify the expenditure and take traffic off the road and onto public transport. Exeter airport is increasing passenger numbers.

**2(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Ref 2B

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** You are not planning for the future. Refer to Light rail infrastructure in other localities and the significant usage / passenger miles.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Ref 2B and 3B

**4. Do you consider that this part of the Sustainable Transport and Communications chapter complies with the duty to cooperate?:** No

**4(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter fails to comply with the duty to cooperate. Please be as precise as possible.:** Exeter airport is the main location in the South west, other than Bristol. It is fundamental to the success of the Airport to provide a Rail link, thus avoiding long journey on roads, which currently are not fit for purpose and would be further congested when 20,000 inhabitants live in Marcombe if no rail link extended to this new suburb of Exeter.

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:** No, I do not wish to participate in hearing session(s)

**Full name:** Steve Havers

**Organisation (where relevant):** National Highways

**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?:** No

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Strategic Policy TR02 seeks to protect sites and routes that are critical in developing infrastructure to widen transport choice and realise opportunities for large scale development. As per our March 2025 response, the policy protects sites and routes of interest to National Highways and is therefore supported. We continue to recommend that the policy should reflect any further transport sites and routes identified as part of ongoing work on the Greater Exeter Transport Study or IDP. Subject to any future revisions of each document, the policy may therefore require further amendment.

**Full name:** Craig Hatton

**Organisation (where relevant):** Network Rail

**Other party name (if relevant):** Network Rail

**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

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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 ensure the full suite of rail improvements and opportunities are covered, the following is required to make the draft Policy sound. This would ensure the Policy is effective and compliant with national policy. The following wording should be added within the public transport section of the draft Policy: ? Upgrades and related changes to stations, including but not limited to, additional and/or lengthened platforms, bridges and lifts. OFFICIAL ? Improvements and mitigation to level crossings Axminster to Cranbrook inclusive

**Full name:** Grace Lewis

**Organisation (where relevant):** Network Rail

**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?:** No

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Whilst there is a reference to the proposed passing loops between Honiton and Cranbrook, there is no reference anywhere to Exmouth branch redoubling to Digby, nor to the proposed train service increases on the WoE and Exmouth lines. These would provide significant public transport improvements for the area and could play an important role in providing sustainable transport options for Marlcombe, so we would expect to see reference to these.

## TR03

**Full name:** Simon Coles

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** DABB Partnership

**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.:** TR03

**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 Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.:** This policy, which seeks to set the parameters for Transport Statements, Transport Assessments and Travel Plans, should be amended to reflect (or simply reference) national policy and guidance on the matter, including that which is set out in the NPPF and the NPPG:

- The policy appears to have a presumption that all development proposals will need to ‘secure new sustainable transport arrangements’ – whereas, in many areas, existing or future active travel networks may be appropriate in themselves, without the need for ‘new’ infrastructure.
- C. should reference ‘other committed development’, in line with policy. New developments should not have to take account of the theoretical transport impacts of other sites which have no status in planning.
- D. Consideration should be given to the overall traffic effects of development across the day, rather than simply at peak times, in line with recent caselaw including the Penwortham decision (attached). Those traffic effects must be weighed as part of the overall planning balance, rather than being treated as determinative. E.g.:

307: Even if the residual cumulative impacts on the highways could be describes as severe, this does not necessarily lead to a conclusion that the appeal proposal should e refused, particularly bearing in mind that the appeal site is an allocated site in the adopted local plan. I return to this points in the planning balance. [89]

**2(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** It is considered that Policy TR03 would be better addressed as a validation requirement

**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)

**Full name:** Simon Coles

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** DABB Partnership

**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.:** TR03

**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 Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** This policy, which seeks to set the parameters for Transport Statements, Transport Assessments and Travel Plans, should be amended to reflect (or simply reference) national policy and guidance on the matter, including that which is set out in the NPPF and the NPPG:

- The policy appears to have a presumption that all development proposals will need to ‘secure new sustainable transport arrangements’ – whereas, in many areas, existing or future active travel networks may be appropriate in themselves, without the need for ‘new’ infrastructure.
- C. should reference ‘other committed development’, in line with policy. New developments should not have to take account of the theoretical transport impacts of other sites which have no status in planning.
- D. Consideration should be given to the overall traffic effects of development across the day, rather than simply at peak times, in line with recent caselaw including the Penwortham decision (attached). Those traffic effects must be weighed as part of the overall planning balance, rather than being treated as determinative. E.g.:

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** It is considered that Policy TR03 would be better addressed as a validation requirement.

**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)

**Full name:** Zoe Mason

**Organisation (where relevant):** Lichfields

**Other party name (if relevant):** Mr M and Mr R Nanciekivell

**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.:** TR03

**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 Sustainable Transport and Communications chapter, please use this box to set out your comments.:** The Landowner supports the above policies and expects that development of the promotion site for around 150 dwellings will comply with all the requirements of the above.

**Full name:** Steve Havers

**Organisation (where relevant):** National Highways

**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.:** TR03

**1(b). Does your comment relate to one of the changes listed above?:** 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.:** Strategic Policy TR03 identified the need to prepare a Travel Plan, Transport Statement or Transport Assessment for developments likely to generate significant amounts of vehicle movements. The requirement is now extended to cover significant people movements as part of the amended Publication Draft. We note that a further clarification has been added to Strategic Policy TR03, strengthening requirements and reflecting national guidance: “Where sustainable travel measures are insufficient to mitigate unacceptable highway safety impacts or there are severe cumulative adverse impacts associated with additional traffic demand, proposals should identify and deliver (or contribute to the delivery of) any necessary highway improvements to the local and/or strategic road network. Where it is not possible to address such impacts, planning permission should be refused”. The amended policy wording identifies the potential that sustainable travel measures alone may be insufficient to address the impacts of development and is welcomed by National Highways.

## TR04

**Full name:** Dee Woods

**Organisation (where relevant):** Otter Valley Association

**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.:** TR04

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

Good to try and change people's behaviours and reliance on cars. Marlcombe will need very good public transport links, so as not to be so reliant on cars, which will add to existing problems of congestion and pollution around Exeter, the West End and the Pebblebed Heaths. Therefore we welcome the improvements to Policy TR04 and paragraph 11.22. It is also good that greater emphasis is being placed on more EV provision.

**Full name:** Nicola Wilson

**Organisation (where relevant):** Devon County Council

**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.:** TR04

**1(b). Does your comment relate to one of the changes listed above?:** 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.:** DCC welcomes the additional wording inserted in relation to electric vehicle charging provision, which (in addition to policies promoting active travel, public transport and improvements to digital connectivity) should help ensure development supports the decarbonisation of transport, in line with the Devon Carbon Plan and Devon Electric Vehicle Charging Strategy.

**Full name:** Iwan Easton

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Taylor Wimpey UK Ltd

**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.:** TR04

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** The policy, which sets the parking standards for new development within the district, has been amended as part of the second Regulation 19 Consultation to include further reference to the provision of electric vehicle charging points. Part a) of the policy now states “For residential developments... off-street and on-street parking spaces that are served by EV charging should aim to exceed Building Regulation standards”. This is said to be in place to recognise the air quality concerns relating to the Pebbled Heaths SPA/SAC.

Taylor Wimpey, however, consider that this policy requirement is not justified for the remainder of the County, in particular for areas that are not within proximity of the Pebbled Heaths SPA/SAC.

The policy goes on to state that “To address potential concerns in respect of Habitat Regulation compliance (and therefore to secure planning permission) developers should fully consider options to promote and secure uptake of high levels of use of electric vehicles by residents of new dwellings being built”. This is not justified given that it is not the onus of the developer to secure that future residents own an electric vehicle. For the policy to state that these concerns should be addressed ‘to secure planning permission’ is not justified and the policy should be reworded in order to reflect this consideration and be in accordance with Building Regulations.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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 policy should be reworded in order to reflect this consideration [see 3(b)] and be in accordance with Building Regulations.

**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.:** Our attendance is necessary to effectively discuss the points raised in these representations.

**Full name:** Iwan Easton

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Vistry Group

**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.:** TR04

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Policy TR04: Parking Standards and electric vehicle charging provision

2.57 Vistry support the principles of Policy TR04 however consider the policy to be ineffective as the blanket approach used through the requirement for an average of 1.7 spaces per Page 14 EDDC Second Regulation 19 Consultation: Representations | Land at Addlepool Farm residential development is not flexible and does not consider the site's locational context, which may justify adopting an alternative approach to parking. Vistry request that car parking requirements for development schemes should be considered on a case-by-case basis.

2.58 We therefore request that greater clarity is provided within the proposed policy text, and to ensure that Policy TR04 is considered sound, strongly recommend that the requirement of

1.7 spaces per residential dwelling is omitted.

2.59 It is noted that Policy TR04 now requests for wider environmental benefits but specifically to reduce fossil fuel vehicle emissions adversely impacting on the Pebblebed Heaths SAC/SPA. Vistry have concerns with regards to the requirements for residential development to wherever possible aim to exceed Building Regulation standards.

2.60 Policy requirements should be based upon existing legislation, and whilst it is acknowledged that requirements set out within the Future Homes Standard 2025 or successor standards will provide measures to be achieved on site, Policy TR04 should not be a duplicate to building regulations. We therefore suggest that viability should be considered as part of the policy text, with sufficient flexibility.

2.61 Land at Addlepool Farm is located within a 10km proximity of designated sites of international importance, mitigation for impacts that may occur to these sites would be secured as part of the proposals. EDDC's HELAA (2022) concluded the site would have no unacceptable impact on biodiversity.

**Full name:** Danielle Halford

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Persimmon Homes South West Limited

**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.:** TR04

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Policy TR04 has been amended to include that:

- Where possible, off-street and on-street parking spaces for residential development that are served by EV charging should aim to exceed Building Regulation standards and they should be designed for ease of use and have immediate availability for property occupiers at the point at which they take up occupancy.
- Developers promoting major development will be expected to work with energy companies, distribution network operators and the planning authority to ensure the development of relevant and appropriate smart energy infrastructure is planned and installed to provide current and future EV capacity.
- Developers should fully consider options to promote and secure uptake of high levels of use of electric vehicles by residents of new dwellings being built.

2.34 Developers are expected to engage with energy companies, DNOs, and the planning authority at an early stage to ensure that smart energy infrastructure is appropriately planned and installed. However, aligning the objectives, timelines, and technical requirements of multiple stakeholders can be complex and time-consuming. The need for early and detailed consideration of options to meet and exceed policy standards adds further complexity.

2.35 The installation of smart energy infrastructure for EV charging often requires upgrades to existing grid infrastructure. Developers may encounter technical limitations in the local electricity network, such as insufficient capacity to support high levels of EV charging, necessitating costly and time-consuming network reinforcements. These upgrades must be coordinated with Distribution Network Operators, who may have competing priorities and limited resources to deliver timely solutions.

2.36 The expectation to exceed minimum standards, particularly in sensitive areas where higher levels of EV uptake are required for environmental mitigation, can result in significant additional costs for developers. Securing funding and agreeing on cost-sharing arrangements with energy companies and DNOs can be a further barrier.

2.37 It is also noted that Policy TR04 now requires fossil fuel emissions adversely impacting on the Pebblebed Heaths SAC/SPA to be reduced in addition for wider environmental benefits. PHSW consider that the requirement for residential

development to exceed Building Regulation standards is not justified. It should be noted that Future Homes Standard 2025 or successor standards should be achieved on site, and as a result Policy TR04 should not be a duplicate.

2.38 The proposed policy wording for Policy TR04 should be updated to reflect the above, with additional flexibility included to ensure that residential development that is not in proximity to the Pebblebed Heaths SAC/SPA are not affected.

**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.:** Our attendance is necessary to effectively discuss the points raised in these representations.

**Full name:** Phillippa Gatehouse

**Organisation (where relevant):** C G Fry & Son Ltd

**Other party name (if relevant):** Mr & Mrs Cowling

**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.:** TR04

**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 Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** The previous comments about the parking standards have not been addressed so remain valid.

Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA.

As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies.

Requirements for developers to encourage electric vehicle use are also not considered reasonable or necessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified.

Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to.

Delete reference to electric vehicle charging.

**Full name:** Simon Coles

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** DABB Partnership

**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.:** TR04

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** The previous comments about the parking standards have not been addressed so remain valid.

Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA.

As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies. Requirements for developers to encourage electric vehicle use are also considered to be unreasonable and unnecessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified. Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to. Delete reference to electric vehicle charging.

**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)

**Full name:** Simon Coles

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** DABB Partnership

**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.:** TR04

**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 Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** The previous comments about the parking standards have not been addressed so remain valid. Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA. As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies. Requirements for developers to encourage electric vehicle use are also considered to be unreasonable and unnecessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified. Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to. Delete reference to electric vehicle charging.

**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)

**Full name:** Samantha Thomas

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** Taylor Wimpey

**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.:** TR04

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA. As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies. Requirements for developers to encourage electric vehicle use are also not considered reasonable or necessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified. Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to. Delete reference to electric vehicle charging



**Full name:** Samantha Thomas

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** WainHomes (South West) Ltd

**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.:** TR04

**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 Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** The previous comments about the parking standards have not been addressed so remain valid. Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA. As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies. Requirements for developers to encourage electric vehicle use are also not considered reasonable or necessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified. Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to. Delete reference to electric vehicle charging.

**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)

**Full name:** Samantha Thomas

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** WainHomes (South West) Ltd

**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.:** TR04

**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 Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** The previous comments about the parking standards have not been addressed so remain valid. Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA. As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies. Requirements for developers to encourage electric vehicle use are also not considered reasonable or necessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified. Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to. Delete reference to electric vehicle charging.



**Full name:** Samantha Thomas

**Organisation (where relevant):** Carney Sweeney

**Other party name (if relevant):** WainHomes (South West) Ltd

**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.:** TR04

**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 Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.:** The previous comments about the parking standards have not been addressed so remain valid. Additional requirements relating to electric vehicle charging have been added cross referenced to the additional assessment work carried out in respect of the impact of vehicle emissions on the Pebblebed Heaths SAC/SPA. As EV charging is covered by the Building Regulations robust evidence is required to justify a higher standard. The technical assessments and preliminary mitigation strategy that have been produced by the Council have not been subject to full public consultation and there are serious concerns about such a significant piece of work being introduced almost by stealth as part of the draft EDLP evidence base. There are contradictory statements regarding the scope of impact between the technical assessment, mitigation strategy, and Strategic Policy PB04 and these need to be fully tested before being applied as policy. This is discussed further below in respect of Strategic Policies PB01: Protection of internationally and nationally important wildlife sites and PB04: Habitat Regulations Assessment (HRA) and Mitigation Strategies. Requirements for developers to encourage electric vehicle use are also not considered reasonable or necessary given that developers already provide EV charging in accordance with the Building Regulations and travel planning measures.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** Any standard needs to be properly justified. Flexibility should be included in relation to inclusion of garages as parking spaces with reference to a minimum garage size as referred to. Delete reference to electric vehicle charging.



**Full name:** Zoe Mason

**Organisation (where relevant):** Lichfields

**Other party name (if relevant):** Mr M and Mr R Nanciekivell

**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.:** TR04

**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 Sustainable Transport and Communications chapter, please use this box to set out your comments.:** The Landowner supports the above policies and expects that development of the promotion site for around 150 dwellings will comply with all the requirements of the above.

**Full name:** Laura Grimason

**Organisation (where relevant):** Pegasus Group

**Other party name (if relevant):** Taylor Wimpey Strategic Land

**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.:** TR04

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** This policy seeks to secure for residential development, electric vehicle charging that exceeds Building Regulations requirements. We object to this point of policy TR04. This policy should only align with Building Regulations requirements.

**Full name:** Thomas Shillitoe

**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.:** TR04

**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?:** No

**2(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.:** TR04 now states “Should aim to exceed” which is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** TR04 now states “Should aim to exceed” which is unclear and aspirational and requires clarification as there is no clear methodology for implementation, however this cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination. In light of the addition of a potential air quality mitigation strategy for the Pebblebed Heaths, a new policy should be added to this chapter stating that, due to transport pollution causing air quality issues on the Pebblebed Heaths SAC/SPA/SSSI, any new housing development should be considered against the Mitigation Hierarchy seeking to avoid the proposed mitigation area. Over-riding justification is required for new housing within the mitigation area if no alternative sites are suitable.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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 cannot be done until the mitigation strategy is provided. This policy will need to be revised and reconsulted upon prior to submission for examination.

**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.:** There is currently no agreed air quality mitigation strategy to inform this chapter. too many unknowns/variables.

**Full name:** Steve Havers

**Organisation (where relevant):** National Highways

**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.:** TR04

**1(b). Does your comment relate to one of the changes listed above?:** 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 changes to Strategic Policy TR04 provide further detail in respect of charging provision for electric vehicles. We welcome the amendments, outlining a need for developers to work with energy companies, distribution network operators and the planning authority to ensure the delivery of appropriate energy infrastructure for current and future electric vehicle capacity. National Highways has set an ambition for all of our customers to be travelling using net zero transport by 2050, in line with the UK Climate Change Act. We therefore welcome local policy that requires an expansion in the scope and scale of electric vehicle charging facilities as part of new development.

## TR05

**Full name:** Devon Wildlife Trust

**Organisation (where relevant):** Devon Wildlife Trust

**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.:** TR05

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

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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 comparison the mean for all English district local authorities are 96.61% and 73.24% respectfully’. There is a typo here. ‘Respectfully’ should be replaced with ‘respectively’.

## TR06

**Full name:** Iwan Easton

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Taylor Wimpey UK Ltd

**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.:** TR06

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

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** It is disappointing that the previous concerns raised by Taylor Wimpey during the previous Regulation 19 Consultation have not been considered during this consultation. The Policy remains unchanged and remains to be unsound for the reasons outlined below.

Policy TR06 requires that all major developments provide access to terrestrial or satellite superfast broadband and high-quality communications. However, this policy is overly restrictive, particularly for sites located in smaller or isolated communities where issues of practicality and viability are significant.

We consider that it is essential to reiterate that local planning authorities should engage with developers to assess the feasibility of delivering superfast broadband connections in proximity to the site. Such considerations should be proportionate, taking into account the scale of the development and the associated costs of any additional infrastructure required.

**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.:** Our attendance is necessary to effectively discuss the points raised in these representations.

**Full name:** Danielle Halford

**Organisation (where relevant):** Boyer Planning

**Other party name (if relevant):** Persimmon Homes South West Limited

**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.:** TR06

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?:** No

**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.:** Policy TR06: Digital Connectivity

2.39 Policy TR06 requires that all major developments provide access to terrestrial or satellite superfast broadband and high-quality communications.

2.40 However, this policy may be unduly restrictive, particularly for sites located in smaller or isolated communities where issues of practicality and viability are significant.

2.41 We consider that it is essential to reiterate that local planning authorities should engage with developers to assess the feasibility of delivering superfast broadband connections in proximity to the Site. Such considerations should be proportionate, taking into account the scale of the development and the associated costs of any additional infrastructure required.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:**

2.41 We consider that it is essential to reiterate that local planning authorities should engage with developers to assess the feasibility of delivering superfast broadband connections in proximity to the Site. Such considerations should be proportionate, taking into account the scale of the development and the associated costs of any additional infrastructure required.

**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.:** Our attendance is necessary to effectively discuss the points raised in these representations.

## TR07

**Full name:** Mr Tom Pearson

**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.:** TR07

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

**2. Do you consider that this part of the Sustainable Transport and Communications chapter is legally compliant?:** No

**2(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not legally compliant. Please be as precise as possible.:** Policy TR07 fails to meet legal compliance requirements in several key areas: Failure to Adequately Consider Health and Equality Duties: The policy does not sufficiently address the Council's statutory duties under the Equality Act 2010 to consider the needs of vulnerable groups, including individuals with medical devices, electromagnetic hypersensitivity (EHS), and other health vulnerabilities. Case law, such as Thomas v Cheltenham Borough Council [2024], establishes that planning authorities must consider health impacts on vulnerable populations even when ICNIRP guidelines are met. Inadequate Risk Assessment Framework: The policy lacks provisions for comprehensive risk assessments that would identify and address risks to individuals potentially affected by electromagnetic field (EMF) levels below ICNIRP thresholds. ICNIRP guidelines address only thermal effects, whereas biological effects can occur at much lower exposure levels, as documented in peer-reviewed literature (Henshaw and Philips, 2024). Insufficient Public Consultation Requirements: Policy TR07 mentions consultation but does not mandate specific consultation requirements with residents, schools, and care facilities within proximity to proposed installations, contrary to best practice guidance in the Code of Practice for Wireless Network Development in England. Absence of Cumulative Impact Assessment: The policy fails to require assessment of cumulative EMF exposure from multiple installations, which is essential for protecting public health and complies with precautionary planning principles.

**2(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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.:** To achieve legal compliance, Policy TR07 should be amended as follows: Insert new subsection E after current subsection D: "E. Submission of a satisfactory risk assessment that includes: i. Documented consultation outcomes with residents, businesses, schools, colleges, and residential institutions within 500 metres of the proposed installation; ii. Identification and mitigation of risks to individuals potentially affected by EMF levels below ICNIRP thresholds, including those with medical devices, electromagnetic hypersensitivity, or other vulnerabilities; iii. Assessment of cumulative EMF impacts from existing and proposed wireless infrastructure; iv. Application of exclusion zones where appropriate, particularly near schools, hospitals, care homes, and residential areas with high concentrations of vulnerable individuals." Amend subsection B to read: "B. Mandatory public consultation with the local planning authority, local communities, schools, care facilities, and other stakeholders within 500 metres of the proposed site, conducted prior to submission of any planning application and in accordance with the Code of Practice for Wireless Network Development in England;" Insert new subsection F: "F. Application of the precautionary principle where scientific uncertainty exists regarding potential health impacts, with planning decisions guided by independent scientific evidence in addition to ICNIRP thermal limits." Justification: These modifications are necessary to ensure the policy complies with: • The Equality Act 2010 duties to consider vulnerable groups • Established case law regarding health considerations in telecommunications planning • The precautionary principle recognised in planning law • Best practice as demonstrated by Castle Point Council's Policy Infra6

**3. Do you consider that this part of the Sustainable Transport and Communications chapter is sound?: No**

**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.:** Policy TR07 fails the tests of soundness on the following grounds: Not Positively Prepared: The policy does not adequately plan for the health and wellbeing needs of all community members, particularly vulnerable groups. Independent research and community evidence, such as the Wishaw mast cluster in Sutton Coldfield, demonstrate that residents living within 500 metres of telecommunications installations have reported serious health concerns including cancer clusters. The policy fails to proactively address these documented risks. Not Justified: The policy's reliance solely on ICNIRP guidelines is not justified by the available evidence. ICNIRP guidelines address only thermal effects, whereas numerous peer-reviewed studies document biological effects at much lower exposure levels. The PHIRE Medical Consensus Statement (2020) and extensive independent scientific literature demonstrate that biological effects occur below current regulatory limits. The policy does not represent the most appropriate strategy when considered against reasonable alternatives, such as the Castle Point Council approach. Not Effective: The policy lacks

enforceable mechanisms to:

- Ensure meaningful public consultation before installations proceed
- Assess cumulative EMF exposure from multiple sources
- Protect vulnerable populations including children, pregnant women, and individuals with medical devices or EHS
- Implement exclusion zones around sensitive locations
- Monitor and respond to community health concerns post-installation

Not Consistent with National Policy: While national policy supports telecommunications development, it also requires consideration of health and environmental impacts. The policy fails to adequately balance telecommunications needs with the precautionary principle and protection of public health, particularly given growing scientific evidence and community concerns.

**3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications 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 Sustainable Transport and Communications 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 make Policy TR07 sound, adopt the following modifications based on Castle Point Council's Policy Infra6 (pages 154-155 of the Castle Point Plan):

Replace current subsection D and add comprehensive health protection provisions:

"D. Compliance with biologically-based safety recommendations that consider both thermal and non-thermal effects of electromagnetic radiation, with ICNIRP public exposure levels serving as a minimum baseline rather than sole criterion;

E. Submission of a comprehensive risk assessment demonstrating:

- Outcomes of mandatory consultation with all residents, businesses, educational institutions, and care facilities within 500 metres of the proposed installation site;
- Detailed analysis of risks to individuals who may be affected by EMF levels below ICNIRP thresholds, including:
  - People with medical devices (pacemakers, insulin pumps, etc.)
  - Individuals with electromagnetic hypersensitivity
  - Children and pregnant women
  - Elderly residents and those with pre-existing health conditions
- Assessment of cumulative electromagnetic exposure from all existing and proposed wireless infrastructure within the assessment area;
- Justification for site selection demonstrating that alternative locations with lower impact on residential areas and vulnerable populations have been considered;

F. Implementation of appropriate exclusion zones applying the agent of change principle, with minimum separation distances from:

- Schools, nurseries, and educational facilities - 500 metres
- Hospitals, care homes, and medical facilities - 500 metres
- Residential areas with high concentrations of vulnerable individuals - as determined by risk assessment
- Areas of high residential density - as determined by cumulative impact assessment;

G. Establishment of a clear, accessible process by which residents can raise health concerns and receive formal consideration prior to approval, with written responses to all substantive objections;

H. Post-installation monitoring and complaint response

procedures, including provisions for equipment relocation or modification if adverse health effects are reported and substantiated." Amend the supporting text to include: "The Council recognises that scientific evidence on electromagnetic field health effects continues to evolve. In accordance with the precautionary principle, the Council will give weight to independent peer-reviewed research in addition to regulatory guidelines. Where credible scientific evidence suggests potential health risks, the Council will err on the side of caution in protecting public health, particularly for vulnerable groups." Justification: These modifications make the policy sound by: • Positively prepared: Proactively protecting all community members, especially vulnerable groups, based on documented evidence and best practice • Justified: Drawing on independent scientific evidence, community experience (e.g., Wishaw cluster), and the successful Castle Point model as the most appropriate strategy • Effective: Providing clear, enforceable criteria with specific consultation requirements, exclusion zones, and monitoring procedures • Consistent: Balancing telecommunications development with health protection in accordance with planning law's precautionary approach and equality duties The Castle Point precedent demonstrates these provisions are deliverable and legally robust while still enabling necessary telecommunications infrastructure development.

**4. Do you consider that this part of the Sustainable Transport and Communications chapter complies with the duty to cooperate?: No**

**4(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter fails to comply with the duty to cooperate. Please be as precise as possible.:** The policy demonstrates insufficient evidence of cooperation on the strategic cross-boundary issue of electromagnetic field exposure and public health protection. Lack of Evidence of Engagement: There is no evidence that East Devon Council has engaged with neighbouring authorities, health bodies, or relevant stakeholders on the strategic approach to telecommunications infrastructure and health protection. Given that EMF exposure affects populations across administrative boundaries, this represents a strategic planning matter requiring cooperation. Failure to Learn from Best Practice: The Council has not demonstrated engagement with authorities such as Castle Point Council, which has developed leading practice in this area (Policy Infra6). Learning from and coordinating with councils that have adopted precautionary, evidence-based approaches would strengthen the plan and demonstrate effective cooperation. Inadequate Health Authority Engagement: There is no evidence of cooperation with public health authorities, NHS trusts, or health organisations serving the East Devon area regarding the health implications of telecommunications infrastructure siting and the protection of vulnerable populations.

**5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:** No, I do not wish to participate in hearing session(s)