
East Devon Local Plan Regulation 19 (Phase 1)

Strategic Policy SP02

Policy Omission: Land at Mosshayne Lane

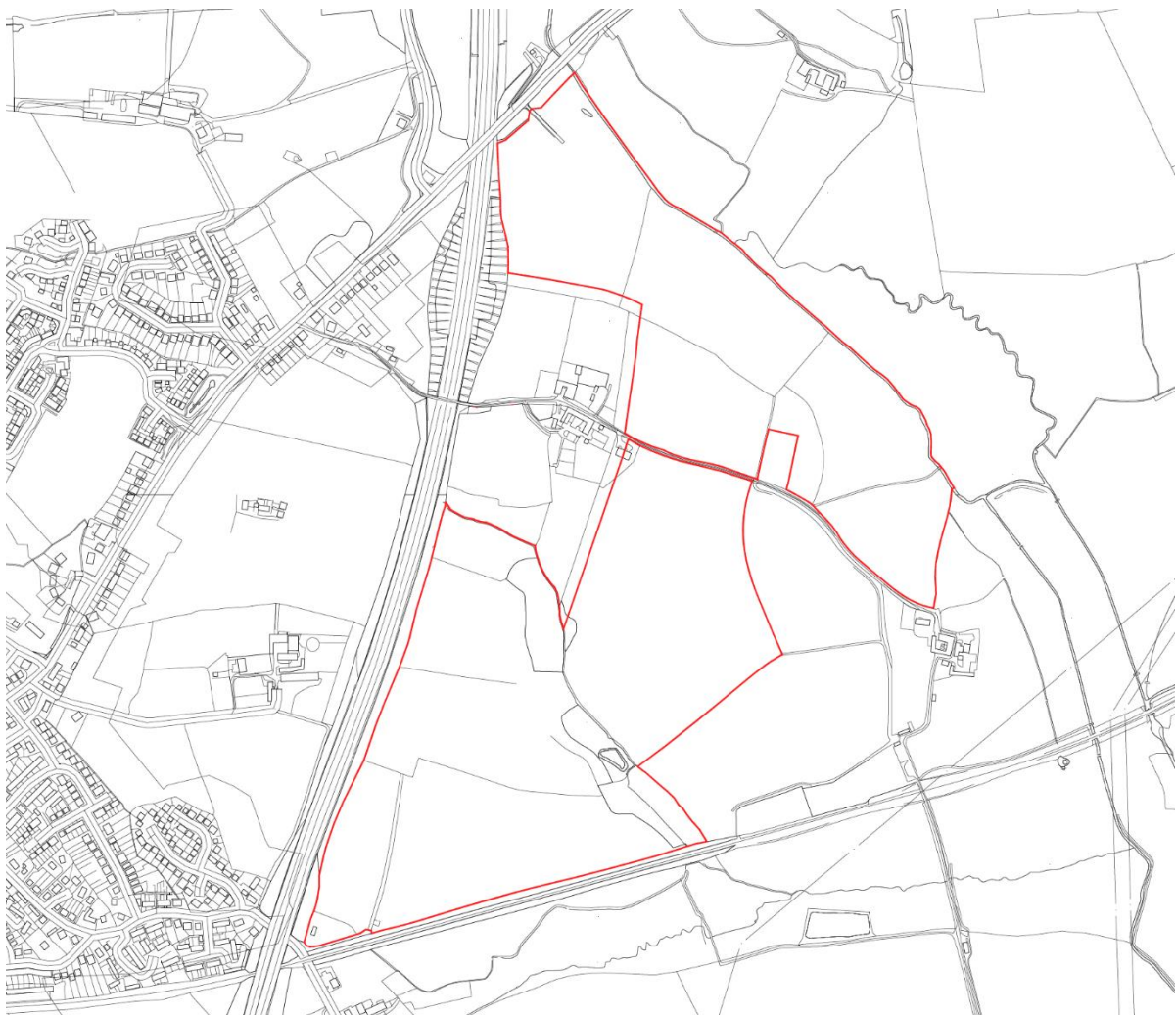
Representation by Savills on behalf of Mac Mic Strategic
Land

March 2025

Introduction

1. This representation is submitted by Savills on behalf of Mac Mic Strategic Land (from hereon referred to as 'Mac Mic'). Mac Mic is a strategic land promoter with a strong reputation for delivering planning permissions that lead to high-quality development.
2. Mac Mic has instructed Savills on their behalf to submit representations on their behalf to the emerging Local Plan in relation to the Land at Mosshayne. This land was previously promoted for development by another party and representations submitted in support of its allocation at the Regulation 18 stage of the consultation on the emerging Local Plan. It was also assessed through the HELAA process and assessed as a 'reasonable alternative' through the Sustainability Appraisal (SA) under site reference Brcl_31.

Figure 1 – Site Plan



3. Whilst the site was tested as a reasonable *alternative* to the proposed strategic scale development in the West End, it is not on that basis that it is proposed for allocation. In other representations to the Regulation 19 Local Plan (the 'Plan') we have raised significant concerns over the compatibility of the housing requirement with the revised Standard Method and the consequent shortfall in the housing land supply. There is a need for the Plan to allocate further land for development in order to address this shortfall. For the reasons explained in this representation, the site is an ideal opportunity to accommodate a significant proportion of that shortfall. In summary it is:
- a. **Compatible with the EDDC Spatial Strategy**, providing strategic scale growth in a sustainable location within the West End of the authority area;
 - b. **Suitably and sustainably located** in a relatively unconstrained location close to Exeter with good access to a wide range of services, facilities and sustainable movement opportunities; and
 - c. **Available for development** with the landowner having confirmed its availability and having entered into a promotion agreement with Mac Mic.
4. The site is therefore 'developable' in the first phase of the plan period in accordance with the definition in the Framework Glossary. The remainder of this representation expands upon these reasons.

Compatible with the EDDC Spatial Strategy

5. The Plan and the supporting evidence base provide very strong support for strategic scale growth in the West End of East Devon and the site aligns with the East Devon Local Plan spatial strategy for several key reasons:

a) *Strategic Location within the West End*

The East Devon Local Plan focuses on directing significant development towards the West End of the district, which includes land near Exeter and along key transport corridors. This area is deemed to be the most sustainable strategic location due to the collocation of housing and jobs. The site falls within this strategically important area, which has been

identified for both housing and employment growth due to its connectivity and existing infrastructure. As explained in the following section, the site benefits from close proximity and sustainable transport connectivity to a significant range of employment opportunities.

b) Sustainability and Infrastructure Support

The West End is considered a highly sustainable development location because of existing and planned infrastructure, including public transport links, green infrastructure, and employment opportunities. The plan aims to cluster development in areas where services can be efficiently provided, reducing the need for car travel and minimising environmental impact. The site is perfectly placed to benefit from this existing and planned infrastructure growth.

c) Proximity to the Clyst Valley Regional Park

The sustainability appraisal of the Local Plan emphasises the importance of integrating new developments with the Clyst Valley Regional Park to provide green infrastructure, enhance biodiversity, and mitigate recreational pressure on sensitive sites. The site's location offers potential for such integration and enhancement by extending the regional park, thereby contributing to the plan's environmental objectives.

d) Economic Growth and Job Creation

The spatial strategy supports employment-led growth in the West End, recognising its role as a hub for high-value industries, including those linked to the Science Park and Exeter's economy. Development on the site would contribute to this vision by providing new homes for the future employees of the area.

6. For these reasons the site is compatible with the Local Plan spatial strategy because it supports sustainable development principles, aligns with infrastructure investment priorities, and fits within the overarching goal of focusing growth in the West End. EDDC has identified it as a viable option for development, pending resolution of access issues, making it a strategic and sustainable choice for future expansion



Suitably and Sustainably Located

7. The evidence produced by EDDC clearly demonstrates that the site represents a suitable and sustainable location for development. The two key pieces of evidence which point to this conclusion are the Sustainability Appraisal and the East of Exeter (brcl_31) Site Selection Report.
8. The former compiles high-level evidence regarding the sustainability of the site within the framework of the 13 objectives of the Sustainability Appraisal (SA). While the analysis conducted by the East Devon District Council (EDDC) and its consultants, LUC, indicates that the site is a suitable location, the methodology used does not consider potential mitigation options available. These options could address, and in some instances, overcome the adverse impacts of development. Furthermore, it does not account for opportunities for the development to enhance public benefits.
9. The analysis below responds to each of the SA objectives, commenting upon the ‘score’ that has been attributed to the site and how this would change through suitable design and/or mitigation measures.

SA Objective	SA ‘Score’	Comments	Alternative SA ‘Score’
1. Biodiversity	+ / -	Whilst the site is within the 10km buffer zone around the Exe Estuary and Pebblebed Heaths European sites, it is significantly further from these protected habitats than other strategic development locations in the West End. This distinction has not however been drawn out in the SA. We do not object to the principle of a new community, however Option 1 (which has been selected for the new community in the Plan) is considerably closer to these protected habitats and significantly larger in scale than the Site. There is a far greater potential impact from	++ / -

		<p>that development on protected habitats which is not borne out in the comparative assessment.</p> <p>A more nuanced analysis of the impacts of development would reveal that, whilst within the 10km buffer zone, the likelihood of a significant impact is very limited.</p> <p>Furthermore, whilst the SA notes the requirement to deliver a 10% BNG as part of development, it does not acknowledge the opportunities available through the development to deliver enhancements to the Clyst Valley Regional Park (CVRP). The CVRP adjacent to the site and there is potential to incorporate significant green infrastructure within the proposals which would connect to it and enhance its accessibility. This, alongside the onsite BNG, increases the positive opportunities from the site.</p>	
2. Landscape	-	<p>The site is greenfield and in accordance with Landscape Institute guidance it is inevitable that there will be a degree of adverse impact arising from the development. We agree that the magnitude of this adverse impact is correctly categorised a minor.</p>	-
3. Historic and Built Environment	-	<p>There is only a single Grade II Listed Building within the site which is surrounded by other buildings. The scale of the site is such that the impact of development on the setting of this listed building could be effectively managed and mitigated through the masterplanning and landscaping of the development to such an extent that overall therefore we conclude that the impact would be neutral.</p>	0

4. Climate Change – Carbon Emissions	+	<p>The SA acknowledges the proximity of the site to a wide range of services and facilities, including Pinhoe Station, and the opportunity this presents to deliver an accessible development which reduces the use of the private car. We entirely agree with this conclusion. The site is extremely well placed to deliver new homes in a location which minimises carbon emissions through transport. However, on that basis, we consider it should be scored more positively than the current SA.</p>	++
5. Climate Change – Adaptation	0	<p>The site is scored as having a neutral impact on climate change adaptation as there is land within the area assessed which is in FZ1 and FZ2 but that there is sufficient opportunity to avoid this area through the masterplanning of the site. In contrast the other sites close by which have been tested in the same section of the SA have been scored as a positive as none of the land falls within land at risk of flooding.</p> <p>In reality there is no difference in the effect of flooding on any of these sites and it would be more logical if they were scored consistently as having a minor positive effect. The minor positive, rather than neutral conclusion, is because the on-site attenuation as part of future development proposals will be required to match, if not exceed, existing Greenfield run-off rates.</p>	+
6. Land Resources	- / ?	<p>The SA infer a degree of uncertainty over the agricultural land quality and classification of the site. No further work has been undertaken to</p>	- / ?

		<p>assess the quality of the agricultural land and the SA score has therefore been retained.</p>	
7. Water Resources	- / ?	<p>The SA acknowledges that the site does not fall within a water source protection zone however scores the site negatively due to the effect of development on water quality and quantity and there being some uncertainty regarding the capacity of the existing water treatment works.</p> <p>It is not explained why development would have any negative impact upon water quality in the locality or how this conclusion has been reached. Through the implementation of a sustainable drainage strategy as part of the development there are ample opportunities to protect water quality through natural filtration systems.</p> <p>It is also unclear why water quantity is noted as a negative as there are no water availability constraints in the locality and the effect of other policies in the Plan and tightening Building Regulations will require reduced water consumption in future homes.</p> <p>Finally, with regards the capacity of the existing treatment works, there is a right for development to connect to the sewage system and the necessary upgrading of infrastructure is the responsibility of the utilities provider. This should not therefore impact upon the sustainability assessment of the site.</p>	0
8. Homes	++	<p>The site is scored as a maximum positive contribution, a score with which we agree.</p>	++

<p>9. Health and Wellbeing</p>	<p>+ / -</p>	<p>The assessment of the site against this SA objective has no regard to the potential for on-site infrastructure and the accessibility of public open space to be provided as part of the development. Nor does it have any regard to the mitigation measures which could be incorporated through the masterplan to address noise issues.</p> <p>The development would deliver a significant amount of public open space, including children's play provision and informal recreation space linked to the Clyst Valley Regional Park. The masterplanning of development would also have regard to noise sources in the vicinity and ensure that appropriate standards are achieved.</p> <p>Taking these into account we consider that the development of the site presents an outstanding opportunity to create an active and healthy environment which would support the well-being of future residents. The site has therefore been scored as a major positive against this objective.</p>	<p>++</p>
<p>10. Access to Services</p>	<p>+</p>	<p>Much of the Council's evidence base highlights the close proximity of the site to a wide range of services and facilities. Coupled with provision on site, this will ensure that residents of the development have a wide range of services available by active travel modes. With this in mind, it is somewhat surprising that the site was only scored as a minor positive and a major positive is therefore proposed as an alternative.</p>	<p>++</p>

11. Jobs and Employment	++	We agree with the conclusion that the site scores as a major positive in this regard given the wide range of employment opportunities available in close proximity.	++
12. Town Centres	-	<p>As previously stated, the site offers excellent accessibility to a variety of services, facilities, and employment opportunities. Although these amenities are not situated within a designated town centre, this does not diminish the sustainability of the location or its appropriateness for housing development.</p> <p>Whilst we do not therefore question the score which has been attributed to the site against this objective, we do question the value and validity of the objective itself.</p>	-
13. Connectivity and Transport	+ / --	<p>The site is extremely well placed for access to sustainable modes of transport. It is within active travel distance of a range of services and approximately 700m from Pinhoe Train Station. In terms of sustainable transport, the site should therefore be scored more positively.</p> <p>The negative conclusions of the SA in relation to this objective are largely a consequence of the previously expressed concerns regarding vehicular access. For the reasons expressed later in this representation, we consider there is a solution to address the access constraint and that this should not therefore be a reason to school the site negatively through the SA. Indeed, this is a deliverability rather than a sustainability issue and it should not therefore impact upon the assessed sustainability of the site through the SA.</p>	++

10. The Site Selection Report produced by EDDC briefly summarises the key planning considerations. Whilst it recognises that there is a degree of landscape and heritage sensitivity with regards to the location, these matters are capable of mitigation through appropriate masterplanning and landscaping. The residual / post-mitigation adverse impact arising from the development would be significantly reduced if not eliminated.
11. The Report correctly notes that there would be a minimal ecological impact from the development of the land provided the existing trees and hedges are retained and that there are opportunities to integrate the on-site green infrastructure with the adjacent Clyst Valley Regional Park.
12. It is also recognise that the site is currently within good walking/cycling distance from a range of existing services and facilities. Whilst it is anticipated that further provision would be made on site as part of the development, the active travel accessibility of the site to existing services and facilities would reduce private car use and is therefore a significant positive benefit to the location.
13. The only technical challenge noted previously as part of the Reg 18 consultation to delivery of the development was the ability to secure a suitable vehicle access due to no agreement having been reached with National Highways regarding the potential for a site access due to land ownerships. Further details are provided on this later in our representation.
14. The overall conclusion regarding the potential contribution of the site to spatial strategy presents an extremely positive assessment stating that:

"Land at Mosshayne Lane is a sustainable location for new development, which would align with the councils overall spatial strategy. The site is in close proximity to the extensive facilities and services available in Exeter, as well as other existing infrastructure in the vicinity of the site, including Pinhoe railway station to the south west and Exeter science Park to the south. The proposed development could facilitate a connection over the railway providing a link to these facilities."
15. Despite this positive assessment the site was not proposed for allocation and the reason for this is explained in the following section of the report entitled '*Reasons for allocating or not allocating*'. Under this heading EDDC reached the following conclusion:

"The proposed development would accommodate approximately 1000 dwellings, land for educational use and extensive areas of public open space (including a country park), which would collectively represent a sustainable community that could benefit future and existing residence within the Western part of East Devon. But because of highway access concerns allocation is not credible."

Conclusion

16. Based upon the EDDC evidence it is clear that there are no environmental constraints to development on the site and that the location is considered a sustainable opportunity to deliver strategic scale development. The only outstanding concern raised by policy officers is highways, a matter addressed in the following section.

Available for Development

17. Mac Mic is promoting the land with the express intention of securing planning permission for the site prior to bringing the land forward to the market for development.
18. The only outstanding matter to resolve with regards availability of the land for development is the creation of a suitable vehicle access. To that end, Mac Mic are in extensive negotiations with National Highways and Devon County Highways regarding the creation of an access from the B3181 in the north and from Langaton Lane to the south. There is a good degree of confidence at this will result in a legal agreement that enables the delivery of a vehicle access into the site. Whilst this has not been completed yet, it is anticipated that agreement will be reached in advance of the Local Plan Examination.
19. Once the access arrangements have been resolved, the site will be available and development achievable within the Plan period.

Overall Conclusion

20. The current Draft Regulation 19 Local Plan is not consistent with national policy and therefore sound as it does not currently propose a housing requirement which would deliver the Standard Method output, nor allocate sufficient land to accommodate the Standard Method output. In

accordance with our representation to Policy SP02 it is therefore necessary to increase the supply of housing land by a minimum of 5,227 homes during the plan period.

21. Consistent with the Local Plan evidence base and this representation, the Land at Mosshayne is a suitable, sustainable and achievable location to deliver a significant proportion of the housing land supply shortfall. Indeed, it could deliver up to 1,000 homes as part of a new neighbourhood which is compatible with the spatial strategy and exceptionally well located close to existing services, facilities, employment opportunities and sustainable transport infrastructure. Once the highway accessibility of the site has been confirmed, there is no reason why the land could not therefore be allocated in order to remedy the land supply shortfall that currently renders the Plan unsound.