

Filtered Data Export

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

1. Introduction

1. To which part of the Introduction chapter does your representation relate?:

Paragraph

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

1.1

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.: Please see attached reps for figures / appendices in relation to previously uploaded comments

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS01

3. Do you consider that this part of the High Quality Design chapter is sound?: No

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy AR01

3. Strategic Policy DS01 contains an extensive list of criteria with which development proposals are required to comply. Criterion D on this list is an obligation to "meet nationally and locally describes space standards".

4. The Nationally Described Space Standard (NDSS) is one of three optional standards that could be incorporated into Local Plan policies where evidence demonstrates a need exists. The Planning Practice Guidance states at Paragraph: 020 Reference ID: 56-020-20150327 that: "Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
- viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

- timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.”

5. We are aware of no evidence supporting the Local Plan which justifies the requirement for 100% of new homes to meet the NDSS. And whilst we do not doubt that the vast majority of households would wish to live in large homes if all other considerations were equal, that does not reflect the reality of the housing market. Larger homes are more expensive to construct than smaller properties and consequently have a higher sales value. Requiring all homes therefore to comply with NDSS will inevitably mean that some prospective house purchases are simply unable to afford a new home. In this respect, the policy conflicts with Strategic Policy HN01 (housing to address needs) which seeks to: "support development of dwellings most suited to younger people noting the importance of housing to support and nurture a younger workforce."

6. We strongly recommend that EDDC revisit Strategic Policy DS01 and establish a requirement which reflects the identified need rather than applying a blanket approach to NDSS.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.: We strongly recommend that EDDC revisit Strategic Policy DS01 and establish a requirement which reflects the identified need rather than applying a blanket approach to NDSS.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS01

2. Do you consider that this part of the High Quality Design chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the High Quality Design chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the High Quality Design chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.:

-

3. Do you consider that this part of the High Quality Design chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the High Quality Design chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.: See attached.

4. Do you consider that this part of the High Quality Design chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the High Quality Design chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the High Quality Design chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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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.: See attached.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS01

2. Do you consider that this part of the High Quality Design chapter is legally compliant?:

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2(a). If yes, and you wish to support the legal compliance of this part of the High Quality Design chapter, please use this box to set out your comments.:

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3. Do you consider that this part of the High Quality Design chapter is sound?:

-

3(a). If yes, and you wish to support the soundness of this part of the High Quality Design chapter, please use this box to set out your comments.:

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3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: See attached.

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4. Do you consider that this part of the High Quality Design chapter complies with the duty to cooperate?:

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4(b). If no, please give details of why you consider this part of the High Quality Design chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:

-

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.: See attached.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS02

2. Do you consider that this part of the High Quality Design chapter is legally compliant?: No

3. Do you consider that this part of the High Quality Design chapter is sound?: No

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: Whilst we are generally supportive of draft Policy DS02, but we are concerned about the proposal to require all major developments to be supported by a design code agreed with or produced by the council.

For many smaller development proposals, whilst classified as major development if over 10 dwellings, design principles can be agreed and captured through the development of site specific masterplans and Design and Access Statements. We therefore question the justification for seeking to impose specific design codes on 'all' major development proposals under this draft policy.

Furthermore, given the comments we have already made in relation to draft Policy SP02 and the proposed housing requirement and potential growth issues, we see this as an unnecessary additional layer of information which will likely only constrain and further slow down delivery.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.: We recommend that the Council either seek to justify this requirement or amend the policy to remove the current blanket approach.

4. Do you consider that this part of the High Quality Design chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy DS02 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal: 10. High Quality Design

1. To which part of the High Quality Design chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: DS02

2. Do you consider that this part of the High Quality Design chapter is legally compliant?: No

3. Do you consider that this part of the High Quality Design chapter is sound?: No

3(b). If no, please give details of why you consider this part of the High Quality Design chapter is not sound. Please be as precise as possible.: Whilst we are generally supportive of draft Policy DS02, we are concerned about the proposal to require all major developments to be supported by a design code agreed with or produced by the council.

For many smaller development proposals, whilst classified as major development if over 10 dwellings, design principles can be agreed and captured through the development of site specific masterplans and Design and Access Statements. We therefore question the justification for seeking to impose specific design codes on 'all' major development proposals under this draft policy.

3(c). Please set out the modification(s) you consider necessary to make this part of the High Quality Design 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 High Quality Design 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.: We recommend that the Council either seek to justify this requirement or amend the policy to remove the current blanket approach.

4. Do you consider that this part of the High Quality Design chapter complies with the duty to cooperate?: No

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.: It is important that 3West Group is present to participate in the hearing session for Policy DS02 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

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

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 support draft Policy TR02, and 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.

However, in order to ensure this critical infrastructure is delivered it is vital that new development is supported in order to aid the delivery of such infrastructure. It is clear for example that for the entirety of the Sidford to Sidbury route to be delivered this will require the delivery of the Land South of Furzehill, Sidbury (SIDM_34). Indeed, draft Policy SIDM_34 reflects this by stating “development of this site will enable the second phase of the Devon County Council proposed multi-use trail”. The pending outline planning application for the site (ref: 24/2434/MOUT) also includes the provision of the second phase of the multi-use path and is therefore consistent with the aspirations of both draft policies TR02 and SIDM_34.

It is therefore clear that the delivery of the two go hand in hand, so it therefore follows that both should be supported as part of the draft local plan.

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy TR02 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: No

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.: We object to the inclusion of draft Policy OL10, and consider there to be a complete lack of justification for such a policy.

The policy as drafted is not consistent with the NPPF and in any case is not required and is instead in danger of duplicating matters covered by national policy and guidance.

The draft policy also seeks to stray beyond the requirements of national policy and guidance at a time when the Government have been clear about the need to significantly increase housing delivery.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Our Outstanding Landscape 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 our view this policy is not consistent with the tests of soundness set out in paragraph 36 of the NPPF and should be removed in its entirety.

4. Do you consider that this part of the Our Outstanding Landscape chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy OL10 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal: 12. Our Outstanding Landscape

1. To which part of the Our Outstanding Landscape chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OL10

2. Do you consider that this part of the Our Outstanding Landscape chapter is legally compliant?: No

3. Do you consider that this part of the Our Outstanding Landscape chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Landscape chapter is not sound. Please be as precise as possible.: We object to the inclusion of draft Policy OL10, and consider there to be a complete lack of justification for such a policy.

The policy as drafted is not consistent with the NPPF and in any case is not required and is instead in danger of duplicating matters covered by national policy and guidance.

The draft policy also seeks to stray beyond the requirements of national policy and guidance at a time when the Government have been clear about the need to significantly increase housing delivery.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Landscape 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 Our Outstanding Landscape 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 our view this policy should be removed in its entirety.

4. Do you consider that this part of the Our Outstanding Landscape chapter complies with the duty to cooperate?: No

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.: It is important that 3West Group is present to participate in the hearing session for Policy OL10 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB05

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: We object to this policy as currently drafted.

Whilst we support the principle of supporting biodiversity, as currently drafted this draft Policy does not align with national policy, guidance and legislation on Biodiversity Net Gain. This is particularly important as the PPG is clear that there is no need for local planning policy to repeat national BNG requirements.

Principally:

- This draft Policy must not deviate from the Environment Act's requirement for at least 10%.
- As is allowed for in the PPG, the draft Policy does not appropriately allow for BNG on large phased sites being considered as a whole, rather than 10% needing to be delivered in each phase.

- It is unclear whether the costs of BNG have been considered in full within the Council's viability evidence.

The PPG is clear that local plans “should not seek a higher percentage than the statutory objective of ten per cent biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified”. It adds: “to justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”

In addition to the clear position set out in the PPG, it is also important to note that the 20% net gain proposed has the potential to constrain smaller sites given that there is clearly less scope within such sites to deliver higher net gains. A higher 20% requirement would clearly result in significant reductions in the level of housing to achieve the higher requirement in turn likely rendering such schemes unviable at a time when additional housing is absolutely required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: As a result of the above, we urge the Council to review this draft Policy prior to progressing. As such no specific edits are proposed here.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy PB05 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB05

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: No

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: We object to this policy as currently drafted.

Whilst we support the principle of supporting biodiversity, as currently drafted this draft Policy does not align with national policy, guidance and legislation on Biodiversity Net Gain. This is particularly important as the PPG is clear that there is no need for local planning policy to repeat national BNG requirements. Principally:

- This draft Policy must not deviate from the Environment Act's requirement for at least 10%.
- As is allowed for in the PPG, the draft Policy does not appropriately allow for BNG on large phased sites being considered as a whole, rather than 10% needing to be delivered in each phase.

- It is unclear whether the costs of BNG have been considered in full within the Council's viability evidence.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: As a result of the above, we urge the Council to review this draft Policy prior to progressing. As such no specific edits are proposed here.

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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.: It is important that 3West Group is present to participate in the hearing session for Policy PB05 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB08

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy PB08

3. Policy PB08 contains extensive detail details on the approach to trees, hedgerow and woodlands on development sites. While we do not necessarily disagree with the substance of this policy, it is questionable whether such extensive details are required in policy wording and also whether there is unnecessary duplication between this policy and PB03 of the Local Plan.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: Policy PB08

contains extensive detail details on the approach to trees, hedgerow and woodlands on development sites. While we do not necessarily disagree with the substance of this policy, it is questionable whether such extensive details are required in policy wording and also whether there is unnecessary duplication between this policy and PB03 of the Local Plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB08

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.:

-

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Biodiversity and Geodiversity chapter, please use this box to set out your comments.:

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3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: See attached.

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4(a). If yes, and you wish to support this part of the Our Outstanding Biodiversity and Geodiversity chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

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Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB09

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy PB09

3. Policy PB09 contains a requirement for developers to take out a financial bond prior to commencement of development to cover the cost of monitoring and, if necessary, replacing trees planted as part of the development. This presents a wholly unnecessary and unjustified additional financial burden on development. It is typical for Section 106 agreements to contain provisions requiring the replacement of trees if they fail within the first five years of development. These legal protections exist already and an expensive financial Bond is not therefore required. This policy should be deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: Policy PB09 contains a requirement for developers to take out a financial bond prior to commencement of development to cover the cost of monitoring and, if necessary, replacing trees planted as part of the development. This presents a wholly unnecessary and unjustified additional financial burden on development. It is typical for Section 106 agreements to contain provisions requiring the replacement of trees if they fail within

the first five years of development. These legal protections exist already and an expensive financial Bond is not therefore required. This policy should be deleted.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 13. Our Outstanding Biodiversity and Geodiversity

1. To which part of the Our Outstanding Biodiversity and Geodiversity chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: PB09

2. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Introduction chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.:

-

3. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Biodiversity and Geodiversity chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Biodiversity and Geodiversity 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 Our Outstanding Biodiversity and Geodiversity 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.: See attached.

4. Do you consider that this part of the Our Outstanding Biodiversity and Geodiversity chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Our Outstanding Biodiversity and Geodiversity chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Our Outstanding Biodiversity and Geodiversity chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

-

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 14. Open Space and Sports and Recreation

1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OS02

3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.:

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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy OS02

3. The first section of Policy OS02 reiterate the requirements of the Fields in Trust and the Natural England Green Infrastructure and Accessible Greenspace Standards. We have no objection to the provision of open space within Development in accordance with the standards provided this reflects the availability of open space existing in the locality. In other words, if there is existing sufficient open space within the maximum walking distance guidelines, then there should be no need to provide further space on site.

4. We do however fundamentally object to the second part of policy OS02. The unduly prescriptive standards proposed would compromise the effective masterplanning of a development and have potential to lead to inefficient use of land, in conflict with the desire to optimise density expressed in Policy DS02 of the plan. Rather than prescribing specific distances and standards, each site should be considered on its merits and with an understanding of the layout, form, topography etc. Only with this site specific information is it possible to design an effective masterplan which accommodates the necessary open space in a manner which also achieves the other policy aspirations and objectives contained within the Local Plan.

5. The second paragraph in the first part of the policy already requires the submission of a clear 'Open Space Strategy' which sets out how the site responds to local needs and provision. It is through this strategy and the masterplanning of the site where the provision of open space can be carefully considered on a site specific basis.

6. For this reason, we recommend that all of the text under the heading "additional requirement for residential developments over 200 dwellings" is deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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 second paragraph in the first part of the policy already requires the submission of a clear 'Open Space Strategy' which sets out how the site responds to local needs and provision. It is through this strategy and the masterplanning of the site where the provision of open space can be carefully considered on a site specific basis.

6. For this reason, we recommend that all of the text under the heading "additional requirement for residential developments over 200 dwellings" is deleted.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 14. Open Space and Sports and Recreation

1. To which part of the Open Space and Sports and Recreation chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: OS02

2. Do you consider that this part of the Open Space and Sports and Recreation chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.:

-

3. Do you consider that this part of the Open Space and Sports and Recreation chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Open Space and Sports and Recreation chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Open Space and Sports and Recreation 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 Open Space and Sports and Recreation 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.: See attached.

4. Do you consider that this part of the Open Space and Sports and Recreation chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Open Space and Sports and Recreation chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Open Space and Sports and Recreation chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

-

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.:

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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy HE02

3. There is an internal inconsistency in the tests set out within Policy HE02 which must be addressed prior to Local Plan adoption.

4. The opening paragraph and Criterion A of the policy states at all proposals "will be expected to: ... Conserve, enhance or better reveal those elements which contribute to the heritage significance and/or it's setting". This sets a binary no loss or no harm test for proposed development which, in itself is incompatible with heritage policy in the Framework (2024).

5. The policy approach in the Framework however is an integrated into the subsequent two sections of the Policy which relate to circumstances where development would cause substantial, or less substantial, harm to a heritage asset or its setting.

6. At present therefore the policy both states that there will be in effect no harm permitted but then recognises that harm could exist and explains how development proposals should respond in those circumstances.

7. Due to it in compatibility with the Framework, we recommend that the first section of Policy HE02 is deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment 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 Our Outstanding Historic Environment 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.: There is an internal inconsistency in the tests set out within Policy HE02 which must be addressed prior to Local Plan adoption.

4. The opening paragraph and Criterion A of the policy states at all proposals "will be expected to: ... Conserve, enhance or better reveal those elements which contribute to the heritage significance and/or it's setting". This sets a binary no loss or no harm test for proposed development which, in itself is incompatible with heritage policy in the Framework (2024).

5. The policy approach in the Framework however is an integrated into the subsequent two sections of the Policy which relate to circumstances where development would cause substantial, or less substantial, harm to a heritage asset or its setting.

6. At present therefore the policy both states that there will be in effect no harm permitted but then recognises that harm could exist and explains how development proposals should respond in those circumstances.

7. Due to it in compatibility with the Framework, we recommend that the first section of Policy HE02 is deleted.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE02

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment 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 Our Outstanding Historic Environment 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.:

-

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment 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 Our Outstanding Historic Environment 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.: See attached.

4. Do you consider that this part of the Our Outstanding Historic Environment chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Our Outstanding Historic Environment chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

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4(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

-

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.:

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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy HE04

3. For the same reasons as we object to Policy HE02, we also object to Policy HE04.

4. The opening sentence a Policy HE04 establishes a requirement to "protect" schedule monuments and other archaeological artefacts whether designated or not. If this policy statement is to be complied with then there could be no harm arising from development, however, the policy later goes on to state that: "Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposed development."

5. The policy approach is therefore inconsistent as it is setting two separate and incompatible tests for development proposals. To remove this incompatibility in the Policy and the inconsistency with the Framework, the opening sentence of Policy HE04 should be deleted.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment 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 Our Outstanding Historic Environment 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 opening

sentence a Policy HE04 establishes a requirement to "protect" schedule monuments and other archaeological artefacts whether designated or not. If this policy statement is to be complied with then there could be no harm arising from development, however, the policy later goes on to state that: "Where a development proposal will lead to less than substantial harm to the significance of such remains, this harm will be weighed against the public benefits of the proposed development."

5. The policy approach is therefore inconsistent as it is setting two separate and incompatible tests for development proposals. To remove this incompatibility in the Policy and the inconsistency with the Framework, the opening sentence of Policy HE04 should be deleted.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal: 15. Our Outstanding Historic Environment

1. To which part of the Our Outstanding Historic Environment chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HE04

2. Do you consider that this part of the Our Outstanding Historic Environment chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment 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 Our Outstanding Historic Environment 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.:

-

3. Do you consider that this part of the Our Outstanding Historic Environment chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Our Outstanding Historic Environment chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Our Outstanding Historic Environment 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 Our Outstanding Historic Environment 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.: See attached.

4. Do you consider that this part of the Our Outstanding Historic Environment chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Our Outstanding Historic Environment chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Our Outstanding Historic Environment chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

-

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

-

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

-

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?:

-

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?:

-

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

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3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

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3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

-

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?:

-

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:

-

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. : See previous comments.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

-

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

-

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?:

-

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?:

-

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

-

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

-

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?:

-

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:

-

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. : We object to the inflexible nature of this policy and wish to explain this position to the Inspector.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

-

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

-

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?:

-

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?:

-

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

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3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

-

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?:

-

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:

-

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. :

-

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

-

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

-

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?:

-

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?:

-

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

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3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

-

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?:

-

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:

-

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. :

-

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: In general, we are supportive of the proposed spatial strategy, and agree that there is a need to focus the spatial strategy on development at the most sustainable towns in the district. However, it is clear that the most sustainable villages are capable of playing significant role within the spatial strategy.

To help with this we welcome the Council's decision to include allocations at a range of settlements, not only the larger towns in the District.

We do continue to maintain that reference within the Draft Plan to an allowance for only 'limited development to meet local needs at the Service Villages' should be carefully considered to ensure that the growth directed to those villages is proportionate. From reviewing the Regulation 19 plan it is clear that for a number of villages more than simply 'limited' development is directed to those settlements. This is a matter we support. Development at the sustainable towns and villages is important to ensure the delivery of affordable housing for those locally who really need it, as well as supporting local shops and services.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: We therefore consider that it is the wording 'limited' which should be reviewed in order to ensure that the important role the villages can play is strengthened within the draft plan.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy SP01 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: In general we are supportive of the proposed spatial strategy, and agree that there is a need to focus the spatial strategy on development at the most sustainable towns in the district. However, it is clear that the most sustainable villages are capable of playing significant role within the spatial strategy.

To help with this we welcome the Council's decision to include allocations at a range of settlements, not only the larger towns in the District.

We do continue to maintain that reference within the Draft Plan to an allowance for only 'limited development to meet local needs at the Service Villages' should be carefully considered to ensure that the growth directed to those villages is proportionate. From reviewing the Regulation 19 plan it is clear that for a number of villages more than simply 'limited' development is directed to those settlements. This is a matter we support and we therefore consider that it is the wording 'limited' which should be reviewed in order to ensure that the important role the villages can play is strengthened within the draft plan.

4. Do you consider that this part of the Spatial Strategy 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. : It is important that 3West Group is present to participate in the hearing session for Policy SP01 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy.

Policy SP01

3. Mac Mic broadly support the proposed spatial strategy contained within Strategic Policy SP01. The West End of East Devon is closest to the employment opportunities, higher order services and facilities and supporting infrastructure which will enable the delivery of strategic scale sustainable development.

4. Whilst the West End is not a spatially defined policy area, the description clearly includes the land close to Exeter at Mosshayne Lane.

4. Do you consider that this part of the Spatial Strategy 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)?: No, I do not wish to participate in hearing session(s)

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: See attached.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

-

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

-

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. :

-

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP01

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.: See attached.

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.:

-

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

-

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. :

-

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Draft Policy SP02 sets out the proposed housing requirement for the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. However, this is proposed to be split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

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

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

We address each of the two matters in turn below.

UNCERTAINTY OVER WHETHER THE LOCAL PLAN CAN PROCEED UNDER THE TRANSITIONAL ARRANGEMENTS

From our reading of the Forward to the Plan and the Justification for Policy SP02, it is clear that the Council has commenced consultation on the Plan before it is ready, with the intention to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output.

This intention is very clear when reading how the proposed housing requirement has been described in paragraph 3.11 of the Plan. This justification for the policy in this paragraph explains that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

In our view this approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads.

However, more fundamentally, we are concerned over whether the Local Plan consultation is even able to proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below:

“234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83.”

This is supported by two related footnotes. The first of these – Footnote 82 – is as follows:

“Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).”

The reference to “each of the proposed submission documents” is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose.

On the basis of the above we consider there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply.

In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

STEPPED HOUSING TRAJECTORY

In very simple terms, we consider that there is absolutely no justification for adopting a stepped trajectory in the draft plan for that reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

The Planning Practice Guidance helpfully attends directly to the question of ‘When is a stepped housing requirement appropriate for plan-making?’. In so doing it provide the following guidance:

“A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.”

The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base.

Overall, the Council needs to play its part in addressing the housing crisis. Rather than trying to do the bare minimum to scrape through under the transitional arrangements, the Council could and should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method.

As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: UNCERTAINTY OVER WHETHER THE LOCAL PLAN CAN PROCEED UNDER THE TRANSITIONAL ARRANGEMENTS

The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

STEPPED HOUSING TRAJECTORY

In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy SP02 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Summerfield Homes

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Draft Policy SP02 sets out the proposed housing requirement for the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. However, this is proposed to be split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

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

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

We address each of the two matters in turn below.

UNCERTAINTY OVER WHETHER THE LOCAL PLAN CAN PROCEED UNDER THE TRANSITIONAL ARRANGEMENTS

From our reading of the Forward to the Plan and the Justification for Policy SP02, it is clear that the Council has commenced consultation on the Plan before it is ready, with the intention to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output.

This intention is very clear when reading how the proposed housing requirement has been described in paragraph 3.11 of the Plan. This justification for the policy in this paragraph explains that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

In our view this approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads.

However, more fundamentally, we are concerned over whether the Local Plan consultation is even able to proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below:

“234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

"a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83.”

This is supported by two related footnotes. The first of these – Footnote 82 – is as follows:

“Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).”

The reference to “each of the proposed submission documents” is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose.

On the basis of the above we consider there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply.

In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

STEPPED HOUSING TRAJECTORY

In very simple terms, we consider that there is absolutely no justification for adopting a stepped trajectory in the draft plan for that reduces the housing requirement for the five

years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

The Planning Practice Guidance helpfully attends directly to the question of ‘When is a stepped housing requirement appropriate for plan-making?’. In so doing it provide the following guidance:

“A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.”

The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base.

Overall, the Council needs to play its part in addressing the housing crisis. Rather than trying to do the bare minimum to scrape through under the transitional arrangements, the Council could and should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: UNCERTAINTY OVER WHETHER THE LOCAL PLAN CAN PROCEED UNDER THE TRANSITIONAL ARRANGEMENTS

The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local

Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

STEPPED HOUSING TRAJECTORY

As it stands, the transitional arrangements do not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : It is important that Summerfield Homes Ltd is present to participate in the hearing session for Policy SP02 owing to their interest in the Land adjacent to Markers Park, Payhembury (Payh_03a). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Draft Policy SP02 sets out the proposed housing requirement for the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. However, this is proposed to be split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

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

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

We address each of the two matters in turn below.

UNCERTAINTY OVER WHETHER THE LOCAL PLAN CAN PROCEED UNDER THE TRANSITIONAL ARRANGEMENTS

From our reading of the Forward to the Plan and the Justification for Policy SP02, it is clear that the Council has commenced consultation on the Plan before it is ready, with the intention to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output.

This intention is very clear when reading how the proposed housing requirement has been described in paragraph 3.11 of the Plan. This justification for the policy in this paragraph explains that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF.

In our view this approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads.

However, more fundamentally, we are concerned over whether the Local Plan consultation is even able to proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below:

“234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83.”

This is supported by two related footnotes. The first of these – Footnote 82 – is as follows:

“Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context “reached Regulation 19” refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies).”

The reference to “each of the proposed submission documents” is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose.

On the basis of the above we consider there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply.

In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for”.

STEPPED HOUSING TRAJECTORY

In very simple terms, we consider that there is absolutely no justification for adopting a stepped trajectory in the draft plan for that reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period.

The Planning Practice Guidance helpfully attends directly to the question of ‘When is a stepped housing requirement appropriate for plan-making?’. In so doing it provide the following guidance:

“A stepped housing requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and / or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to identify the stepped requirement in strategic housing policy, and to set out evidence to support this approach, and not seek to unnecessarily delay meeting identified development needs. Stepped requirements will need to ensure that planned housing requirements are met fully within the plan period. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs.”

The guidance also advises that evidence must be provided to support a stepped approach if one is proposed. There is no such evidence in the draft plan or the evidence base.

Overall, the Council needs to play its part in addressing the housing crisis. Rather than trying to do the bare minimum to scrape through under the transitional arrangements, the Council could and should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method.

As it stands, the transitional arrangements may not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: UNCERTAINTY OVER WHETHER THE LOCAL PLAN CAN PROCEED UNDER THE TRANSITIONAL ARRANGEMENTS

The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local Plan is unsound and may require significant Main Modifications to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming.

STEPPED HOUSING TRAJECTORY

In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : It is important that 3West Group is present to participate in the hearing session for Policy SP02 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: This Representation is made in response to the consultation on the East Devon Local Plan Regulation 19 Publication Draft, and is submitted by Savills on behalf of The Exeter Diocesan Board of Finance Ltd who have an interest in land south of The Vicarage, Broadhembury. The site was previously assessed by the Council under reference Brhe_07 (Land south of The Vicarage, Broadhembury) but is not currently included within the plan as a draft allocation. Our comments on this consultation and supporting evidence base are set out below and are made in accordance with paragraph 36 of the revised NPPF (e.g. that they are positively prepared, justified, effective and consistent with national policy), to assist in ensuring that the Local Plan is found sound when examined in the future. However, in its current form, we do not consider that the Local Plan is sound, and should not therefore progress to submission without amendment. Response to Draft Policies The following section sets out our responses to the draft policies within the Draft Plan. Strategic Policy SP02: Levels of Future Housing Development Draft Policy SP02 sets out the proposed housing requirement for the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. However, this is proposed to be split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42. We have concerns over the approach taken in draft Policy SP02 for the following reasons:

- Uncertainty over whether the Local Plan can proceed under the transitional arrangements

- The proposed stepped trajectory From our reading of the Forward to the Plan and the Justification for Policy SP02, it is clear that the Council has commenced consultation on the Plan before it is ready, with the intention to try and take advantage of the transitional arrangements contained in Annex 1 of the NPPF, and proceed with a housing requirement that falls below the Government's revised Standard Method output. This intention is very clear when reading how the proposed housing requirement has been described in paragraph 3.11 of the Plan. This justification for the policy in this paragraph explains that the requirement has been set at a level which just, by less than one dwelling per annum, exceeds the 80% threshold in paragraph 234(a) of the NPPF. In our view this approach is not in accordance with the purpose of the transitional arrangements. These provisions are intended to enable Local Plans to progress where an emerging local plan has advanced but not yet reached the Regulation 19 stage, not to set a minimum threshold for Local Plans for plans which are at Regulation 18 stage. This is unfortunately how the Regulation 19 plan reads. However, more fundamentally, we are concerned over whether the Local Plan consultation is even able to proceed on the basis of the transitional arrangements. The relevant extract from Paragraph 234(a) of the Framework is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." This is supported by two related footnotes. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." (emphasis added) The reference to "each of the proposed submission documents" is very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of a Regulation 19 local plan, must have been made available. This is a very deliberate piece of drafting by Government intended to preclude circumstances where a local planning authority could progress under the transitional arrangement contrary to their spirit and purpose. On the basis of the above we consider there is significant risk that the Local Plan may not be able to proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. In these circumstances, it is our view that the housing requirement must reflect paragraph 62 of the Framework. The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the draft Local Plan. For the reasons set out above, it is this figure which the Plan must put in place in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the NPPF. As it stands, our view is the draft Local

Plan is unsound and may require significant Main Modifications to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming. In terms of the proposed stepped housing trajectory, in very simple terms, we consider that there is absolutely no justification for adopting a stepped trajectory in the draft plan for that reduces the housing requirement for the five years (approx.) post-adoption and pushes the resultant backlog that this creates to the later years of the plan period. Overall, the Council needs to play its part in addressing the housing crisis. Rather than trying to do the bare minimum to scrape through under the transitional arrangements, the Council could and should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. As it stands, the transitional arrangements do not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method. We welcome the Council's decision to progress with the Local Plan given the government's objective to significantly boost housing delivery. However, we have objections to draft Policy SP02. As it stands, the transitional arrangements do not apply to EDDC as not all of the Local Plan has been published for consultation. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan should therefore be updated to reflect the revised Standard Method. In our view, the housing requirement for the draft Local Plan should therefore be increased in order to reflect the updated Standard Method.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : Given their interest in Bhre_07 board should have opportunity to make case

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: 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.

[Site map representing a site similar to Brcl_31 which can be seen in the attached PDF]

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 colocation 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.

[Table of information which can be viewed via the attached PDF]

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. "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.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

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.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy SP02

3. Policy SP02 of the Local Plan Regulation 19 Pre-Submission Draft (the 'Plan') sets out the proposed housing requirement for East Devon District Council (EDDC) during the plan period. It states that at least 20,909 dwellings will be delivered between 1 April 2020 and 31 March 2042. This is proposed to be split into two phases with 850 dwellings per annum in the first phase from 2020/21 to 2031/32 and 1,070 dwellings per annum in the second phase from 2032/33 to 2041/42.

4. We have two specific objections to the draft housing requirement proposed in Policy SP02 of the Local Plan. These are as follows: a. The Local Plan cannot proceed under the transitional arrangements and the housing requirement must therefore reflect the revised Standard Method for calculating local housing need; and b. The emerging Exeter Local Plan does not propose the delivery of a level of housing which matches its local housing need as defined by the Standard Method. There is therefore a shortfall across the HMA which should be addressed by the neighbouring authorities under the Duty to Cooperate as strengthened by the December 2024 NPPF.

5. The remainder of this representation addresses these matters in turn before concluding on the changes that it is considered are needed to remedy the unsoundness of the Local Plan. Standard Method Starting Point for Establishing Local Housing Need

6. It is evident from both the Forward to the Plan and the Justification for Policy SP02 that EDDC has initiated consultation on the Local Plan prematurely. The reason for this is clear; EDDC is seeking to take advantage of the transitional arrangements of the National Planning Policy Framework (the 'Framework') to advance with a housing requirement that is lower than the Government's revised Standard Method for determining local housing need.

7. This intention is no more obvious than in how the proposed housing requirement has been described in paragraph 3.11 of the Plan. The justification for the policy in this paragraph explains that the requirement has been set at a level that just (by less than one dwelling per annum) exceeds the 80% threshold in paragraph 234(a) of the Framework.

8. This approach flies in the face of the spirit and purpose of the transitional arrangements, and the Government's aim of delivering 1.5m new homes across the country during the course of this Parliament. These provisions are intended to enable Local Plans to progress where an emerging local plan has already reached an advanced stage but not yet made it to Regulation 19 so as not to render existing work wasted, not to set a minimum threshold for Local Plans which are at Regulation 18 stage. However, this is precisely how it has been approached by EDDC.

9. As the intention is clear, we do not consider that the Local Plan consultation is able to proceed on the basis of the transitional arrangements and on that basis this crucial strategic policy of the Local Plan is unsound. 10. Annex One of the Framework details the arrangement for emerging local plans. There are various scenarios which could apply depending upon the stage that the emerging local plan has reached. The extract from Paragraph 234(a) of the Framework which EDDC is seeking to rely upon is copied below: "234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: a. the plan has reached Regulation 19 82 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need 83." 11. There are two related footnotes to paragraph 234. The first of these – Footnote 82 – is as follows: "Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations'). In this context "reached Regulation 19" refers to when Regulation 19 has been complied with (i.e. when the planning authority has made a copy of each of the proposed submission documents and a statement of the representations procedure available, and the statements required in Regulation 19(b) have been sent to consultation bodies)." [emphasis added] 12. The reference to "each of the proposed submission documents" within Regulation 19 of the Regulations is explicit and very important. In order to be considered to have reached Regulation 19, the whole of the Plan, i.e. each component part of the 'submission documents', must have been made available. This is a very deliberate piece of drafting by Government and

we suspect its purpose is to preclude circumstances where a local planning authority could progress under the transitional arrangements contrary to their spirit and purpose.

13. Not all of the proposed submission documents for EDDC have been published.

Indeed, the 'About this Consultation' section of the Local Plan states explicitly that:

"Consultation starts on Thursday 13 February 2025. This will be the first planned phase of Regulation 19 consultation. A second phases of Regulation 19 consultation is planned to run from Spring 2025 through to the early summer (dates to be confirmed).

Thereafter the plan will be submitted for examination in Autumn 2025." 14. Mac Mic contend that the Local Plan cannot therefore proceed under the transitional arrangements and that none of the exceptions contained within paragraph 234 of the Framework apply. 15. In such circumstances the housing requirement must reflect paragraph 62 of the Framework: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for". 16. There are two relevant components to this policy. The first explicitly and unambiguously requires local planning authorities to use the Standard Method as prescribed in the PPG, the second, addressing the unmet needs of neighbouring authorities, is addressed later in sub-section (b) of this Representation. There is no room for manoeuvre, with the references in the December 2023 Framework to 'exceptional circumstances' having very deliberately been deleted. 17. The Standard Method output for East Devon from the revised methodology of the PPG is 1,188 dwellings per annum (dpa) as acknowledged in paragraph 3.11 of the Plan. For the reasons set out above, it is this figure which the Plan must put in place proposals to deliver in order to satisfy the 'Positively Prepared' test of soundness in paragraph 36(a) of the Framework. As it stands, the Plan is unsound and significant Main Modifications are required to allocate a minimum of an additional 5,227 dwellings during the plan period to redress this shortcoming. Accommodating the unmet housing needs of Exeter City Council 18. The Exeter Plan (Regulation 19) was published for consultation in December 2024. Policy H2 establishes a housing requirement for the plan period of 642 dpa between 2021 and 2041. This housing requirement is based on the previous version of the Standard Method. The revised version of the Standard Method increases the requirement to 800 dpa. 19. Whilst The Exeter Plan is progressing in accordance with the transitional arrangements, there is nevertheless a shortfall against the latest assessed local housing needs. This shortfall is not addressed in the (undated) Duty to Cooperate Statement which states in relation to 'Housing – meeting neighbouring housing requirements': "There are no requests to meet the housing requirements on other local planning authorities at this stage. Early in the plan making, Torbay Council requested that the Exeter Housing Market Area (which includes the western part of East Devon) help to meet its housing requirement. This issue has been resolved through the

examination of the Teignbridge Local Plan, which borders Torbay”. 20. It is not clear when this Statement was produced but it appears that it has since become out of date. Regardless of any request from a neighbouring authority, it is evident from the figures above that a shortfall now exists. 21. In such circumstances the Framework is clear that unmet needs for neighbouring authorities should be accommodated. Indeed, the publication of the revised Framework in December 2024 significantly changed national policy in respect of the approach to housing supply and the accommodation of sufficient land for housing. It is now explicitly clear that the plan-making authority must plan for a scale of growth which accommodates their own local housing need as defined by the Standard Method and, where appropriate, some or all of the local housing need of the neighbouring authorities if those needs cannot be accommodated within their respective authority areas. Of particular relevance are the following paragraphs of the Framework: “24. Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered, by addressing key spatial issues including meeting housing needs, delivering strategic infrastructure and building economic and climate resilience. Local planning authorities and county councils (in two-tier areas) continue to be under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. 27. Once the matters which require collaboration have been identified, strategic policymaking authorities should make sure that their plan policies align as fully as possible with those of other bodies where a strategic relationship exists on these matters, and take into account the relevant investment plans of infrastructure providers, unless there is a clear justification to the contrary. In particular their plans should ensure that: ... b) unmet development needs from neighbouring areas are provided for in accordance with paragraph 11b. 36. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are: a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; 62. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.” [emphasis added] 22. These policies are very clear. If an unmet need from a neighbouring authority exists, then it is a responsibility of the plan making authority to engage through the duty to cooperate to determine where that need is to be accommodated. Not only is this required in order to produce a sound plan, but it is crucial to address the housing affordability challenges within the area which have a

direct impact on the lives of those people living across the Exeter Housing Market Area.

23. The key question is how much growth should the East Devon Local Plan seek to accommodate to address the unmet needs of its neighbours. It would appear that there is no agreement on this at present and that there is therefore a degree of uncertainty.

24. Prior to the December 2024 Framework there was no clear guidance available to plan making authorities or inspectors as to how to respond in such circumstances. However, the revised Framework directly addresses this matter. The new paragraph 28 acknowledges that: “28. In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning practice guidance, and be made publicly available throughout the plan-making process to provide transparency. Plans come forward at different times, and there may be a degree of uncertainty about the future direction of relevant development plans or the plans of infrastructure providers. In such circumstances strategic policy-making authorities and Inspectors will need to come to an informed decision on the basis of available information, rather than waiting for a full set of evidence from other authorities.” 25. It is therefore incumbent upon the authorities to come to an evidenced judgement and to uplift the housing land supply to reflect those needs and we urge the authorities to come together as soon as possible to come to a view on the appropriate distribution. Conclusion 26. “This Government has inherited an acute and entrenched housing crisis.” (Minister of State for Housing and Planning - Matthew Pennycook MP – in his Statement introducing the revisions to the NPPF on 12 December 2024). 27. For decades too few homes have been constructed across the country, housing affordability has spiralled and millions of households are unable to access the housing market. The new Government has moved rapidly and radically to revise national planning policy within six months of the General Election in order to put in place policies designed to increase the number of new homes being planned for and delivered. It’s target of 1.5 million new homes during the current parliament is a hugely important ambition for the Government but it will be extremely challenging to achieve unless there is a dramatic change in approach from all parties involved in the planning and delivery of new homes. 28. EDDC needs to play its part in addressing the housing crisis. Rather than trying force an unsound plan through under the transitional arrangements to justify a lower housing requirement the Council should have positively and proactively sought to update the policies and proposals of the Local Plan to reflect the local housing need as defined by the revised Standard Method. This misses the point of the new standard method entirely, which is to significantly increase the amount of housing delivery nationally for both social and economic reasons. 29. As it stands, the transitional arrangements do not apply to EDDC as not all of the Local Plan has been published for consultation in accordance with the requirements of Regulation 19 of the Regulations. The housing requirement in Policy SP02 of the draft

Local Plan is therefore unsound. In accordance with the paragraph 36 of the Framework, the housing requirement and related elements of the Local Plan must be updated to reflect the revised Standard Method. 30. In addition to the housing needs of EDDC are the wider unmet needs of the housing market area. If EDDC doesn't seek to accommodate a proportion of the revised Standard Method for Exeter City there is a significant risk of under-delivery across the HMA. This under-delivery won't just affect the communities of Exeter City but it will increase the pressure on housing and affordability in East Devon. 31. The housing requirement for the emerging Local Plan should therefore be uplifted to reflect the updated Standard Method and to accommodate a proportion of the unmet need for housing arising from Exeter City.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: See attached.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

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4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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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. : See attached.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

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3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: See attached.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

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4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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. : See attached.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP02

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?:

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2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

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2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?:

-

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

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3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

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4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?:

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4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

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4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

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5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?:

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6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary. : See attached.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: We support reference within draft Policy SP03 to the inclusion of the Land South of Furzehill, Sidbury within the housing requirement figures breakdown. It is clear from the Regulation 19 plan that the site forms part of the proposed local plan allocations figure of 215 dwellings.

We do however have some significant concerns with the overall housing requirement within which the designated neighbourhood area figures are derived, as set out in our response to draft Policy SP02 above.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: We also consider that given neighbourhood planning is an entirely voluntary activity, outside of the control of the Council, housing delivered through Neighbourhood Plans is not a reliable enough source of supply to contribute to the

housing land supply position, and they should be viewed as providing additional capacity.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy SP03 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP03

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: No

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: We support reference within draft Policy SP03 to the inclusion of the Land north and east of Exton Farm within the housing requirement figures breakdown. It is clear from the Regulation 19 plan that the site forms part of the proposed local plan allocations figure of 311 dwellings.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: We do however have some significant concerns with the overall housing requirement within which the designated neighbourhood area figures are derived, as set out in our response to draft Policy SP02.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: No

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. : It is important that 3West Group is present to participate in the hearing session for Policy SP03 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Introduction

1. This representation is submitted by Savills on behalf of FWS Carter & Sons (from hereon referred to as 'FWS') owners of Greendale Business Park in response to the Regulation 19 Consultation on the Draft East Devon Local Plan. FWS has instructed Savills on their behalf to submit a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Strategic Policy SP04

2. Securing economic growth is about delivery. It requires a planning system which enables and facilitate growth in the locations which fit with a diverse range of business strategies and growth plans. A location which suits one business will not necessarily suit others and a wide range of employment land opportunities and flexibility in the land market is therefore required in order to maximise economic growth.

3. There has been a large amount of land allocated for employment purposes within East Devon since the adoption of the previous Local Plan. The Council's Employment Land Review (Spring 2024) indicates that the combination of sites under construction, with planning permission, and allocated totals 181.52 ha. Paragraph 6.3 of the Statement expands upon this stating that: "Most of the allocated land is in the West End of the District and this is a focal point for future development and job creation. Key sites include: a) Skypark Business Park with 29.60 hectares remaining. b) Science Park provision of 13.34 hectares of land remaining. c) Exeter logistics park with 11.88 hectares of vacant land. d) Exeter Airport Business Park Phase 2 with 7.54 hectares. e) Policy provision at Cranbrook for 10.04 hectares of employment land. f) Exeter Logistics Park, although not mentioned in policy in the local plan can be expected to be developed for B8 use and has 11.88 hectares of remaining vacant land". East Devon Local Plan: Regulation 19 (Phase 1) Strategic Policy SP04: Employment Provision and Distribution Strategy Savills on behalf of FWS Carter & Sons March 2025 2

4. Whilst there is a large quantity of land allocated for economic growth, the location and type of that land will not suit all businesses. It is for this reason that, despite the availability of land elsewhere in East Devon, the owners of the Greendale Business Park receive regular enquiries from local businesses for space. Since there are no vacancies within the Business Park (as evidenced by the Employment Land Review – ECN004 – Pages 68-73), these enquiries have to be rejected.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.:

At a time of stagnant economic growth and national Government concerns over productivity, the Local Plan policies and proposals must support a wide range of employment opportunities. This needs to include not only the high profile business parks such as Skypark and the Science Park, but the more affordable employment locations across the authority area.

6. In other representations we make the case that this necessitates two changes to the Local Plan:

- The allocation of employment land at the Greendale Business Park. This location is: o capable of expansion within environmental limits as demonstrated by our Omission Site representation; o a popular location for businesses as demonstrated by the Employment Land Review which shows that there are no vacancies; and o can deliver new affordable employment floorspace which is powered by onsite renewable energy generation which supports the Council's sustainability objectives and provides below market rate running costs for businesses.
- Increased flexibility in Policy SE02 to allow for the expansion of existing businesses and business parks where there is a demonstrable demand.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP04

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: Please refer to the supporting representations attached to this response.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: Please refer to the supporting representations attached to this response.

4. Do you consider that this part of the Spatial Strategy 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. : FWS Carter and Sons, as the owner of Greendale Business Park, is a significant landowner and employer within East Devon and is capable of delivering significant development to address the needs and aims identified within the draft Local Plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy SP06

3. Strategic Policy SP06 states definitively that development proposals outside of the existing defined settlement boundaries will not be permitted unless in accordance with specific local or neighbourhood plan policies. In so doing, it effectively assumes that the Local Plan will deliver as hoped by EDDC and that there will be no shortfall in delivery.

4. We can appreciate why EDDC would present the position in these definitive terms, however, there is inevitably some degree of uncertainty in the delivery of allocated and windfall development which it would be prudent to acknowledge and reflect in this policy. To that end, we would recommend that the following additional paragraph is incorporated into the policy: "If the scale of housing and employment development does not deliver new homes and employment floorspace at the rate anticipated within the Local Plan and the land supply short for engages the presumption in favour of sustainable development, then the local planning authority will work positively and proactively to support development proposals in appropriate and sustainable locations beyond the existing defined settlement boundaries."

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

3. The Spatial Strategy

1. To which part of the Spatial Strategy chapter does your representation relate?:

Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SP06

2. Do you consider that this part of the Spatial Strategy chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not legally compliant. Please be as precise as possible.:

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Spatial Strategy 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.:

-

3. Do you consider that this part of the Spatial Strategy chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Spatial Strategy chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Spatial Strategy chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Spatial Strategy 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 Introduction 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.: See attached.

4. Do you consider that this part of the Spatial Strategy chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Spatial Strategy chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Spatial Strategy chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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. : See attached.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

4. Development at the West End

1. To which part of the Development at the West End chapter does your representation relate?: Paragraph

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

4.1

2. Do you consider that this part of the Development at the West End chapter is legally compliant?: Yes

3. Do you consider that this part of the Development at the West End chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development at the West End chapter is not sound. Please be as precise as possible.: Please refer to the supporting representations attached to this response.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development at the West End 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 Development at the West End 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.: Please refer to the supporting representations attached to this response.

4. Do you consider that this part of the Development at the West End 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.: FWS Carter and Sons, as the owner of Greendale Business Park, is a significant landowner and employer within East Devon and is capable of delivering significant development to address the needs and aims identified within the draft Local Plan.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

4. Development at the West End

1. To which part of the Development at the West End chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: WS09

3. Do you consider that this part of the Development at the West End chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development at the West End chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy WS09

3. It is our understanding that one of the primary functions of the Clyst Valley Regional Park (CVRP) is to act as a Suitable Alternative Natural Greenspace (SANG) which absorbs recreational pressure in acceptable locations physically divorced from European protected habitat with in East Devon. The CVRP is therefore in itself the SANG require to support development which would otherwise exacerbate existing recreational pressure.

4. It is therefore somewhat confusing to include a requirement in Strategic Policy WS09 for development proposals to open "reduce recreational pressure on environmentally sensitive locations, through the creation of accessible green space and where appropriate suitable alternative natural green space". Is it the Council's intention that the SANG required through Criterion D of this policy is in addition to or part of the proposed improvements to the CVRP? Greater clarity is needed to ensure that those promoting development and determining planning applications are fully cognisant of the policy requirements.

5. Furthermore, whilst Mac Mic support the principle of the CVRP and its enhancement through relevant development proposal, any contributions to works within the CVRP from major development must be compatible with Regulation 122 of the Community

Infrastructure Levy Regulations. With that in mind it is unclear how Criterion F of the policy will be applied in practice.

6. If for example a proposed development included all necessary open space within the proposed development to adhere to the Fields in Trust standards set out in Policy OS02, there would be no planning justification for a contribution towards the delivery of the CVRP targets.

7. Unless greater clarity is provided on the application of Criterion F, we consider it ought to be deleted from the draft policy wording.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development at the West End 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 Development at the West End 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.:

7. Unless greater clarity is provided on the application of Criterion F, we consider it ought to be deleted from the draft policy wording.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

4. Development at the West End

1. To which part of the Development at the West End chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: WS09

2. Do you consider that this part of the Development at the West End chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Development at the West End chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Development at the West End chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Development at the West End 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 Introduction 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.:

-

3. Do you consider that this part of the Development at the West End chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Development at the West End chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Development at the West End chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development at the West End 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 Development at the West End 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.: See attached.

4. Do you consider that this part of the Development at the West End chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Development at the West End chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Development at the West End chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

-

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): The Exeter Diocesan Board of Finance Ltd

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD12

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: No

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Development in the Towns and Villages chapter is not sound. Please be as precise as possible.: We object to draft Policy SD12 in its current form on the basis that insufficient allocations are included. As per our response to draft Policy SP02, the housing requirement should be increased and further allocations included within the plan, including at sustainable settlements such as Broadhembury. Broadhembury hosts the following which provide day-to-day services and facilities:

- Shop / convenience store
 - Post office
 - Primary school
 - Pub
 - Village hall
 - Children's play area
- As a result, Broadhembury is an entirely appropriate location for additional growth beyond that proposed. We specifically consider that the Land south of The Vicarage, Broadhembury (Brhe_07) should be included in the plan as an allocation to help support a potential increase in the overall housing requirement. The site has been assessed by the Council as part of the emerging local plan, and specifically through the HELAA process but was rejected in earlier stages of the draft local plan and not included as a preferred allocation in the Regulation 19 draft. However, the site is available for development and therefore able to contribute given the increasing need for more land to be identified. The site benefits from access from Dukes

Square, providing onward links into the village. The site falls within flood zone 1, and there are no environmental designations or constraints to development. our view Broadhembury is a sustainable location capable of accommodating a slightly higher level of growth than that already proposed through Brhe_09. Indeed, a second allocation in the village would provide more certainty in terms of delivery and market choice. Broadhembury, covered by draft Policy SD12, is a sustainable location capable of accommodating a second allocation in the village, and in our view the land south of The Vicarage (Brhe_07) should be included as an allocation to help accommodate a proportion of this growth.

4. Do you consider that this part of the Development in the Towns and Villages chapter complies with the duty to cooperate?: No

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.: Given their interest in Bhre_07 Board should be able to make their case.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD17

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We support Strategic Policy SD17 and specifically the proposed allocation of the Land north and east of Exton Farm (Wood_28).

The proposed allocation states:

Land north and east of Exton Farm (Wood_28)

The site is allocated for around 39 dwellings. Development will need to provide safe and suitable pedestrian and cycle access along Mill Lane south to the existing pedestrian crossing at the A376/Station Road junction, to enable easy access to facilities in the settlement. This pedestrian crossing should be upgraded to accommodate cyclists, to enable access to the Exe Estuary Trail via Station Road. Development should provide pedestrian/cycle links to Wood_01 adjacent to north west. Development should include tree planting on the southern field to reflect their historic presence; and retain the hedgerow that dissects the site, as far as practically possible. Development should address the existing flooding issues along Mill Lane.

Firstly, Exton is a sustainable location for future development. The village is very well connected to Exeter on the basis of both its proximity and public transport links. This includes the presence of a railway station in the village and regular bus services. The railway station in particular provides direct connections into Exeter with journey times of only 30 minutes. These public transport services provide residents with good connections to Exeter and the range of regional employment, retail and leisure facilities on offer as a result.

In addition, Exton hosts the following which provide day-to-day services and facilities:

- Shop / convenience store
- Pub
- Village hall
- Children's play area

As a result, Exton is an entirely appropriate location for future growth, and we support the Council's commitment to direct a proportion of the required growth to the village.

We specifically support the proposed allocation of Land north and east of Exton Farm (Wood_28) for the development of 39 residential dwellings.

The development of the site can provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village.

We agree that the development of the site should explore appropriate pedestrian and cycle access and that this may require some highway improvements. We also agree that development should address the existing flooding issues along Mill Lane. Such work relating to highways and flood risk will be reviewed further as part of an emerging masterplan for the site.

The site is also capable of accommodating the necessary tree planting as requested by draft Policy Wood_28), and would in any case look to retain trees / hedgerows as far as possible to maximise biodiversity net gains.

Overall, the land north and east of Exton Farm remains a strong candidate for allocation in the emerging Local Plan Review. The site is available and very much capable of accommodating the 39 new homes proposed in draft Policy Wood_28, including a policy compliant level of affordable housing.

4. Do you consider that this part of the Development in the Towns and Villages 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.: It is important that 3West Group is present to participate in the hearing session for Policy SD17 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Summerfield Homes

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD24

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We support Strategic Policy SD24 and specifically the proposed allocation at Payhembury, the Land adjacent to Markers Park (Payh_03a). However an amendment to the allocation boundary is proposed. See attached...

The proposed allocation states:

Land adjacent to Markers Park (Payh_03a)

This site is allocated for 15 homes.

Design and layout of proposals should be appropriate to this village gateway location and sensitively and appropriately take account of the topography of the site and the heritage and any ecological significance of the marl pit (a non-designated heritage asset) which must be retained in the end proposals. Access should be designed to retain existing mature trees and minimise hedgerow removal, whilst ensuring highway safety. No house shall be occupied until a footpath connection is provided with existing pedestrian routes to the centre of the village. Landscaping which responds appropriately to the introduction of built form in this location shall be provided,

including the introduction of substantial boundary screening along the southern boundary to maintain the rural character of the lane and the significance of the setting of the Grade II listed Glebe Farm on the southern approach.

Payhembury is a sustainable location for future development, for the scale of development proposed.

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

- Shop / convenience store
- Primary school
- Pub
- Village hall
- Sports playing pitch
- Children's play area

As a result, Payhembury is an entirely appropriate location for future growth, and we support the Council's commitment to direct a proportion of the required growth to the village.

We specifically support the proposed allocation of Land adjacent to Markers Park (Payh_03a) for the development of 15 residential dwellings.

The development of the site can provide much needed market and affordable housing to help meet local housing needs, as well as helping to sustain the vitality and viability of the existing services and facilities in the village.

In terms of the proposed allocation requirements, we agree that the development of the site should also provide footpath connections to the village. Such improvements can be reviewed further as part of an emerging masterplan for the site.

Notwithstanding our support for the allocation of the site, we do have some concerns over the proposed allocation boundary which we consider could be more sensitively located.

Instead, we have prepared and appended to these representations an indicative layout plan (Appendix 1) which would enable the delivery of the 15 dwellings proposed whilst providing a suitable access and associated open space.

As a result of this work undertaken for the site, we request that the allocation boundary for Payh_03a be amended to align with the extent of the Indicative Layout Plan attached at Appendix 1. Having said this, we have prepared a layout within the suggested allocation boundary, which we also attach (Appendix 2). We consider that providing housing fronting onto the road provides a lesser visual and landscape impact as housing is avoided on the higher ground. These layouts retain the TPO trees and offer the opportunity to provide strategic landscaping at this entrance to the village on land within the same ownership. The alternative layout and allocation boundary also provides a buffer towards the marl pit. Foul and surface water drainage connections are nearby and some soakaways are likely to form part of the overall drainage strategy, with some of the land being freely draining with the rest having slightly impeded drainage. Technical work dealing with ecological, heritage, drainage, vehicular/pedestrian/cycle access and other technical impacts will be dealt with as part of the application. Initial work undertaken on these technical matters, both by Summerfield Homes and East Devon District Council, indicate that none of these matters represent an insurmountable bar to delivery of the policy aspirations.

4. Do you consider that this part of the Development in the Towns and Villages 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.: It is important that Summerfield Homes Ltd is present to participate in the hearing session for Policy SD24 owing to their interest in the Land adjacent to Markers Park, Payhembury (Payh_03a). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

5. Development in the Towns and Villages

1. To which part of the Development in the Towns and Villages chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SD26

2. Do you consider that this part of the Development in the Towns and Villages chapter is legally compliant?: Yes

3. Do you consider that this part of the Development in the Towns and Villages chapter is sound?: Yes

3(a). If yes, and you wish to support the soundness of this part of the Development in the Towns and Villages chapter, please use this box to set out your comments.:

We fully support Strategic Policy SD26 and specifically the proposed allocation of the Land South of Furzehill, Sidbury (SIDM_34).

The proposed allocation states:

Land South of Furzehill, Sidbury (SIDM_34)

This site, to the south of Sidbury, is allocated for 43 new homes. Development of this site will enable the second phase of the Devon County Council proposed multi-use trail (routes used by a combination of cyclists, pedestrians and by/for other movement), ensuring delivery of the entirety of the route from Sidford to Sidbury. Vehicle access to the site will be via A375. Development would be expected to play its role in delivering part of the Sidbury to Sidmouth cycle route through the allocation.

In order to ensure no adverse effect on the integrity of the Beer Quarry and Caves SAC and bat activities, suitable avoidance or mitigation measures will need to be identified and implemented.

The site is within the East Devon National Landscape and particular care will be needed to avoid adverse impacts, especially on higher westerly site parts where open space provision may be appropriate. Listed buildings are found to the north and east of the site and the Sidbury Conservation Area also lies to the north; proposals will need to be carefully designed to avoid detrimental impacts on these heritage assets. A comprehensive overview of the land south of Furzehill, Sidbury was provided as part of representations to the previous stages of the Local Plan, including the Preferred Options Consultation in January 2023, and further Regulation 18 consultation in May 2024. Therefore, as part of these representations we have not sought to repeat the previous information and have instead set out the updated position, not least given an outline planning application has now been submitted for the site (ref: 24/2434/MOUT).

OUTLINE PLANNING APPLICATION AND PUBLIC CONSULTATION

Since the previous representations were submitted in June 2024, further public consultation has been undertaken in relation to the emerging proposals, including a consultation website with draft plans and a series of questions to obtain comments from the public and stakeholders. The consultation website ran from the end June 2024 to early October 2024.

As part of this, local ward members and Sidmouth Town Council were notified and comments sought.

The consultation material available for the public and stakeholders to view comprised background information on the site, an overview of the policy context and local affordable housing need, constraints and opportunities analysis and a draft masterplan. The draft masterplan explained the options available for the connections between the first and second phases of the County Council cycle link and the ability of the site to accommodate the second phase to ensure the link is delivered in its entirety.

This consultation was followed by a presentation of the proposals to Sidmouth Town Council on 9 October 2024. This comprised a presentation to town councillors, followed by a question and answer 'round table'. The presentation was given as part of one of the town council's formal planning meetings and was therefore open to members of the public to attend. A few local residents attended the meeting and asked questions.

Questions during the presentation covered several matters including highways / access, flood risk and drainage, pedestrian linkages, landscape impacts, ecology and heritage.

The outline planning application was then submitted in November 2025 (ref: 24/2434/MOUT) and is currently pending determination with East Devon District Council.

The submission of the outline planning application demonstrates the intent of the applicant, Sidbury LVA LLP, to deliver the site in the context of the significant need for housing in the district, as well as delivering the second phase of the multi-use path.

Indeed, the masterplan for the site submitted with the planning application (Appendix 2) provides for up to 43 new homes as per the emerging allocation SIDM_34.

The submitted application comprises the following:

- the delivery of 43 new homes, comprising 28 market homes and 15 affordable homes to for the local community to address the current housing shortfall;
- the delivery of a high quality and sustainable off-road multi-use path linking Hillside and Furzehill - extending the proposed Devon County Council multi-use path, for which the first phase is subject to a live planning application;
- integration of the development with the existing urban form and surrounding landscape (specifically ensuring that the upper slopes are kept free of development in accordance with the requirements of emerging policy SIDM_34);

- the delivery of a high-quality residential environment;
- delivery of considerable open space provision, over and above adopted policy requirements;
- net biodiversity gain through the retention and enhancement of existing habitats, and creation of new habitats alongside delivery of a range of ecological mitigation and enhancement measures. Indeed, as demonstrated by the supporting plans the application proposals can provide more than the Government's 10% requirement in Biodiversity Net Gain across habitats, hedgerows and watercourses; and
- a sustainable drainage strategy which will restrict site runoff to the greenfield equivalent rate and provide long-term storage.

The submitted masterplan includes a significant amount of integrated multifunctional green space that is easily accessible for the use and enjoyment of the whole community and makes connections with the wider landscape - including a new pocket park, a community orchard and new hedgerows, wetland and meadow areas to enhance biodiversity.

The development of the site would comprise a natural extension to the existing houses at Furzehill and Hillside, sitting in the lower part of the valley with minimal landscape and visual impact on the wider area, sensitive to the AONB setting. Indeed, the site is physically surrounded by built development to the north, south and east, and is therefore capable of seamless integration with the village and being developed with relatively limited visual impact.

Overall, it is clear from the submitted planning application plans and documents that the pending outline planning application demonstrates intent by Sidbury LVA LLP to

bring forward this site now to facilitate new homes and the delivery of the second phase of the multi-use path. It also demonstrates that the pending outline application is entirely consistent with the requirements of the emerging allocation particularly through the number of new homes proposed, the provision of the second phase of the multi-use path and the protection of the upper slopes from built development.

JOINT WORKING WITH DEVON COUNTY COUNCIL AND KEY PUBLIC BENEFITS

The first phase of the cycle route, which is being progressed by Devon County Council, will run between Sidford and Hillside, which forms the lower part of Sidbury. However, there is a need for a second phase of the cycle route, to connect Hillside to main part of Sidbury and for this to be delivered in a timely manner.

Devon County Council have submitted the planning application for the first phase (ref: DCC/4404/2024) and this is currently pending determination.

Sidbury LVA LLP have been working with Devon County Council for some time to discuss options for the delivery of Phase 2 of the route, and specifically how the land south of Furzehill can provide this.

This joint working involved engagement in the development of the Phase 1 route including attendance at an online consultation event held by the County Council in December 2023 which involved discussion around the need to provide a second phase to the route. Indeed, there were concerns expressed by local residents as part of that event that residents of Hillside do not currently have a safe route to the centre of Sidbury, and therefore that a second phase of the link is crucial. This was also apparent from representations by local residents, with the published consultation report from WSP on behalf of the County Council confirming that one of the key concerns expressed by local residents was a “lack of connectivity to the wider Sidbury village”.

This is clear given Chapel Street, heading north from Hillside does not have a footpath, and is very narrow, and therefore local residents already experience problems connecting from the southern end of Sidbury towards the village centre. The provision of phase 2 of the County Council’s proposed link, through the site, would therefore allow

both new and existing residents to find safe access to the village centre, rather than negotiate a section of Chapel Street which does not benefit from a footpath.

The principle of the delivery of the Phase 2 link has therefore been discussed with Devon County Council who are supportive of the delivery of the entirety of the link between Sidford and Sidbury.

In our view local residents should not be left with the delivery of a Phase 1 link which terminates at Hillside meaning residents, if wanting to walk or cycle from Hillside to the village centre to the north, would need to negotiate a stretch of Chapel Street which lacks pavement and is not safe.

The alternative would be to wait for a second phase to be delivered in the future, but that would be entirely dependent upon the availability of government funding. Therefore, such an alternative at best could be several years away, and at worst may not proceed due to a lack of funding.

Therefore, the potential for the site to deliver the second phase of this important link as a safe 'off road' link through the site would ensure the whole link between Sidford and Sidbury is delivered, and not just Sidford to Hillside. It would also, importantly, ensure that the second phase is delivered now.

This would be a significant public benefit as part of the development of the land south of Furzehill, particularly as the site is the only site capable of facilitating the phase 2 link, and therefore a very good reason why the site should be allocated in the draft Local Plan.

Overall, the Land south of Furzehill, Sidbury remains a very good candidate for allocation in the emerging Local Plan Review. As the masterplan for the site and supporting technical work demonstrates, the site is capable of accommodating the 43 new homes proposed in draft Policy SIDM_34, including a policy compliant level of affordable housing, as well the delivery of the second phase of the Sidford to Sidbury cycle link. Given the lack of local affordable housing delivery and lack of any other feasible options at Sidbury, the Land south of Furzehill is an ideal candidate for allocation in the plan.

4. Do you consider that this part of the Development in the Towns and Villages 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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy SD26 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we recognise that draft Policy CC01 is intended to set the overall context for the subsequent climate change related policies that follow within Chapter 6 of the Local Plan, it is generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

In addition, since the detailed requirements for development follow in subsequent policies within this section draft Policy CC01 does not in our view add anything.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: On that basis we recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy CC01 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we recognise that draft Policy CC01 is intended to set the overall context for the subsequent climate change related policies that follow within Chapter 6 of the Local Plan, it is generally vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

In addition, since the detailed requirements for development follow in subsequent policies within this section draft Policy CC01 does not in our view add anything.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: On that basis we recommend that draft Policy CC01 is changed into introductory text for this chapter rather than policy wording.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

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.: It is important that 3West Group is present to participate in the hearing session for Policy CC01 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: 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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy CC01

3. We recognise that Strategic Policy CC01 is intended to set the overall scene for the subsequent policies that follow within Chapter 6 of the Local Plan. However, it is extremely vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

4. Furthermore, since the detailed requirements for development follow in subsequent policies within this section Strategic Policy CC01 does not in itself add anything. On that basis we recommend that it is converted into introductory text for this chapter rather than policy wording.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: We recognise that Strategic Policy CC01 is intended to set the overall scene for the subsequent policies that follow within Chapter 6 of the Local Plan. However, it is extremely vague in its language and it is not at all clear what development is required to achieve in order to accord with the wording of this policy.

4. Furthermore, since the detailed requirements for development follow in subsequent policies within this section Strategic Policy CC01 does not in itself add anything. On that basis we recommend that it is converted into introductory text for this chapter rather than policy wording.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC01

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not legally compliant. Please be as precise as possible. :

-

2(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.:

-

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Mitigating Climate Change chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: See attached.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Mitigating Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

-

4(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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.: See attached.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we support the Council's ambitions for reducing carbon emissions, we do not consider that this draft Policy is justified or consistent with national policy.

There are currently significant gaps for collecting data and measuring whole life carbon consistently and comparatively. As a result, the Future Homes Hub have prepared a roadmap for the development of an industry-led approach for reducing embodied and whole life carbon in new homes which is expected to be aligned with emerging national Government policy. This will include a Future Homes Carbon Assessment Tool.

There are also issues with including assessment of carbon as part of the planning process, given the highly technical nature of the process, which much more naturally aligns with Building Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: Given the Government's position on setting standards at a

national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy CC06 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

6. Mitigating Climate Change

1. To which part of the Mitigating Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: CC06

2. Do you consider that this part of the Mitigating Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Mitigating Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Mitigating Climate Change chapter is not sound. Please be as precise as possible.: Whilst we support the Council's ambitions for reducing carbon emissions, we do not consider that this draft Policy is justified or consistent with national policy.

There are currently significant gaps for collecting data and measuring whole life carbon consistently and comparatively. As a result, the Future Homes Hub have prepared a roadmap for the development of an industry-led approach for reducing embodied and whole life carbon in new homes which is expected to be aligned with emerging national Government policy. This will include a Future Homes Carbon Assessment Tool.

There are also issues with including assessment of carbon as part of the planning process, given the highly technical nature of the process, which much more naturally aligns with Building Regulations.

3(c). Please set out the modification(s) you consider necessary to make this part of the Mitigating Climate Change 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 Mitigating Climate Change 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.: Given the Government's position on setting standards at a

national level, we do not believe this draft Policy aligns with national policy, nor is the need for it justified. As such, it should be removed in full to achieve soundness.

4. Do you consider that this part of the Mitigating Climate Change chapter complies with the duty to cooperate?: No

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.: It is important that 3West Group is present to participate in the hearing session for Policy CC06 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: It is clear that Criterion A of draft Policy AR01 seeks to apply the sequential and exception tests to all development proposals in areas at risk of flooding from any source. Whilst that very strict policy approach was consistent with the previous version of the Framework, in December 2024 there was a change to paragraph 175 which updated the approach to the sequential test. This is copied below for convenience:

“The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).”

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change 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 Adapting to Climate Change 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.: We understand that further changes to the related section of the Planning Practice Guidance on Flood Risk are also due to be published imminently. Once this has been published a full review of draft Policy AR01 should be

undertaken to ensure that it is compatible with the most up to date national policy and guidance.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy AR01 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: No

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: It is clear that Criterion A of draft Policy AR01 seeks to apply the sequential and exception tests to all development proposals in areas at risk of flooding from any source. Whilst that very strict policy approach was consistent with the previous version of the Framework, in December 2024 there was a change to paragraph 175 which updated the approach to the sequential test. This is copied below for convenience:

“The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).”

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change 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 Adapting to Climate Change 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.: We understand that further changes to the related section of the Planning Practice Guidance on Flood Risk are also due to be published imminently. Once this has been published a full review of draft Policy AR01 should be

undertaken to ensure that it is compatible with the most up to date national policy and guidance.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: No

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.: It is important that 3West Group is present to participate in the hearing session for Policy AR01 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.:

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 a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy AR01

3. Criterion A of Strategic Policy AR01 seeks to apply the sequential and exception tests to all development proposals in areas at risk of flooding from any source. Whilst that very strict policy approach was consistent with the previous version of the Framework, in December 2024 there was a change to paragraph 175 which updated the approach to the sequential test. This is copied below for convenience: "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

4. We understand that further changes to the related section of the Planning Practice Guidance on Flood Risk are also due to be published imminently. Once this has been published a full review of Strategic Policy AR01 should be undertaken to ensure that it is compatible with the most up to date national policy and guidance.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): Mac Mic Strategic Land

Proposal:

7. Adapting to Climate Change

1. To which part of the Adapting to Climate Change chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: AR01

2. Do you consider that this part of the Adapting to Climate Change chapter is legally compliant?: Yes

2(a). If yes, and you wish to support the legal compliance of this part of the Adapting to Climate Change chapter, please use this box to set out your comments.:

-

2(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not legally compliant. Please be as precise as possible.:

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2(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change 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 Adapting to Climate Change 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.:

-

3. Do you consider that this part of the Adapting to Climate Change chapter is sound?: No

3(a). If yes, and you wish to support the soundness of this part of the Adapting to Climate Change chapter, please use this box to set out your comments.:

-

3(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter is not sound. Please be as precise as possible.: See attached.

3(c). Please set out the modification(s) you consider necessary to make this part of the Adapting to Climate Change 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 Adapting to Climate Change 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.: See attached.

4. Do you consider that this part of the Adapting to Climate Change chapter complies with the duty to cooperate?: Yes

4(a). If yes, and you wish to support this part of the Adapting to Climate Change chapter's compliance with the duty to co-operate, please use this box to set out your comments.:

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4(b). If no, please give details of why you consider this part of the Adapting to Climate Change chapter fails to comply with the duty to co-operate. Please be as precise as possible.:

-

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)

6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary.:

-

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: We are generally in support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”.

We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan.

We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs 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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy HN02 owing to their interest in Land South

of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN02

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: Yes

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
Yes

3(a). If yes, and you wish to support the soundness of this part of the Meeting Housing Needs chapter, please use this box to set out your comments.: We are generally in support of the proposed 30% affordable housing requirement for “all other local plan allocated sites”.

We consider this proportion of affordable housing more reflective of both local housing needs as well as the need to ensure new developments are viable. In this respect, we consider the emerging policy position on affordable housing as more realistic than that of the adopted Local Plan.

We do however encourage the Council to ensure that the supporting evidence base is robust and supports the proposed affordable tenure splits.

4. Do you consider that this part of the Meeting Housing Needs 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)?: No, I do not 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.: It is important that 3West Group is present to participate in the hearing session for Policy HN02 owing to their interest in the Land

north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): Sidbury LVA LLP

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Whilst we support the Council's efforts to deliver a diversified range of housing as part of the plan, at present, we do not consider the draft Policy to be sound for the following reasons:

As an overarching point, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites.

At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.

- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.

- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the “host” site is a significant health and safety challenge.

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs 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 Meeting Housing Needs 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.: Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

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.: It is important that Sidbury LVA LLP is present to participate in the hearing session for Policy HN05 owing to their interest in Land South of Furzehill (Sidm_34). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Dan Yeates

Organisation (where relevant): Savills

Other party name (if relevant): 3West Group

Proposal:

8. Meeting Housing Needs

1. To which part of the Meeting Housing Needs chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: HN05

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

3. Do you consider that this part of the Meeting Housing Needs chapter is sound?:
No

3(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not sound. Please be as precise as possible.: Whilst we support the Council's efforts to deliver a diversified range of housing as part of the plan, at present, we do not consider the draft Policy to be sound for the following reasons:

As an overarching point, there is no justification provided for the requirement of 5% on sites of 20 dwellings or more. Justification should consider absolute need moving forward, but also take into account consented supply as well as realistic levels of demand for self-build plot purchase within larger "host" development sites.

At a practical level, there remains a fundamental conflict between the characteristics that typically attract demand from custom / self-build purchasers and trying to accommodate such plots on a wider "host" development site:

- With the need for at least some design continuity between the "host" site and the self/custom build plots, this takes away the freedom within the self-build plots.

- That being the case, the developer would be able to achieve economies of scale and deliver the same product at a lower price than it would cost a self-builder to achieve a building of the same floorspace.

- Unless a self-build site can have its own separate access (which in most cases is unachievable and unviable), the contracting associated with multiple self-build units, on top of any contractors associated to the “host” site is a significant health and safety challenge.

Our position is that if there is demonstrable and viable demand for self and custom built plots, the delivery of these would be more appropriate on sites specifically allocated for self-build (i.e. not part of larger host developments), or on sites where an element of self/custom build is expressly supported by the land owner.

3(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs 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 Meeting Housing Needs 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.: Given the extensive nature of the comments, we do not propose specific wording changes and urge the Council to consider substantive changes to this draft Policy prior to submission.

4. Do you consider that this part of the Meeting Housing Needs chapter complies with the duty to cooperate?: No

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.: It is important that 3West Group is present to participate in the hearing session for Policy HN05 owing to their interest in the Land north and east of Exton Farm (Wood_28). It is important that they are given the opportunity to make their case in relation to this policy.

Full name: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

9. Supporting the Economy and Town Centres

1. To which part of the Supporting the Economy and Town Centres chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SE02

3. Do you consider that this part of the Supporting the Economy and Town Centres chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Supporting the Economy and Town Centres chapter is not sound. Please be as precise as possible.: Introduction

1. This representation is submitted by Savills on behalf of FWS Carter & Son (from hereon referred to as 'FWS') owners of Greendale Business Park in response to the Regulation 19 Consultation on the Draft East Devon Local Plan. FWS has instructed Savills on their behalf to submit a series of representations to the relevant policies of the Regulation 19 Local Plan, including this policy. Policy SE02

2. There are huge economic growth and productivity challenges within the UK, with growth virtually stagnant for many years. A key objective of the Labour Government is to drive economic growth and planning reform is a key tenet of that objective.

3. In her Statement on 27 January 2025, Chancellor of the Exchequer Rachael Reeves MP set the scene, reaffirming her commitment to delivering economic growth and stating: "I am fighting every single day in our mission to kick start the economy, deliver on our Plan for Change, and make working people better off. That includes avenues that others have shied away from. Too often the answer to new development has been "no". But that is the attitude that has stunted economic growth and left working people worse off. We need to do things differently and that journey began as soon as I started at the Treasury in July. These are our next steps and I can say for certain, there is more to come."

4. There can be no doubt that this Government is committed to delivering economic growth in the short, medium and long-term. To achieve this step change within East Devon will require a policy framework in the Local Plan which moves away from the

traditional predict and provide approach and allows for greater flexibility in securing economic growth.

5. Such an approach would be entirely consistent with national policy in paragraphs 85 and 86 of the Framework. Paragraph 85 sets the scene stating that: “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support East Devon Local Plan: Regulation 19 (Phase 1) Policy SE02: Employment Development in the Countryside Savills on behalf of FWS Carter & Sons March 2025 2 economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.” [emphasis added]

6. Paragraph 86 then goes on to provide a direct policy requirements for local plans. Of particular relevance to policy SE02 is criterion E of paragraph 86 which states: “Planning policies should: ... be flexible enough to accommodate needs not anticipated in the plan, and allow for new and flexible working practices and spaces to enable a rapid response to changes in economic circumstances.”

7. By restricting growth outside of existing designated employment areas, Policy SE02 as currently drafted is unnecessarily restrictive, inflexible and therefore incompatible with the Framework. It does not incorporate the flexibility sought by Paragraph 86 of the Framework and on the contrary restricts economic growth to land within existing operational site boundaries. Such an approach is also in conflict with the spirit of Government economic policy on the drive to support growth. The policy is not therefore consistent with national policy and is therefore unsound.

3(c). Please set out the modification(s) you consider necessary to make this part of the Supporting the Economy and Town Centres 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 Supporting the Economy and Town Centres 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.: Whilst the allocation of land plays an important part in this and provides certainty, alongside this national policy envisages a flexible approach which enables further land to come forward where it is demonstrated that this would support economic growth in locations which are desired by the market and are capable of responding rapidly to changes in economic circumstances.

9. To that end, and in order to remedy the unsoundness of the local plan, we advocate the addition of the words "or adjacent to" within the first paragraph of policy SE02. This change would enable the growth of existing businesses and business parks beyond their existing boundaries where it is demonstrated that they are currently operating at or close to full capacity and that there is a demonstrable economic need which that expansion would satisfy. 10. In addition to addressing the unsoundness of the Local Plan, there would be a number of benefits in making this change to the policy. East Devon Local Plan: Regulation 19 (Phase 1) Policy SE02: Employment Development in the Countryside Savills on behalf of FWS Carter & Sons March 2025 3 11. First, it would provide considerably greater flexibility to ensure that the wider economic needs of the functional economic area are accommodated. As explained within other representations, there is significant change proposed within the Exeter City Local Plan which will see the replacement of many traditional employment areas with mixed use residential and office floorspace. This will inevitably displace existing businesses and remove land and buildings available to a wide range of businesses including many SME and start up operators. These businesses will either close or look to relocate and opportunities therefore needs to be provided to accommodate this growth within the wider functional economic area. 12. Second, as paragraph 86 of the Framework suggests, flexibility is required to enable a rapid response to changing economic circumstances. It is impossible to determine and defined through the Local Plan precisely where all businesses will seek to locate. There may be some where the profile of the Exeter Science Park is important, whereas for others affordable, less prestigious surroundings are needed to meet the requirements of the business. Positively supporting growth across a wider variety of locations would ensure that all opportunities are taken to achieve economic growth objectives. Conclusion 13. In conclusion, Policy SE02 as currently drafted is unduly inflexible, not consistent with the Framework and therefore unsound. A relatively minor change to the policy which enables the growth of existing businesses and business parks where there is a proven economic need, would remedy this unsoundness and deliver economic benefits to East Devon during the plan period.

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

9. Supporting the Economy and Town Centres

1. To which part of the Supporting the Economy and Town Centres chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SE02

3. Do you consider that this part of the Supporting the Economy and Town Centres chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Supporting the Economy and Town Centres chapter is not sound. Please be as precise as possible.: These representations are submitted by Savills on behalf of FWS Carter and Sons (owners of Greendale Business Park) in response to the Regulation 19 Consultation on the Draft East Devon Local Plan. Savills has also submitted representations to Strategic Policy SP04 and Policy SE02.

2. Our overarching objection to the draft Local Plan is that it does not incorporate a sufficiently flexible or positive approach to employment growth across East Devon. Whilst employment land has been allocated, the focus has been on locations and sectors which do not meet all of the economic growth needs of the authority area. This has resulted in a draft Local Plan which is not consistent with national planning policy in the Framework and not therefore sound.

3. There are two remedies we propose to address that unsoundness. Whilst either would address the issue, both in combination would deliver the step change in economic growth which the Labour Government has made one of its top priorities. These two changes are: a) allocate further land for development, including locations such as Greendale Business Park; and b) introduce greater flexibility into Policy SE02 to allow more land to come forward adjacent to existing Business Parks as well as within their boundaries.

4. The latter is covered by our separate representation to Policy SE02. The former – the additional allocation of the land at Greendale Business Park (GBP) – is addressed in this submission.

5. These representations demonstrate that the Council's process in negatively assessing GBP has failed to take into account all available evidence submitted to the

Council. The failure to robustly assess, and, in turn, allocate the land for the expansion of GBP within the draft Local Plan means that the plan should be considered unsound.

6. Within the following sections, we will explain why the expansion of GBP should be specifically allocated within the Local Plan. In doing so, we will elucidate why the GBP is: East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 2

- Available for development with the landowner having confirmed its availability and having continually promoted its expansion throughout the plan-making process;
- Compatible with the EDDC Spatial Strategy which seeks to provide strategic scale growth in a sustainable location within the West End of the authority area; and
- Suitably and sustainably located in a relatively unconstrained location close to Exeter with good access to the strategic highway network and within close proximity to East Devon's 'New Community' which will introduce a significant number of new residents to the area. Available for Development

7. The promoted land is entirely within the ownership of FWS Carter and Sons who have owned and operated the thriving Greendale Business Park for many years. During this time it has grown into a significant contributor to the East Devon economy, employing over 2,000 people and generating over £2.5m of annual business rates revenue for EDDC. A diverse range of companies occupy the GBP, from national and international companies and organisations including FedEx, Royal Mail, Viridor and the NHS, to local start-ups including the award winning Powder Keg Brewery.

8. Savills has submitted representations on behalf of FWS Carter and Sons with regard to GBP at several earlier consultation stages of the Local Plan. These have included:

- A completed questionnaire, set of written representations, HELAA Call for Sites form, and Strategic Masterplan in response to the Issues and Options Consultation in March 2021;
- A presentation to Strategic Planning Committee members in November 2022; and
- A set of written representations in response to the Regulation 18 Draft of the Local Plan in January 2023 which provided commentary on the visions, strategies and policies of the draft Local Plan.
- A set of written representations in response to the Further Regulation 18 Draft of the Local East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 3 Plan in June 2024 which included a revised masterplan for a (reduced) expansion area and a comprehensive sustainability appraisal (to contrast EDDC's own SA for the site (reference Wood_38)).

9. Further, representatives of GBP submitted written statements regarding the site to EDDC's Strategic Planning Committee on 8 March and 11 March 2024 and spoke at a meeting of the Strategic Planning Committee on 12 March 2024. The statements and the speech raised concerns with EDDC's recommendations for the allocations of new employment sites in the draft Regulation 18 Local Plan, and specifically the reasons for the exclusion of the land at GBP. 10. GBP is clearly available for development and there is significant demand for space at GBP. Despite the challenging economic climate there are no vacancies within the Business Park. To the contrary, there is a substantial, up-to-date register of interests from businesses keen to locate to the Business Park. In our previous representations of October 2022 the register of interests comprised a wide range of businesses with a requirement for a total of 392,000 sq ft which would require circa 4-5 hectares of employment land. In just the six months between January and June 2024, Greendale received dozens of enquiries with a requirement for 337,000 sq ft of floorspace. Over 3 hectares of land would be required to satisfy these enquiries alone. Despite the poor growth of the national economy, this clearly demonstrates that demand for employment land is still very high in East Devon and at GBP in particular, and that this demand is not being satisfied by the currently allocated employment sites. 11. There is significant interest in operating at GBP, especially among Small-Medium Enterprises (SMEs), due to the provision of quality, affordable accommodation. Rental levels are considerably lower than other employment locations within the authority area and given the ongoing inflationary pressures and consequential economic challenges facing many businesses, affordable accommodation is crucial to their long-term sustainability. 12. In addition to accommodation, one of the greatest challenges for businesses, particularly SMEs and start-ups, has been the rising cost of energy. Commercial enterprises do not benefit from the Government energy price cap and so have been particularly hard hit by the energy crisis following East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 4 the war in Ukraine. As widely reported in the media, rising energy prices have significantly impacted businesses across the country. This has not been the case at GBP – not only does the Business Park provide affordable accommodation, but it also benefits from its own direct, locally sourced renewable energy. Occupiers have saved money on energy bills in the last year, allowing these businesses to further invest in their productivity and staffing rather than spending money on energy costs. 13. FWS Carter and Sons have invested significantly in the on-site Anaerobic Digestion (AD) plant which, for the vast majority of time, supplies 100% of the electricity needs of the Business Park. Energy generated by the on-site anaerobic digestion plant has been estimated to save occupiers approximately 20% in energy costs when compared to electricity sourced from the national grid, which is a substantial cost-saving for SME businesses. In a drive to further enhance its sustainability credentials and contribution towards net zero ambitions, photovoltaic arrays have also been installed on the rooftops of buildings within the Business Park. Combined the AD Plant and photovoltaics generate sufficient

energy to meet the needs of the expanded Business Park. 14. The continued success and expression of confidence in the Business Park has been a catalyst for the owners to investigate the potential for further future expansion. 15. The only reason that this land has not been developed for the expansion of GBP is due to the restrictive wording of the adopted Local Plan, particularly Strategy 7 which limits development outside of Built-up Area Boundaries and site-specific allocations, and Policy E7 which supports extensions to existing employment sites except Greendale (and Hill Barton) business parks. 16. EDDC's own Economic Development Strategy 2024-2029 (EDS) which forms part of the evidence base for the draft Local Plan (ECN002) confirms that there is a 508,000 sqm demand for industrial and logistics workspace which significantly outstrips the 17,000sqm supply within the District. In demonstration of this, page 9 of the EDS includes a number of quotes from local residents and businesses that demonstrate how this lack of supply is actively affecting local business growth in real terms: "There is no space available and businesses will just leave rather than wait for workspace East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 5 to come forward" "The real struggle is the lack of small commercial units." "We're so busy trying to find workspace for our growing business, it is hard to focus on other business needs" 17. The policy position of EDDC within both the adopted and draft Local Plans with regard to GBP actively prevent GBP from assisting in addressing these concerns from local businesses and meeting these economic growth needs. 18. As noted in our previous representations, to avoid an 'ad hoc' approach to the expansion of the business park, the owners developed a 10-15 year Masterplan and sustainable vision for its future. A systematic and robust analysis of environmental and landscape considerations contributed to this masterplan, which was produced in late 2020. Robust technical assessments were undertaken to inform this masterplan, including Landscape and Visual Impact, Transport, Drainage, and Ecology. A copy of the masterplan was submitted in support of the HELAA 'call for sites' submission which proposed the allocation of the site for employment uses. 19. The benefits of the 2020 Masterplan were assessed and found to be able to deliver a major boost to the East Devon economy:

- creating an estimated 1,368 new permanent jobs;
- generating circa £90m Gross Value Added, which represents a 3.5% growth on the GVA in East Devon (2020);
- delivering an additional £2.3m in business rates, approximately half of which would go to the authority to support local priorities;
- rebalancing the employment market, diluting the reliance placed upon the service industry and boosting average wages;

- addressing unemployment; and East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 6

- reducing out-commuting from the authority to employment in Exeter and elsewhere.

20. The environmental-led masterplanning of the Business Park demonstrated how these considerable economic benefits could be delivered in a manner which would not have a limited impact on the environment. 21. In 2024, the evidence base for the Regulation 18 draft of the Local Plan included a document entitled 'Employment Site Selection Summary Findings' raised some concerns regarding the potential allocation of the land proposed within the 2020 site boundary including the proximity of a gas pipeline in the south east of the site, a 'sliver' of land within an area of flood risk, and potential landscape impacts in that exercise. To progress positively in light of these concerns, FWS Carter and Sons reduced the scale of the proposed Business Park expansion. The land above the pipeline was removed from the proposed area of allocation, as was the sliver of land that (whilst not proposed for any form of development) fell within the flood risk area. The reduced expansion area was submitted to EDDC within Savills representations to the Regulation 18 Consultation in 2024 and it is this revised area which has been promoted for an allocation through the emerging Local Plan. 22. The site-specific allocation promoted within these representations will enable the expansion of GBP which could deliver a developable area of approximately 10.34 ha (c.103,400 sqm) of new employment space (across two plots with a total site area of 15.26 ha). This would make a significant contribution to addressing the clear need for new employment/business space identified within EDDC's evidence. 23. In summary, this land is clearly available for development. Compatible with the EDDC Spatial Strategy 24. The Plan and the supporting evidence base provide very strong support for strategic scale growth in the West End of East Devon. The expansion of GBP aligns with the East Devon Local Plan spatial strategy for several key reasons: East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 7 Strategic Location within the West End 25. The 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 colocation 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 sections, the site is within close proximity to the future strategic-scale new settlement in the West End. Sustainability and Infrastructure Support 26. 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. GBP can both contribute toward and benefit from this existing

and planned infrastructure growth. Economic Growth and Job Creation 27. The spatial strategy supports employment-led growth in the West End. Development on the site would contribute to this vision by providing this employment-led growth for new and existing residents in the area. 28. 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. Suitably and sustainably located Sustainability Appraisal 29. At Regulation 18 stage EDDC published a Sustainability Assessment Report Addendum which included an assessment of each of the preferred housing and employment sites and ‘reasonable East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 8 alternatives’ against a set methodology . 30. GBP was identified as site reference Wood_38 and assessed by EDDC as being a ‘reasonable alternative’ for the following reasons: This site is a reasonable alternative as it has been assessed as suitable, available and achievable in the HELAA for employment use. It is located in the western side of East Devon, where the emerging Local Plan spatial strategy focusses new development. It is adjacent to an existing employment use (Greendale Business Park), where the emerging Local Plan supports employment development subject to meeting certain criteria. In addition, it is not already allocated in a ‘made’ Neighbourhood Plan, and does not currently have planning permission. 31. Despite the positive commentary above, EDDC concluded that the site should not be allocated in the draft Local Plan “due to [its] countryside location with poor access to services and [its] adverse landscape impact.” 32. To assist EDDC in updating their SA for the reduced expansion area, our Regulation 18 representations critically assessed the 2024 (current) expansion area against EDDC’s sustainability appraisal methodology and compared our assessment against the assessment undertaken by EDDC. On this basis it was requested that EDDC reconsider their assessment of the site and proceed to allocate the revised Wood_38 boundary to enable the sustainable expansion of the business park. 33. To avoid repetition, our Regulation 18 representations are appended to these representations. For ease of reference, an extract of our Sustainability Appraisal from the Regulation 18 representations is provided below. Table 1: Extract of Sustainability Appraisal Matrix from Regulation 18 Representations

[Table available in the PDF of this document]

As demonstrated within the above table, the 2024 Masterplan area scored positively against the sustainability assessment methodology, with no negative scores identified. 35. In support of the current Regulation 19 draft Local Plan, EDDC published an updated Sustainability Appraisal (East Devon Local Plan 2020-2042 - Publication Draft Local Plan Sustainability Appraisal report, February 2025 (Document reference

CSD003). Page 311 of the this document recognises 'Land adjoining Greendale Business Park (Wood_38)' as a 'reasonable alternative' among four other potential employment sites. 36. Notably, the Council's SA acknowledges that the expansion of GBP is consistent with the Local Plan and national policies: "The employment sites are located adjacent to existing employment areas, rather than isolated locations, consistent with Local Plan and national policies." 37. Further, it states that: East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 10 "The reasonable alternatives listed above have all been assessed as suitable, available and achievable in the HELAA which provides evidence that they have potential to be delivered (subject to further consideration through the planning process)." [emphasis added] 38. Regrettably, this further assessment of the site does not reflect the boundary of the revised masterplan submitted at Regulation 18 stage despite the February 2025 SA being published eight months after the revised boundary was submitted in June 2024. The SA instead assessed the entirety of the original Wood_38 boundary from the 2020 Masterplan. It has then concluded on page 325 that the site "is rejected due to countryside location with poor access to services and adverse landscape impact." 39. The Sustainability Appraisal has not assessed the correct site boundary for Greendale Business Park which has led to the draft Local Plan failing to properly consider (and in turn allocate) the revised boundary for GBP submitted at Regulation 18 stage. This component of the evidence base it therefore flawed and does not accurately appraise the site against the SA objectives. 40. It must also be noted that various consultees at Regulation 18 stage also raised issues with the Council's Sustainability Appraisal. Pages 171 to 173 of the Reg 18 Further Consultation Feedback Report Summer 2024 (document KSD005) confirm that out of 66 respondents, only 20 (30%) of respondents were either 'satisfied' or 'very satisfied' with the SA. 41. Statutory consultees were amongst those who raised issues with the SA. Most notably for GBP, Historic England stated: "Note that it should not be assumed that in all circumstances the presence of listed buildings on site means that development would result in an adverse impact – need to understand the significance of the asset and likely impact of development on that significance." 42. Despite this, EDDC's 2025 SA continues to score Wood_38 negatively ('-') against SA Objective 3 (Historic and built environment), stating: East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 11 "Grade II listed Greendale Barton is located in the centre of Wood_38, on the southern edge of the existing business park. Grade II listed Brooklands Farm is around 30m from edge of site in north west – mature trees obscure views into the site, but potential negative impact upon this asset." 43. EDDC has failed to take into account the feedback from Historic England or the updated land proposed for development. Simply because a listed building is present nearby the site it does not automatically mean that there will be an adverse impact, which can be assessed at application stage after the site is allocated. We consider that the correct score for this objective should be '0' on the basis that there will be a negligible impact upon the setting of the listed building. 44.

It is strongly recommended that EDDC revisit its Sustainability Appraisal to assess the correct site boundary for the expansion of GBP, take into account the issues raised by various consultees with regard to the SA, and give due regard to the highly sustainable nature of the site. Site Selection Report 45. EDDC has published a document with the Regulation 19 draft of the plan called “Site Selection report Employment Site, Greendale Barton” (SAL 017). 46. Like the SA, this assessment has been undertaken on the original 2020 site boundary, not the revised boundary submitted in 2024, and reviews the potential constraints at a very high level without regard to the opportunities for mitigation. The potential constraints identified are considered to be over-stated and do not take into consideration the evidence submitted in support of the allocation through the previous consultation stages of the Local Plan. Infrastructure and Accessibility 47. Under the Infrastructure heading, EDDC and Devon County Council have stated the following: “The site contains one main existing business park and several smaller areas in business use. DCC state - The highway network already has capacity issues, there are limited public transport options and distance from the main attractors is beyond most walking and cycling East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 12 distance. There are numerous sites in the vicinity and they need to be considered in a comprehensive masterplan and access strategy.” 48. Further, under the Accessibility heading, EDDC stated the below: “Site adjoins an existing employment site. All of the site is (just) within 1,600 metres of a bus route with an hourly or better service. Poor pedestrian or cycle accessibility.” 49. These statements fail to recognise the enhancements to accessibility that were identified within section 4.3 of the submitted Masterplan. The Masterplan identified a range of measures that could be provided by the comprehensive extension of GBP to encourage active and sustainable modes of travel. 50. All new internal roads within the masterplan area would be accompanied by footways, and a network of off-road pedestrian/cycle links would be provided within and around GBP. Perhaps of most interest to the local community, these links would include a new pedestrian/cycle path between the Greendale Farm Shop and the community of Woodbury Salterton, to support and formalise an existing desire line between these areas. Such a link would also support active commuting for those that live in Woodbury Salterton and work at GBP. 51. Further, the Council’s own evidence supports the delivery of new active and sustainable travel links to and from the Greendale area, which, if delivered, would further enhance the sustainability of GBP. Page 18 of the ‘Clyst Valley & New Communities LCWIP’ (document TRI 018) includes two recommended projects with relevance to GBP:

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6. A3052 Sidmouth Road: There are key destinations on this route including Westpoint Area, Hill Barton Business Park, Crealy Theme Park & Resort, Greendale Farm Shop and Business Park, with this route identified in the Exeter LCWIP. All new settlement options in this area would further increase demand on this route. A high-quality protected route,

separated from the carriageway by a buffer should be delivered between Clyst St Mary and Greendale. To include crossing points (e.g. signalised crossings) for the Clyst Valley Trail, Cat & Fiddle, Crealy, and Greendale. This would East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 13 require engagement and negotiation with landowners.

///// END OF PART 1 - CONTINUED IN PART 2 681e26906efb0400131fe8f8 /////

3(c). Please set out the modification(s) you consider necessary to make this part of the Supporting the Economy and Town Centres 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 Supporting the Economy and Town Centres 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.:

Conclusion 79. The assessments that EDDC have undertaken to date, and resulted in the decision not to allocate GBP for expansion within the draft Local Plan, have been based on an out-of-date site boundary that was submitted to EDDC as part of a HELAA submission in 2020. These have not taken into account the updated boundary or information submitted by EDDC during the Regulation 18 consultation stage in 2024. 80. As set out within our representations to Strategic Policy SP04, whilst there is a large quantity of East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 20 land allocated for economic growth in the draft plan, the location and type of that land will not suit all businesses. It is for this reason that despite the availability of land elsewhere in East Devon, the owners of the GBP receive regular enquiries from local businesses for space. Since there are no vacancies within the Business Park (as evidenced by the Employment Land Review – ECN004 – Pages 68-73), these enquiries have to be rejected. 81. With housing, there are some households able to afford a house which meets their needs and others who are in need of housing which is available to rent below average market rates. The same is true for employment. Part of the popularity of GBP is that it provides (a) more affordable accommodation than other employment locations within East Devon; and (b) the onsite generation of renewable energy which is provided to the units below market levels keeps the cost of business operations lower than elsewhere. 82. At a time of stagnant economic growth and national Government concerns over productivity, the Local Plan policies and proposals must support a wide range of employment opportunities. This needs to include not only the high profile business parks such as Skypark and the Science Park, but the more affordable employment locations across the authority area. 83. Further, expanding successful existing employment destinations is considered a more deliverable, sustainable and sound process for allocating employment sites to meet this need than EDDC's current strategy which generally seeks to identify entirely new sites for

employment within or adjacent to settlement boundaries or as part of larger housing allocations. Past experience has demonstrated that this approach has failed to deliver the necessary quantum of additional employment. 84. Allocations for employment land at the GBP would be delivered and occupied in a very short amount of time, subject to securing the necessary post-allocation consents. This contrasts with EDDC's current approach to allocating new employment land, where new strategic infrastructure may need to be funded, approved and delivered first before any employment opportunities are delivered, or allocating small sites which may have no evidence demonstrating that there is any market interest in those particular sites. East Devon Local Plan Chapter 4: Development at the West End FWS Carter & Sons March 2025 21 85. GBP is a sustainable location for further employment growth. Its location adjacent to EDDC's preferred option for the 8,000-home new town will provide employment in close proximity to new residents and encourage the use of active and sustainable modes of transport. There are also opportunities to enhance public transport accessibility and incorporate sustainable travel infrastructure such as electric car charging points as part of the expansion. 86. Furthermore, the business park is powered by an on-site anaerobic digestion plant and photovoltaic panels which generate further energy from renewable sources. The new businesses on site would therefore benefit from locally generated renewable energy from an energy supply which is already in situ. 87. In conclusion, it is recommended that EDDC fully review its assessment of the expansion of GBP against the assessment methodology and reconsider the many positive reasons for allocating the site for employment uses. Through the revisions to the boundary of the Business Park expansion that were submitted in 2024, and the explanation given in these representations, we consider the very significant economic benefits of doing so substantially and demonstrably outweigh the harms. Recommended Change to the Local Plan 88. For the reasons set out above, we consider that the following policy should be introduced into the Local Plan:

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: Nick Matthews

Organisation (where relevant): Savills

Other party name (if relevant): FWS Carter and Sons

Proposal:

9. Supporting the Economy and Town Centres

1. To which part of the Supporting the Economy and Town Centres chapter does your representation relate?: Policy

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: SE02

2. Do you consider that this part of the Supporting the Economy and Town Centres chapter is legally compliant?: Yes

3. Do you consider that this part of the Supporting the Economy and Town Centres chapter is sound?: No

3(b). If no, please give details of why you consider this part of the Supporting the Economy and Town Centres chapter is not sound. Please be as precise as possible.: Please refer to the supporting representations attached to this response.

3(c). Please set out the modification(s) you consider necessary to make this part of the Supporting the Economy and Town Centres 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 Supporting the Economy and Town Centres 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.: Please refer to the supporting representations attached to this response.

4. Do you consider that this part of the Supporting the Economy and Town Centres 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.: FWS Carter and Sons, as the owner of Greendale Business Park, is a significant landowner and employer within East Devon and is capable of delivering significant development to address the needs and aims identified within the draft Local Plan.