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East Devon Local Plan 2020 – 2040
Regulation 19 Local Plan Consultation
Representations on behalf of Jackson-Stops
March 2025

Introduction

This representation is submitted in response to the East Devon Local Plan 2020-2040 Regulation 19 Consultation, on behalf of our clients, Jackson-Stops.

Our clients are the advisors to the owners of land at Globe Hill, Woodbury, which is shaded in red on the Site Location Plan enclosed at Appendix 1. Whilst the site has not been identified as a potential allocation in the Draft Local Plan, the site lies adjacent to the west of Draft Allocation Wood_06.

This representation should be read in conjunction with the following supporting drawings:

- Sketch Plan

Previous consultation on the emerging Local Plan has taken place between January and March 2021, November 2022 to January 2023, and more recently between May and June 2024. During each of these consultation periods, additional housing sites have been submitted, assessed and since been proposed in this Regulation 19 Local Plan consultation. The site subject to this representation has not previously been promoted through the Local Plan process. Rather, our client's focus has been promoting the site subject to Draft Allocation Wood_06 which has been positively reviewed by Officers and Members of the Strategic Planning Committee, culminating in its draft allocation.

Given the positive response to Wood_06, our clients wish to propose their adjacent land as suitable for development and deliverable within the plan period. The land can be brought forward at an early stage within the plan period to meet the objectives of Woodbury to support development *“that meets local needs and those in the immediate surroundings”*. Significantly, Wood_06 was considered acceptable to be chosen as a draft allocation due to its proximity to shops and facilities in the settlement centre, as well as a primary school. Furthermore, the site was seen to have limited ecological and landscape impact. The same can be said for the site subject to this representation.



Policy Context for Plan-Making

Provisions for plan-making are set out within the NPPF and NPPG. Plan makers are required to take account of the following points when preparing their Local Plan:

Under the transitional arrangements of the December 2024 NPPF, the new Local Plan will be considered under the provisions of the December 2023 NPPF.

National Planning Policy Framework (December 2023)

Paragraph 31 states that *“The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be ... focussed tightly on supporting and justifying the policies concerned and take account of relevant market signals.”*

Paragraph 35 identifies the tests of soundness as being:

- a) Positively prepared: As a minimum, seeking to meet the area’s objectively assessed needs and 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 sustainable development.
- b) Justified: An appropriate strategy based on taking account of reasonable alternatives and proportionate evidence.
- c) Effective: Deliverable, based on effective joint working on cross-boundary strategic matters, evidenced in a Statement of Common Ground.
- d) Consistent with national policy.

Site Location

The site is located at the western extent of the village of Woodbury, lying adjacent to the proposed allocation referenced Wood_06. The draft allocated site, Wood_06, also benefits from a resolution to grant planning permission, subject to the completion of a S.106 Agreement. It is therefore anticipated that Wood_06 will be developed in the short term, within the first 5 years of the Local Plan period. The site subject to this representation can be accessed directly from Wood_06 and is therefore an achievable and deliverable development site that can contribute to meeting housing needs in the short term.



The site can accommodate circa 21 residential dwellings and a large area of open space providing informal recreational opportunities. This level of development is consistent with the level of growth envisaged in Local Centres.

Woodbury itself is a prime settlement, capable of accommodating residential growth. It is stated in the *Role and Function of Settlements* Report, published by East Devon District Council, that Woodbury is one of 15 villages that “offer a range of accessible services and facilities to meet the day-to-day needs of their residents and nearby rural areas, with reasonable public transport”. The Report also found that Woodbury plays an important local role in the provision of employment and community facilities.

The sustainability credentials of Woodbury are such that the Regulation 19 Draft Local Plan identifies the settlement as a ‘Local Centre’, meaning it is required to support development to meet the needs of the village and its wider network in the immediate surroundings. With this collated evidence, the Council seeks to allocate five sites in Woodbury, totaling around 216 new dwellings throughout the plan period.

Proposed Allocations in ‘Local Centres’

The proposed distribution of residential allocations across the five Local Centers are set out below:

<i>Local Centre</i>	<i>Proposed Residential Allocations</i>
Broadclyst	Around 124
Budleigh Salterton	35
Colyton	61
Lympstone	92
Woodbury	216

In the context of the other four settlements within the ‘Local Centre’ category, Woodbury is set to provide a much higher contribution of dwellings. The provision of 216 dwellings in Woodbury is more closely aligned to some of the expected delivery within some ‘Main Centres’, a higher category within the settlement hierarchy, notably Sidmouth which is expected to provide 172 dwellings, and Seaton which has a respective figure of 284 dwellings.



Whilst this can be explained to an extent by certain settlements having landscape and topographical constraints that limit the amount of growth, it provides an indication that Woodbury is among the most sustainable settlements within East Devon that can accommodate and deliver the development that is needed, where it is needed.

We support the spatial strategy that seeks to accommodate development in Woodbury to meet local needs and those in the immediate surroundings.

Chapter 3: The Spatial Strategy

Whilst we agree with the contents of Strategic Policy SP01 and the consideration of Woodbury as a 'Local Centre' within the settlement hierarchy, we are concerned with the proposed 'stepped trajectory' for delivering the identified housing requirement, set out at Policy SP02. There is very little certainty in the evidence to suggest that the proposed trajectory is robust, with a reliance on over-delivery in the latter period of the plan and on windfall sites.

Up to 2031/32, the Council indicate a trajectory to deliver 850 dwellings per year on average, with the remaining plan period from 2032/33 onwards to deliver an annual average of 1,070 dwellings per year. Whilst this averages out to provide for the required housing need, it means that for the first part of the plan-period, the LPA will be under-delivering against their identified housing need and more than likely unable to demonstrate a five-year housing land supply within the early parts of the plan-period, as evidenced by Appendix 1 of the Draft Local Plan. This approach appears to be at odds with the Framework, in particular, the requirement to "*meet the area's objectively assessed needs*".

It is, effectively, a workaround, where the LPA will only be delivering 70% of the housing requirement, which would be averaged out by delivery later in the plan period, for the Plan to continue to be assessed against the previous version of the Framework and therefore requiring 80% of the housing requirement to be planned for.

Furthermore, Policy SP06 (Development beyond Settlement Boundaries) does not accord with the National Planning Policy Framework because it imposes a carte blanche prohibition on development outside settlement limits unless sites are allocated in neighbourhood plans. The approach in the Framework is quite different, with a key provision being Paragraphs 82-84 which identifies a range of circumstances where the development of new homes in rural areas will be acceptable, outside of settlement boundaries. The lack of complete coverage of Neighbourhood Plans in East Devon means



that Policy SP06 will lead to an automatic prohibition on any development from coming forward outside settlement limits that may be needed to meet the housing delivery targets set out in the Draft Local Plan and enable the Council to maintain a five-year supply of deliverable housing sites. This is contrary to the Framework.

Elsewhere in the Draft Local Plan, notably in Strategic Policy HN02 (Affordable Housing), it is referenced that 35% affordable housing would be a target for windfall development outside settlement boundaries. This appears at odds with Policy SP06 which restricts development outside settlement boundaries, presenting concerns about the level of contribution that windfall sites will provide to meeting housing need. Paragraph 72 of the Framework is clear that there should be “*compelling evidence*” that windfall sites will provide a reliable source of supply. The current wording of Policy SP06 does not provide confidence that development on windfall sites will be a reliable source of supply.

Policy SP06 should provide sufficient flexibility to enable development to come forward on sustainably located land outside settlement limits needed to deliver a five-year supply of deliverable housing sites or to maintain delivery in accordance with the housing trajectory in Policy SP02. At present, the policy does not accord with the Framework and should be revised to include the identification of specific uses that may be acceptable outside settlement limits, while providing for sufficient flexibility to provide for the development of new homes to achieve targets and maintain supply.

In combination, the restrictive nature of Policy SP06, and the reliance of larger sites to deliver the required housing need later in the plan-period cemented by Policy SP02, presents the prospect of a deteriorating housing supply position from the point of adoption within the first half of the plan period. The Framework is clear that planning policies “*should identify opportunities for villages to grow and thrive, especially where this will support local services*”. The restrictive nature of Policies SP02 and SP06 is at odds with the clear intention of what the Framework is aspiring to achieve. Furthermore, the Framework is clear that strategic policies should provide for objectively assessed needs “*as a minimum*”.

In such instances, an achievable and deliverable development site such as the subject site should be considered to bolster the early trajectory of housing delivery to ensure the District can meet its recognised housing needs. The site can act as a continuation of Wood_06, in a settlement with high



sustainability credentials to accommodate appropriate growth and presents no insurmountable constraints that would render development of the site unachievable.

Summary

These representations fully support the Council's identification of Woodbury as a 'Local Centre' suitable for appropriate levels of growth to meet its needs as well as the requirements of the wider network of rural settlements. We have identified concerns with the housing trajectory and the overreliance on windfall sites and larger allocations coming forward towards the end of the plan period. The site subject to these representations provides a suitable and deliverable opportunity to provide additional housing in a location that is highly sustainable in order to bolster early delivery of housing within the plan period to consistently meet the housing needs of the District.

Subject to further refinement through the planning application process, a design could be proposed that is sensitive to the edge of settlement location to deliver on other objectives of the Draft Local Plan to promote development that meets the needs of Woodbury and the wider community.

We ask to be kept informed of next stages of consultation and also that we have an opportunity to participate in any public examination of this document.

In the meantime, should you have any queries please do not hesitate to contact us.

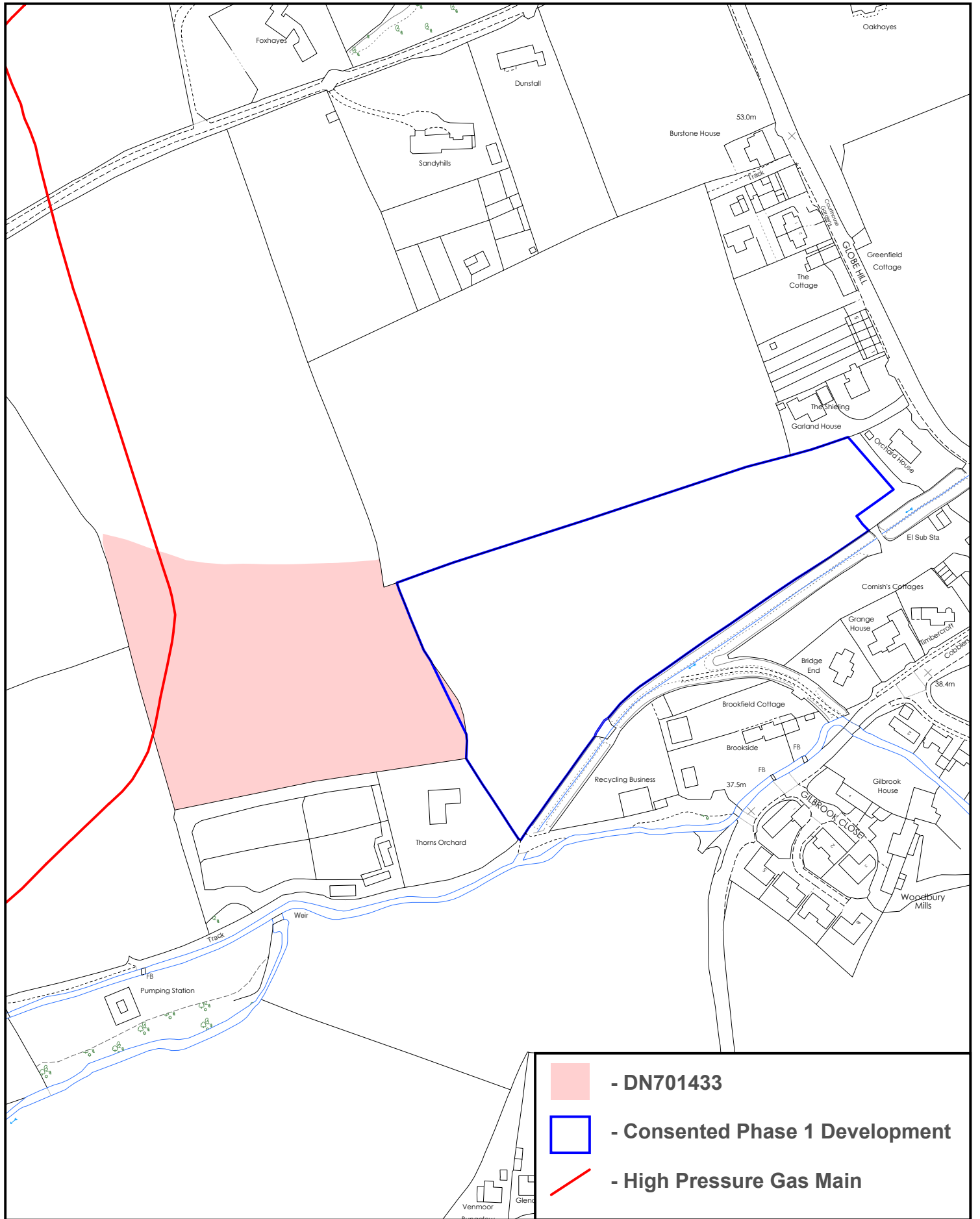
Our Ref – CSE2225 Woodbury

Name – Ollie Thorogood, Associate Director - CarnevSweeney



Appendix 1 – Site Location Plan





Land off Globe Hill, Woodbury

Location SY 005 869
 Scale 1:2,500 @ A4
 Drawing No. Y23556-01
 Date 15.10.24



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