

Filtered Data Export

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: As can be seen from our tabulated representations, it is our view that the cumulative (and often individual) effect of numerous draft EDLP policies will be to delay and restrict the delivery the number of new homes on

allocated sites. Development viability will also become challenging, which will in turn impact on affordable housing delivery.

This will create growing pressure to release more land for development in order to maintain housing land supply and to meet at least 80% of the identified need, undermining the plan-led approach to delivering new homes and jobs.

As a result, it is considered that the draft EDLP should address this by allocating more land for development, including land for a further sustainable self-contained strategic-scale development in addition to land for a second new community.

As noted above, our clients are promoting a site for such a development in the West End, which the Council acknowledges at paragraph 3.4.1 of the draft EDLP to be an appropriate location to accommodate major new development.

A Vision Statement accompanies these representations. This document is based on detailed technical analysis, including a “Vision-led” transport and access appraisal, a full season of ecology surveys, landscape assessment, arboricultural assessment and a flood risk and surface water drainage assessment. It presents a full constraints and opportunities analysis that culminates in a draft Illustrative Masterplan and land use plan.

SUMMARY CarneySweeney submits representations on behalf of CR Down Farming Ltd and Stuart Partners Ltd.

We identify legal and procedural challenges with the Council’s approach to plan preparation. These relate to:

- The approach to planning to meet up to 80% of need rather than the entire need or at least 80% of the need.
- Splitting the plan into two parts, with a Regulation 19 consultation on the one part of the plan and a future Regulation 18 consultation on the other part, which relates to a second new community which will be the central plank of the Council’s future housing delivery strategy.
- The second new community consultation assuming that the only option for delivering a strategic sustainable new development to meet housing need is via the Council’s preferred option site between the A30 and the A3052. It is an option but not the only one. The option being promoted by our client would complement the second new community rather than prejudicing it.

There are also a number of policies that impose technical and other standards that while entirely laudable, have not been properly evidenced or justified and as such are, in themselves, unsound. Furthermore, it is the cumulative (and

often individual) effect of these policies (including those listed below) on scheme viability and overall deliverability that is of significant concern. These include:

- 20% BNG (Policy PB05)
- 110 litres per day restriction (Policy AR02)
- First Homes Standard (Policy CC02)
- BREAM “Excellent” for all non-residential development (Policy CC02)
- Design Code for all major development (Policy DS02)
- Housing design standards (Policy HN04)
- 5% custom and self build (Policy HN05)
- Public open space standards (Policy OS02)
- Bond of 25% of the cost of landscaping (Policy PB09)

A number of other policies introduce policy, procedural requirements and new standards that are not consistent with those in the Framework and PPG. It is considered that these will delay the submission and determination of planning applications and ultimately delay housing delivery.

As a result, the draft EDLP will delay and restrict housing delivery, such that the allocated sites will not meet the needs identified and the ability of windfall sites to “step in” to meet the shortfall are equally restricted in policy terms.

It has not been demonstrated that the second new community will deliver as the draft EDLP claims and the Council’s experience of the delivery timeline for Cranbrook (30 + years and counting) underlines the challenges that lie ahead. Furthermore, it is considered that the draft EDLP has failed to allocate enough sites to meet local need in full or to have planned positively to meet at least 80% of this need. This suggests strongly that the draft EDLP should either be paused to enable the second new community plans to “catch up” so that the whole draft LP can be considered comprehensively as one, or that more sites should be allocated at this stage to provide sufficient headroom for the significant uncertainties inherent in the draft EDLP.

Our clients are promoting land in the West End to the south of the 2nd new community for a self-contained residential-led, sustainable new village that is viable, sustainable and does not require external funding. It could come forward quickly and would eventually form part of and compliment (rather than prejudice delivery of) the second new community. It is considered that this land should be allocated in the draft EDLP.

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.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

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

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: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling.

This so would represent a significant additional cost that needs to be taken into account in assessing the viability of the local plan.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: CarneySweeney acts for DABB Partnership in connection with various land parcels in Whimble which are being promoted for residential development. CarneySweeney submits the following representations to East Devon District Council's (EDDC) current consultation on the Local Plan Regulation 19 which closes at 9am on Monday 31st March 2025. Our Client:

1. Supports the allocation of Whim_11 for 33 homes.
2. Supports the allocation for Whim_08a for 50 homes.
3. Considers that land off Broadyclst Road, Whimble should be allocated for residential development and included within the BUAB.
4. Considers that Policy CC06 (Embodied Carbon) should be deleted or if found sound should be amended to provide greater clarity.
5. Considers that Policy AR02 (Water Efficiency) should be deleted.
6. Considers that Policy HN04 (Accessible and Adaptable Housing) should be amended to include a reduced percentage requirement for M4 (2) dwellings.
7. Considers that Policy HN05 (Self-Build and Custom Build Housing) should be deleted.
8. Considers that Policy PB05 (Biodiversity Net Gain) should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling.

This so would represent a significant additional cost that needs to be taken into account in assessing the viability of the local plan.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling.

This so would represent a significant additional cost that needs to be taken into account in assessing the viability of the local plan.

We would also question if sufficient allowance has been made for future inflation.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: Viability The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling. This so would represent a significant additional cost that needs to be taken into account in assessing the viability of 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: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: Viability Assessment There are a number of specific viability queries identified in the above table, but Taylor Wimpey also challenges the amount allowed for professional fees for larger sites. The Viability Assessment sets professional fees at 6% of build costs for 101 plus unit schemes but our client asserts this should be closer to 10%, with some larger sites likely requiring significantly higher professional fees.

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

Proposal:

1. Introduction

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

Paragraph

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3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: Viability The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling. This so would represent a significant additional cost that needs to be taken into account in assessing the viability of the local plan.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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

The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling.

This so would represent a significant additional cost that needs to be taken into account in assessing the viability of the local plan.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

3(a). If yes, and you wish to support the soundness of this part of the Introduction chapter, please use this box to set out your comments.: C G Fry fully endorses the aspirations of the plan to raise standards and deliver high quality development and good design and the need to assess and mitigate the impacts of development.

However, this is subject to the following caveats:

- All proposed local policies must be justified.
- Potential impacts on viability and deliverability must be properly understood.
- Policies should not seek to unnecessarily replicate the NPPF or Building Regs (or other regulatory regimes).
- Policies should not be drafted in such a way that they hinder or discourage development. This land is proposed for 438 dwellings and 1.6 hectares of employment

land. This allocation will need to come forward on the basis of an agreed masterplan for the whole site that clearly demonstrates how comprehensive development will be undertaken and implemented.

- Where any standards or thresholds are set out there needs to be flexibility built into the policy to take account of site specific, technical feasibility and viability considerations.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal:

1. Introduction

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

3(b). If no, please give details of why you consider this part of the Introduction chapter is not sound. Please be as precise as possible.: The following section contains specific policy comments and follows the order of the draft plan.

Our client fully endorses good design and the need to assess and mitigate the impacts of development.

However, any proposed local policies must be justified, any potential impact on viability and deliverability must be assessed, policies should not seek to unnecessarily replicate the NPPF or Building Regs (or other regulatory regimes) and finally should not be drafted in such a way that they hinder development. Where any standards or thresholds are set out there needs to be flexibility built into the policy to take account of site specific, technical feasibility and viability considerations.

Viability

The Three Dragons Viability Assessment does not appear to have taken account of the pending Building Safety Levy due to come into effect from Autumn 2026. The rate per sqm in East Devon is currently indicated to be £34.06/sqm so would be £3406 for each 100sqm open market dwelling.

This so would represent a significant additional cost that needs to be taken into account in assessing the viability of the local plan.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: In the 1st paragraph, the requirement to be in accordance with "...any other local guidance." is too vague. The policy contains a long list of prescriptive requirements in the 2nd paragraph and under part E, which duplicate the National Design Guide and other policies in the draft LP, for example those in the Meeting Climate Change and Meeting Housing Needs chapters. The Devon Waste Plan contains relevant policies for inert waste and the principles do not need to be duplicated in the draft LP.

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.: Policy should be simplified.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

In the 1st paragraph, the requirement to be in accordance with "...any other local guidance." is too vague.

The policy contains a long list of prescriptive requirements in the 2nd paragraph and under part E, which duplicate the National Design Guide and other policies in the draft LP, for example those in the Meeting Climate Change and Meeting Housing Needs chapters.

The Devon Waste Plan contains relevant policies for inert waste and the principles do not need to be duplicated in the draft LP.

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.: Policy should be simplified.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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.: The 1st paragraph of Policy DS02 is supported. However the 2nd paragraph is unrelated to housing density or making efficient use of land. In any event, "...environmentally or heritage sensitive locations..." is not defined and too vague. Furthermore, design codes should only be used on large strategic sites where delivery will be phased and the site is in multiple ownership, with development being undertaken by more than one developer.

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.: It is considered that the 2nd paragraph should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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

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.: The 1st paragraph of Policy DS02 is supported. However the 2nd paragraph is unrelated to housing density or making efficient use of land. In any event, "...environmentally or heritage sensitive locations..." is not defined and too vague. Furthermore, design codes should only be used on large strategic sites where delivery will be phased and the site is in multiple ownership, with development being undertaken by more than one developer.

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.: It is considered that the 2nd paragraph 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)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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

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.: The 1st paragraph of Policy DS02 is supported. However the 2nd paragraph is unrelated to housing density or making efficient use of land. In any event, "...environmentally or heritage sensitive locations..." is not defined and too vague. A requirement for design codes on all major schemes (so 11+ homes) is considered excessive and unreasonable. Design Codes should only be used on large strategic sites where delivery will be phased and the site is in multiple ownership, with development being undertaken by more than one developer.

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.: It is considered that the 2nd paragraph 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)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The 1st paragraph of Policy DS02 is supported.

However the 2nd paragraph is unrelated to housing density or making efficient use of land. In any event, "...environmentally or heritage sensitive locations..." is not defined and too vague.

Furthermore, design codes should only be used on large strategic sites where delivery will be phased and the site is in multiple ownership, with development being undertaken by more than one developer.

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.: It is considered that the 2nd paragraph should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: The 1st paragraph of Policy DS02 is supported.

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.: However the 2nd paragraph is unrelated to housing density or making efficient use of land. In any event, “...environmentally or heritage sensitive locations...” is not defined and too vague.

Furthermore, design codes should only be required on larger strategic sites where delivery will be phased and the site is in multiple ownership, with development being undertaken by more than one developer. To require them for all major development schemes as proposed adds an additional layer of approval process that would delay housing delivery unnecessarily.

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.: It is considered that the 2nd paragraph should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: DS04

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.: G: Upon the submission of an outline planning application, it is premature to define the management and maintenance of GI.

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.: It is considered that part A can be retained. The requirement to submit a green and blue infrastructure plan can be addressed through validation requirements. The remainder of the policy duplicates the Natural England guidance and is unnecessary such that it should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: DS04

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

G: Upon the submission of an outline planning application, it is premature to define the management and maintenance of GI.

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.: It is considered that part A can be retained. The requirement to submit a green and blue infrastructure plan can be addressed through validation requirements. The remainder of the policy duplicates the Natural England guidance and is unnecessary such that it should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR01

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

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: The aims of Policy TR01 are supported. Alignment with the Devon County Council (DCC) Bus Plan is arguably realistic in larger settlements with existing or planned high-frequency routes. However, in rural areas, additional funding and strategic interventions over and above those capable of being supported by development allocations (e.g. flexible demand responsive services) might be required to fully integrate the bus network. Policy TR01 should acknowledge the following:

- The feasibility of integration – ensuring alignment where practical, particularly in urban areas and key development locations
- Challenges in rural areas – recognising that full alignment may not always be possible due to service constraints
- Commitment to improvements – supporting enhancements to public infrastructure in collaboration with DCC.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will

make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested wording to address this point is:

Development proposals should contribute to public transport enhancements, aligning with the Devon County Council Bus Plan where feasible, particularly in designated growth areas. Proposals should facilitate convenient access to public transport by incorporating well-positioned bus stops, mobility hubs, and transport interchange points where practicable. Recognising that full integration with the DCC Bus Plan may not be achievable in all locations, particularly in rural areas, developers are encouraged to explore alternative solutions, such as demand-responsive transport, community-led initiatives, or enhanced active travel infrastructure to improve connectivity.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR01

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The aims of Policy TR01 are supported.

Alignment with the Devon County Council (DCC) Bus Plan is arguably realistic in larger settlements with existing or planned high-frequency routes. However, in rural areas, additional funding and strategic interventions over and above those capable of being supported by development allocations (e.g. flexible demand responsive services) might be required to fully integrate the bus network. Policy TR01 should acknowledge the following:

- The feasibility of integration – ensuring alignment where practical, particularly in urban areas and key development locations
- Challenges in rural areas – recognising that full alignment may not always be possible due to service constraints

- Commitment to improvements – supporting enhancements to public infrastructure in collaboration with DCC.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Suggested wording to address this point is:

Development proposals should contribute to public transport enhancements, aligning with the Devon County Council Bus Plan where feasible, particularly in designated growth areas. Proposals should facilitate convenient access to public transport by incorporating well-positioned bus stops, mobility hubs, and transport interchange points where practicable. Recognising that full integration with the DCC Bus Plan may not be achievable in all locations, particularly in rural areas, developers are encouraged to explore alternative solutions, such as demand-responsive transport, community-led initiatives, or enhanced active travel infrastructure to improve connectivity.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR03

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

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: Policy TR03 mirrors the Framework, which already mandates that significant developments must provide transport assessments and travel plans and Policy TR03 essentially repeats this requirement without materially altering or expanding it. We have the following detailed comments: C. It is not clear to us why or how a TS/TA should take into account proximity to environmental designations. E. It is not clear to us what is being required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is considered that Policy TR03 would be better addressed as a validation requirement.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR03

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: Policy TR03 mirrors the Framework, which already mandates that significant developments must provide transport assessments and travel plans and Policy TR03 essentially repeats this requirement without materially altering or expanding it.

We have the following detailed comments:

C. It is not clear to us why or how a TS/TA should take into account proximity to environmental designations.

E. It is not clear to us what is being required.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: It is considered that Policy TR03 would be better addressed as a validation requirement.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR04

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

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: The requirement for 1 secure and under cover cycle space per bedroom for all dwelling types has the potential to impact on plot layout, potentially requiring larger plots, with cumulative effects across a larger scheme in terms of the ability to achieve the required level of housing. The viability implications of this have not been specifically assessed in the Three Dragons Viability Assessment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Any standard needs to be properly justified.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR04

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

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: The requirement for 1 secure and under cover cycle space per bedroom for all dwelling types has the potential to impact on plot layout and site yield, potentially requiring larger plots or larger garages reducing garden space. The cumulative effects of this across a larger scheme could substantially reduce the ability to achieve the required level of housing. While Cavanna is not against adequate cycle storage on future developments, the implications of this policy requirement on site delivery need to be understood. Flexibility should be provided through the policy to take account of site constraints. The viability implications of this have not been specifically assessed in the Three Dragons Viability Assessment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Any standard needs to be properly justified.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR04

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: The requirement for 1 secure and under cover cycle space per bedroom for all dwelling types has the potential to impact on plot layout, potentially requiring larger plots, with cumulative effects across a larger scheme in terms of the ability to achieve the required level of housing.

The viability implications of this have not been specifically assessed in the Three Dragons Viability Assessment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Any standard needs to be properly justified.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR04

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: The requirement for 1 secure and under cover cycle space per bedroom for all dwelling types has the potential to impact on plot layout, potentially requiring larger plots, with cumulative effects across a larger scheme in terms of the ability to achieve the required level of housing.

Equally, the blanket reference to garage spaces not counting towards car parking space quantum has land take implications. In other authority's garage spaces can be included subject to a minimum size threshold (internal dimension of 6m by 3m with 2.3m headroom that enables space for storage as well as parking of a car. Flexibility should be provided through the policy to enable such an approach.

The viability implications of this have not been specifically assessed in the Three Dragons Viability Assessment.

3(c). Please set out the modification(s) you consider necessary to make this part of the Sustainable Transport and Communications chapter sound, in respect of any matters you have identified above. You will need to say why each modification will make this part of the Sustainable Transport and Communications chapter sound. It will be helpful if you are able to put forward your suggested revised wording for the relevant policy or paragraph. Please be as precise as possible.: Any standard needs to be properly justified.

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

Proposal: 11. Sustainable Transport and Communications

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: TR06

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

3(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.: While the provision of digital connectivity to new developments is supported, the mandatory wording of the policy is too restrictive with no flexibility / acknowledgement that provision of digital connectivity is not in the control of developers. There is too much emphasis on the developer and instead should be focussed on them linking into wider plans to increase connectivity in their areas, where practical. As currently worded this policy could also create a prohibition on smaller rural schemes – it is entirely unrealistic to require such schemes to facilitate connections to isolated sites if providers do not have plans for those areas. A more sensible approach would be to ask developers for evidence about connectivity to superfast broadband in the vicinity of any site. Then discussions on whether it is practical and viable to facilitate www.carneysweeney.co.uk connections can then be had, and this would be dependent on size of development and costs of additional works.

3(b). If no, please give details of why you consider this part of the Sustainable Transport and Communications chapter is not sound. Please be as precise as possible.: Policy should be reworded to require assessment and discussion but not mandating provision.

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: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: OL04

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.: The areas of strategic visual importance should be identified on the proposals map. The types of area identified in parts A – E are too vague and cannot be classified as strategically important in visual terms.

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.: It is considered that the first paragraph could be retained, but that the remainder of the Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: OL04

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.: The areas of strategic visual importance should be identified on the proposals map. The types of area identified in parts A – E are too vague and cannot be classified as strategically important in visual terms.

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.: It is considered that the first paragraph could be retained, but that the remainder of the Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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.: Policy OL10 is overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets. It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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.: The policy should be amended to better reflect the NPPF.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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

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.: Policy OL10 is overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets.

It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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.: The policy should be amended to better reflect the NPPF.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: Policy OL10 overly restrictive and does not balance the protection of best and most versatile land (BMV) with accommodating development. It will be used to prevent housing and other development from coming forward on sustainable sites that will support the Council in maintaining its housing land supply and meeting its Local Plan housing targets.

It is also inconsistent with the Framework, which requires the economic and other benefits of BMV to be recognised (paragraph 180 b). Footnote 62 states that “Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.” The tone of the Framework does achieve the balance claimed in the Justification and should be reflected in Policy OL10.

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.: The policy should be amended to better reflect the NPPF.

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

-

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: PB03

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.: Mature trees and hedgerows are not necessarily irreplaceable habitats and should be removed from the list of irreplaceable habitats. The phrase “evidenced in earnest” in the context of the mitigation hierarchy being applied to proposals resulting in the loss and/or degradation of hedgerows is too vague.

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.: Remove mature trees and hedgerows from the list of irreplaceable habitats Replace “evidenced in earnest” with “robustly evidenced”

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: PB03

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.: Mature trees and hedgerows are not necessarily irreplaceable habitats and should be removed from the list of irreplaceable habitats.

The phrase “evidenced in earnest” in the context of the mitigation hierarchy being applied to proposals resulting in the loss and/or degradation of hedgerows is too vague.

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.: Remove mature trees and hedgerows from the list of irreplaceable habitats

Replace “evidenced in earnest” with “robustly evidenced”

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: PB03

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.: Mature trees and hedgerows are not necessarily irreplaceable habitats and should be removed from the list of irreplaceable habitats.

The phrase “evidenced in earnest” in the context of the mitigation hierarchy being applied to proposals resulting in the loss and/or degradation of hedgerows is too vague.

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.: Remove mature trees and hedgerows from the list of irreplaceable habitats

Replace “evidenced in earnest” with “robustly evidenced”

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: PB04

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.: Policy PB04 largely repeats the Regulations and these elements are unnecessary. The provisions of the Regulations could be summarised in the Justification, with the policy identifying the sites and their characteristics.

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.: The provisions of the Regulations could be summarised in the Justification, with the policy identifying the sites and their characteristics.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: PB04

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.: Policy PB04 largely repeats the Regulations and these elements are unnecessary. The provisions of the Regulations could be summarised in the Justification, with the policy identifying the sites and their characteristics.

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.: The provisions of the Regulations could be summarised in the Justification, with the policy identifying the sites and their characteristics.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the supporting text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound.

Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery.

The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites

having for example a 5% reduction in unit numbers to account for the additional BNG land?

The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting unit prices. This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings.

Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous.

A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application.

It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site.

In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: This policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the support text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound.

Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery.

The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites having for example a 5% reduction in unit numbers to account for the additional BNG land?

The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites

and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting unit prices. This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings.

Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous.

A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application.

It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site.

In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: This policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the support text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 010% BNG target but this is not set out in this document. As such, it is unjustified and unsound.

Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery.

The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites having for example a 5% reduction in unit numbers to account for the additional BNG land?

The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites

and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting unit prices (which vary depending on the type of habitat but on average are around £25,000 plus per unit). This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings.

Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous.

A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application.

It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site.

In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: This policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the support text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound.

Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery.

The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting unit prices (which vary depending on the type of habitat but on average are around £25,000 plus per unit). This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings.

The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG

mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites having for example a 5% reduction in unit numbers to account for the additional BNG land?

Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous.

A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application.

It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site. In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: This policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the support text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound. Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery. The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites having for example a 5% reduction in unit numbers to account for the additional BNG land? The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting unit prices. (which vary depending on the type of habitat but on average are around £25,000 plus per unit). This in turn casts doubt

on the robustness of this earlier assessment as a basis for current costings. Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous. A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application. www.carneysweeney.co.uk It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site. In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: Strategic Policy PB05 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)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the support text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound. Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery. The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites having for example a 5% reduction in unit numbers to account for the additional BNG land? For larger strategic developments like Cranbrook and the second new community has the Council calculated the hectareage of land that would be required to deliver the additional 10% BNG? The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than

current offsetting unit prices (which vary depending on the type of habitat but on average are around £25,000 plus per unit) This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings. Taylor Wimpey asserts that the additional costs for achieving 20% BNG would be closer to £3,000 per plot.

www.carneysweeney.co.uk Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous. A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application. It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site. In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: 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)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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

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.:

The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the supporting text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound. Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery.

The land take implication of increasing the BNG requirement does also not appear to have been assessed. For larger residential sites there is a real push to achieve the BNG mitigation on-site, as per the guidance and hierarchy. More land set aside for BNG mitigation will reduce the number of homes achievable on the allocations. While the cost of delivering the BNG mitigation might decrease proportionally, the reduction in units is a crucial element. Has the Council run any assessments on their allocated sites having for example a 5% reduction in unit numbers to account for the additional BNG land?

The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting

unit prices. This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings.

Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous.

A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application.

It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site.

In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: This policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: The requirement for at least 20% BNG is double the statutory requirement of 10%. It has not been justified in terms of any local evidence demonstrating a significant biodiversity deficit in East Devon or that the mandatory regime is not adequate. Reference is made in the support text to recent evidence suggesting “that a 10% BNG target without species management provides negligible gains” but this evidence is not cited. Reference is also made to the Nature Recovery Deceleration for East Devon committing to exceeding 10% BNG target but this is not set out in this document. As such, it is unjustified and unsound.

Those proposals that cannot achieve 20% BNG will be required to submit viability appraisals. These will be costly and time consuming to produce and audit. They will place heavy resource and financial burdens on both applicants and developers and will at the very least delay housing delivery.

The viability testing for the proposed 20% increase in the Three Dragons Viability Assessment, which estimates a per unit additional cost of £1,188 for greenfield sites and £321 for brownfield sites, is disputed. These figures are based on the MHCLG BNG Impact Assessment from 2019 but on reviewing this document it gives an estimated figure of £11,000 per offsetting unit which is significantly lower than current offsetting unit prices (which vary depending on the type of habitat but on average are around £25,000 per unit). This in turn casts doubt on the robustness of this earlier assessment as a basis for current costings.

Policy PB05 requires a Biodiversity Statement to be submitted with planning applications. However, the submission requirements can be established through the national and local validation checklist. In any event, the Environment Act 2021 requires the submission of a BNG Plan with planning applications. It is not clear whether this is the same or different to a Biodiversity Gain Statement. The reference to the BS standard is superfluous.

A Habitat Management and Monitoring Plan should be secured by planning condition, rather than be required to be submitted with the planning application.

It is not clear how “locality” is defined in terms of off-site habitat creation. In any event, off-site BNG does not have to be close to the impact – it can be achieved through the purchase of Government credits or credits from habitat banks, which may or may not be close to the development site. The requirement in policy for offsite habitats to be provide in the locality is contrary to the Regulations associated with BNG.

In the final paragraph, should “consummate” be replaced with “commensurate”? This is a moot point because for exempt schemes, the Framework requires a gain to be achieved.

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.: Strategic Policy PB05 should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: PB07

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.: The delivery of ecological mitigation for each development proposal should be based on evidence submitted in connection with the relevant planning application:

C - A blanket requirement for the provision of an integrated bat loft with all major planning applications, without any reference to such a feature being required is not justified. The provision of such feature does give rise to design and management implications and may be hard to deliver on every scheme. E – A mandatory requirement to provide overhanging eaves suitable for nesting house martins in all major development is too prescriptive and would not allow different architectural design approaches, for example more contemporary design may not be suitable but could be fully appropriate for the context

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.: Delete requirements C and E

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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.: PB07

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.: The delivery of ecological mitigation for each development proposal should be based on site specific evidence submitted in connection with the relevant planning application.

The blanket requirement for integrated bat lofts with all planning applications for major developments – irrespective of need or site suitability – is not justified.

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.: Omit reference to bat lofts.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: PB07

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.: The delivery of ecological mitigation for each development proposal should be based on evidence submitted in connection with the relevant planning application: C - A blanket requirement for the provision of an integrated bat loft with all major planning applications, without any reference to such a feature being required is not justified. The provision of such feature does give rise to design and management implications and may be hard to deliver on every scheme. E – A mandatory requirement to provide overhanging eaves suitable for nesting house martins in all major development is too prescriptive and would not allow different architectural design approaches, for example more contemporary design may not be suitable but could be fully appropriate for the context.

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.: Delete requirements C and E

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: PB07

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.: The delivery of ecological mitigation for each development proposal should be based on evidence submitted in connection with the relevant planning application rather than a mandatory requirement: C - A blanket requirement for the provision of an integrated bat loft with all major planning applications, without any reference to such a feature being required is not justified. The provision of such feature does give rise to design and management implications and may be hard to deliver on every scheme. E – A mandatory requirement to provide overhanging eaves suitable for nesting house martins in all major development is too prescriptive and would not allow different architectural design approaches, for example more contemporary design may not be suitable but could be fully appropriate for the context.

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.: Delete requirements C and E

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: PB07

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.: The delivery of ecological mitigation for each development proposal should be based on evidence submitted in connection with the relevant planning application:

C - A blanket requirement for the provision of an integrated bat loft with all major planning applications, without any reference to such a feature being required is not justified. The provision of such feature does give rise to design and management implications and may be hard to deliver on every scheme.

E – A mandatory requirement to provide overhanging eaves suitable for nesting house martins in all major development is too prescriptive and would not allow different architectural design approaches, for example more contemporary design may not be suitable but could be fully appropriate for the context.

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.: Delete requirements C and E

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: PB07

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.: The delivery of ecological mitigation for each development proposal should be based on evidence submitted in connection with the relevant planning application:

C - A blanket requirement for the provision of an integrated bat loft with all major planning applications, without any reference to such a feature being required is not justified. The provision of such feature does give rise to design and management implications and may be hard to deliver on every scheme.

E – A mandatory requirement to provide overhanging eaves suitable for nesting house martins in all major development is too prescriptive and would not allow different architectural design approaches, for example more contemporary design may not be suitable but could be fully appropriate for the context

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.: Delete requirements C and E

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: Policy PB08 is unduly prescriptive, onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted. Mandated tree replacement standards, not based on the specific site circumstances or the composition of trees lost, could be particularly onerous if a large number of trees were to be lost on a site for example if a site had significant amounts of ash dieback. Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application. Undertaking assessments of hydro-geology is a complex and challenging science because a site is not an isolated “state” – groundwater on a site is heavily influenced by the surrounding water table and geology. Tree planting and maintenance is a detailed matter and not appropriate to be controlled by a land use planning policy in a 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.: The policy should be significantly simplified.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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(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.: Policy PB08 is entirely too prescriptive and onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted.

The retention and provision of trees is embedded in good design, but flexibility is needed with tree impacts having to be balanced with other considerations, particularly the requirements of services and easements.

Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application.

Tree planting and maintenance is a detailed matter, and it is not appropriate for this to be controlled by a land use planning policy in a 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.: The policy needs to be significantly simplified.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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(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.: Policy PB08 is unduly prescriptive, onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted.

Mandated tree replacement standards, not based on the specific site circumstances or the composition of trees lost, could be particularly onerous if a large number of trees were to be lost on a site for example if a site had significant amounts of ash dieback.

Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application.

Undertaking assessments of hydro-geology is a complex and challenging science because a site is not an isolated “state” – groundwater on a site is heavily influenced by the surrounding water table and geology.

Tree planting and maintenance is a detailed matter and not appropriate to be controlled by a land use planning policy in a 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.: The policy should be significantly simplified.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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(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.: Policy PB08 is unduly prescriptive, onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted. Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application. Undertaking assessments of hydro-geology is a complex and challenging science because a site is not an isolated “state” – groundwater on a site is heavily influenced by the surrounding water table and geology. Tree planting and maintenance is a detailed matter and not appropriate to be controlled by a land use planning policy in a local plan.

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.: The 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)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.:

Policy PB08 is unduly prescriptive, onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted.

www.carneysweeney.co.uk Imposing such strict guidelines are so strict about the relationships between buildings and trees, could have an unintended effect of applications proposing to remove more existing trees and instead look to replace them elsewhere on the site which is not the optimal approach. Mandated tree replacement standards, not based on the specific site circumstances or the composition of trees lost, could be particularly onerous if a large number of trees were to be lost on a site for example if a site had significant amounts of ash dieback. Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application. Undertaking assessments of hydro-geology is a complex and challenging science because a site is not an isolated “state” – groundwater on a site is heavily influenced by the surrounding water table and geology. Tree planting and maintenance is a detailed matter and not appropriate to be controlled by a land use planning policy in a 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.: The policy should be significantly simplified retaining only the first five paragraphs.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.: Policy PB08 is unduly prescriptive, onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted.

Mandated tree replacement standards, not based on the specific site circumstances or the composition of trees lost, could be particularly onerous if a large number of trees were to be lost on a site for example if a site had significant amounts of ash dieback.

Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application.

Undertaking assessments of hydro-geology is a complex and challenging science because a site is not an isolated “state” – groundwater on a site is heavily influenced by the surrounding water table and geology.

Tree planting and maintenance is a detailed matter and not appropriate to be controlled by a land use planning policy in a 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.: The policy should be significantly simplified.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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(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.: Policy PB08 is unduly prescriptive, onerous and unnecessarily repeats the provisions of British Standards. It will also add significant cost to the planning application process while the required details are prepared and submitted.

Mandated tree replacement standards, not based on the specific site circumstances or the composition of trees lost, could be particularly onerous if a large number of trees were to be lost on a site for example if a site had significant amounts of ash dieback.

Tree protection should be secured by a suitably worded condition, requiring the applicant to submit relevant details post-decision rather than with the planning application.

Undertaking assessments of hydro-geology is a complex and challenging science because a site is not an isolated “state” – groundwater on a site is heavily influenced by the surrounding water table and geology.

Tree planting and maintenance is a detailed matter and not appropriate to be controlled by a land use planning policy in a 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.: The policy should be amended

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: The introduction of a requirement for a developer to place a bond equal to 25% of the calculated planting cost of the scheme is unreasonable, unevidenced and has not been tested in terms of scheme viability and the implications on housing delivery. It also imposes additional administrative burdens on the Council and the applicant at a time when local authorities are under increasing financial and resourcing pressures. The requirement for a 25% bond has not been explained or justified in terms of challenges with the existing system of a standard landscape condition and monitoring by the council as enforcement authority. The bond will be potentially significant for larger strategic schemes and its implications on cash flow and wider scheme viability has not been assessed. This process will also require additional administration from the applicant and the Council. The retention of the bond for what in effect will be 5 years after construction has been completed is unreasonable. A and B: These steps will introduce unnecessary steps for both the applicant and the Council. Again, no evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority following the introduction of a standard landscape planning condition.

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.: This policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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(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.: The requirement for a developer to place a bond equal to 25% of the calculated scheme planting costs for all major developments is wholly unreasonable.

The need for this has not been justified with reference to the normal methods of securing and managing landscaping – standard landscaping conditions, requirements for LEMPs, Section 106 landscape management – and the financial implications of this have not been tested in terms of scheme viability and the implications on housing delivery.

Such a requirement is disproportionate on small major schemes and will be potentially significant for large major and strategic schemes and its implications on cash flow and wider scheme viability has not been assessed. This process will also place considerable additional administration burdens on both applicants and the Council where cashflow and resources are already stretched. The retention of the bond for what in effect will be 5 years after construction has been completed is unreasonable.

A and B: These steps will introduce unnecessary steps for both the applicant and the Council. Again, no evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority utilising standard landscape conditions / Section 106 obligations.

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.: The policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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(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.: The introduction of a requirement for a developer to place a bond equal to 25% of the calculated planting cost of the scheme is unreasonable, unevidenced and has not been tested in terms of scheme viability and the implications on housing delivery. It also imposes additional administrative burdens on the Council and the applicant at a time when local authorities are under increasing financial and resourcing pressures.

The requirement for a 25% bond has not been explained or justified in terms of challenges with the existing system of a standard landscape condition and monitoring by the council as enforcement authority. The bond will be potentially significant for larger strategic schemes and its implications on cash flow and wider scheme viability has not been assessed. This process will also require additional administration from the applicant and the Council. The retention of the bond for what in effect will be 5 years after construction has been completed is unreasonable.

A and B: These steps will introduce unnecessary steps for both the applicant and the Council. Again, no evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority following the introduction of a standard landscape planning condition.

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.: This policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: The introduction of a requirement for a developer to place a bond equal to 25% of the calculated planting cost of the scheme is unreasonable, unevidenced and has not been tested in terms of scheme viability and the implications on housing delivery. It also imposes additional administrative burdens on the Council and the applicant at a time when local authorities are under increasing financial and resourcing pressures. The requirement for a 25% bond has not been explained or justified in terms of challenges with the existing system of a standard landscape condition and monitoring by the council as enforcement authority. The bond will be potentially significant for larger strategic schemes and its implications on cash flow and wider scheme viability has not been assessed. This process will also require additional administration from the applicant and the Council. The retention of the bond for what in effect will be 5 years after construction has been completed is unreasonable. A and B: These steps will introduce unnecessary steps for both the applicant and the Council. Again, no evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority following the introduction of a standard landscape planning condition.

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.: 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)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.: The introduction of a requirement for a developer to place a bond equal to 25% of the calculated planting cost of the scheme is unreasonable, unevidenced and has not been tested in terms of scheme viability and the implications on housing delivery. It also imposes additional administrative burdens on the Council and the applicant at a time when local authorities are under increasing financial and resourcing pressures.

The requirement for a 25% bond has not been explained or justified in terms of challenges with the existing system of a standard landscape condition and monitoring by the council as enforcement authority. The bond will be potentially significant for larger strategic schemes and its implications on cash flow and wider scheme viability has not been assessed. This process will also require additional administration from the applicant and the Council. The retention of the bond for what in effect will be 5 years after construction has been completed is unreasonable.

A and B: These steps will introduce unnecessary steps for both the applicant and the Council. Again, no evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority following the introduction of a standard landscape planning condition.

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.: This policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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(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.: The introduction of a requirement for a developer to place a bond equal to 25% of the calculated planting cost of the scheme is unreasonable, unevidenced and has not been tested in terms of scheme viability and the implications on housing delivery. It also imposes additional administrative burdens on the Council and the applicant at a time when local authorities are under increasing financial and resourcing pressures.

The requirement for a 25% bond has not been explained or justified in terms of challenges with the existing system of a standard landscape condition and monitoring by the council as enforcement authority. The bond will be potentially significant for larger strategic schemes and its implications on cash flow and wider scheme viability has not been assessed. This process will also require additional administration from the applicant and the Council. The retention of the bond for what in effect will be 5 years after construction has been completed is unreasonable.

A and B: These steps will introduce unnecessary steps for both the applicant and the Council. Again, no evidence has been presented to demonstrate that the new requirements are necessary. This is a role for the Council as enforcement authority following the introduction of a standard landscape planning condition.

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.: This policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 14.1

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.: The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings.

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.: It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 14.1

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.: The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings. It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 14.1

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.: The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings. It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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?: Paragraph

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 14.1

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.: The open space and recreation policies are overly prescriptive and contain a bewildering array of requirements. The sensible approach would be to refer to Fields in Trust standards, but there is no justification for setting the Natural England standards. These standards have not been subject to public consultation, nor has the impact of them on housing delivery been tested. Moreover, they may be challenging to meet in many cases, especially for residential development in excess of 200 – 300 dwellings. It is considered that at most, planning policies should require schemes to have regard to the Natural England standards, taking into account existing local provision (to be identified by councils as part of their evidence base) and local context.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: OS01

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.: It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned. It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

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.: Amend policy to confirm that the Council will be responsible for providing the evidence base.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: OS01

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.: It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned.

It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

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.: Amend policy to confirm that the Council will be responsible for providing the evidence base.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: OS01

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.: It is unclear from the policy which party – the Council or the applicant – will be required to undertake a quantitative and qualitative assessment of open space provision and its accessibility in terms of what exists now and what is planned.

It is considered that it is incumbent upon the Council to maintain its own objective evidence base for such purposes. This will enable all applicants in a single area to apply the same evidence in a consistent way to their schemes, rather than each applicant having to undertake its own assessment for each application. This is especially key where many large sites are allocated for development in a settlement.

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.: Amend policy to confirm that the Council will be responsible for providing the evidence base.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: The open space typology requirements with reference to Fields in Trust is supported. The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary. The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes. It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate. Additional requirements for residential developments over 200 dwellings These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria, especially in lower value areas such as Axminster. The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential on create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open

space requirements. Planning policies should act in the public and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability. Open space requirements for non-residential use

The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants. The elements of this policy that have not been justified are unsound and should be 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.: Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards
- The requirement for schemes over 200 to undertake an open space audit
- Additional requirements for schemes over 200
- Open space requirements for non-residential use

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: The open space typology requirements with reference to Fields in Trust is supported. The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary. The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes. It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify www.carneysweeney.co.uk opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate. Additional requirements for residential developments over 200 dwellings These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria. The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential on create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning

policies should act in the public and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability. Open space requirements for non-residential use The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants. The elements of this policy that have not been justified are unsound and should be 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.: Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards
- The requirement for schemes over 200 to undertake an open space audit
- Additional requirements for schemes over 200
- Open space requirements for non-residential use

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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(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.:

The open space typology requirements with reference to Fields in Trust is supported. The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary. These appear to be meant to be applied at a strategic/district wide level and not individual sites so are not appropriate standards to apply for all applications. The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. It is for the Council to maintain its evidence base, www.carneysweeney.co.uk against which applicants can design their individual schemes. Developments schemes should only have to meet the needs of their residents, which the typology requirements set out in the policy addresses. It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate. Additional requirements for residential developments over 200 dwellings These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria. Introducing open space features, above Fields in Trust guidance, would add cost and reduce developable area to overcome deficiencies of the wider area which isn't specific to the proposed development. The requirement for

schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential to create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning policies should act in the public and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability. Open space requirements for non-residential use The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants. The elements of this policy that have not been justified are unsound and should be deleted.

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.:

Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards.
- The requirement for schemes over 200 to undertake an open space audit.
- Additional requirements for schemes over 200. www.carneysweeney.co.uk
- Open space requirements for non-residential use. Viability

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.: The open space typology requirements with reference to Fields in Trust is supported.

The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary.

The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes.

It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate.

ADDITIONAL REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS OVER 200 DWELLINGS

These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria, especially in lower value areas such as Axminster.

The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential to create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning policies should act in the public interest and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability.

OPEN SPACE REQUIREMENTS FOR NON-RESIDENTIAL USE

The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants.

The elements of this policy that have not been justified are unsound and should be 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.: Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards

- The requirement for schemes over 200 to undertake an open space audit

- Additional requirements for schemes over 200

- Open space requirements for non-residential use

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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(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.:

The open space typology requirements with reference to Fields in Trust is supported.

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.: The additional reference to Natural England's Green Infrastructure and Accessible Greenspace Standards is not considered necessary.

The requirement for applicants on schemes over 200 dwellings to undertake their own audit of existing open space and its capacity is unreasonable. As above, it is for the Council to maintain its evidence base, against which applicants can design their individual schemes.

It will be challenging for all schemes of more than 300 homes to incorporate all the open space typologies listed in the table, especially formal playing pitches. No evidence has been presented by the Council to justify the effect of this blanket requirement on the delivery of new homes and other scheme elements and ultimately, the effect on viability and the ability to deliver a policy compliant level of affordable housing. Coupled with this is the requirement for playing pitches to be within 1,200m of all dwellings within a scheme. Again, this is where the Council's quantitative and qualitative evidence should identify opportunities for improvements to existing facilities through commuted sum payments, where on-site formal sports provision is not appropriate.

ADDITIONAL REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS OVER 200 DWELLINGS

These additional requirements for development over 200 (and 300) dwellings are unduly onerous and will be very challenging to achieve. Moreover, they have not been justified and tested against housing delivery and viability criteria, especially in lower value areas such as Axminster.

The requirement for schemes of over 300 dwellings to provide 10 ha of Neighbourhood Accessible Greenspace within 1km of each home may well be a laudable objective but it is simply unrealistic and unachievable. The implication is that applicants will have to purchase an additional 10 ha of land adjoining or near to the site in order to meet the requirement. Policy OS02 has the clear potential to create a ransom in circumstances where an applicant is forced to acquire additional 3rd party land in order to satisfy open space requirements. Planning policies should act in the public interest and should not serve private interests. As above, no assessment has been undertaken of the effect of this requirement on scheme viability.

OPEN SPACE REQUIREMENTS FOR NON-TECHNICAL USE

The requirements are far too vague and incapable of objective assessment, leading to confusion for applicants.

The elements of this policy that have not been justified are unsound and should be 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.: Delete the following parts of the policy:

- Natural England's Green Infrastructure and Accessible Greenspace Standards

- The requirement for schemes over 200 to undertake an open space audit
- Additional requirements for schemes over 200
- Open space requirements for non-residential use

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 15.1

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.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 15.1

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.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 15. Our Outstanding Historic Environment

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

1(a). Please write down the paragraph, policy or figure number that your representation relates to.: 15.1

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.: The heritage policies not only contain widespread duplication with the relevant provisions of Chapter 16 of the Framework, but in many cases go above and beyond those Framework provisions and are overly prescriptive. In their sum total, they are confusing and as a result, challenging to interpret in an objective way.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: HE01

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.: It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: HE01

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.: It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: HE01

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.: It is not clear what Policy HE01 adds, that is not already contained in the Framework or policies HE02 and HE03.

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.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework and these make no material contribution to the policy requirements. Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework. For example: • Policy HE02 introduces a test relating to wider social and economic effects. • Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance. Policy HE02 addresses substantial harm, but not less than substantial harm. Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive. Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.

- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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(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.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework, and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: HE03

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.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.

- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm. Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: HE03

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.: Policy HE02 and Policy HE03 repeat many elements of Chapter 16 of the Framework, and these make no material contribution to the policy requirements.

Elsewhere, both policies set a series of higher-bar tests than those in the Framework. This includes the application of selected tests in chapter 16 the Framework, but in a blanket manner and in a way not intended by the Framework.

For example:

- Policy HE02 introduces a test relating to wider social and economic effects.
- Under the first part A of Policy HE02, Conserve is not a test at paragraph 212 of the Framework. Furthermore, it is not clear how development within the setting of a listed building can enhance or better reveal those elements which contribute to heritage significance.

Policy HE02 addresses substantial harm, but not less than substantial harm.

Under Policy HE02, it is not clear how unknown features can be investigated and recorded (3rd part C). This may be a drafting point ie it may be referring to features that have not yet been discovered. This an example of a policy attempting to be overly prescriptive.

Finally, under Policy HE02, there are two sets of parts A – C and a further part A – D, which will cause confusion.

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.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: The requirement for development to protect the site and setting of Scheduled Monuments and archaeological remains is unduly onerous and not consistent with the Framework and in respect of archaeological remains, jars with the approach set out in the remainder of the policy. Large sections of the policy repeat the provisions of the Framework and as such do not contribute to the relevant tests.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.: The requirement for development to protect the site and setting of Scheduled Monuments and archaeological remains is unduly onerous and not consistent with the Framework and in respect of archaeological remains, jars with the approach set out in the remainder of the policy.

Large sections of the policy repeat the provisions of the Framework and as such do not contribute to the relevant tests.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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(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.: The requirement for development to protect the site and setting of Scheduled Monuments and archaeological remains is unduly onerous and not consistent with the Framework and in respect of archaeological remains, jars with the approach set out in the remainder of the policy.

Large sections of the policy repeat the provisions of the Framework and as such do not contribute to the relevant tests.

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.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

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

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: The use of "...over a shorter and longer term..." in part A 1 and 2 is undefined. A specific time period for marketing should be identified. "Community value" is a subjective term and is not defined. An alternative wording could be "...and is at least a like for like replacement in terms of size and facilities."

3(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities 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 Community Facilities 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 should be amended to provide greater clarity.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: The use of "...over a shorter and longer term..." in part A 1 and 2 is undefined. A specific time period for marketing should be identified.

"Community value" is a subjective term and is not defined. An alternative wording could be "...and is at least a like for like replacement in terms of size and facilities."

3(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities 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 Community Facilities 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 should be amended to provide greater clarity.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal: 16. Community Facilities

1. To which part of the Community Facilities chapter does your representation relate?: Policy

1(a). Please write down the paragraph or policy number that your representation relates to.: CF02

3(b). If no, please give details of why you consider this part of the Community Facilities chapter is not sound. Please be as precise as possible.: The use of "...over a shorter and longer term..." in part A 1 and 2 is undefined. A specific time period for marketing should be identified.

"Community value" is a subjective term and is not defined. An alternative wording could be "...and is at least a like for like replacement in terms of size and facilities."

3(c). Please set out the modification(s) you consider necessary to make this part of the Community Facilities 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 Community Facilities 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 should be amended to provide greater clarity.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

Proposal:

2. The Vision

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

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

2.1

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet housing needs, reflecting section 5 of the Framework and the Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), which are material considerations.

This indicates that the draft LP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, many of the policies and provisions reflect this imbalance.

It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

Proposal:

2. The Vision

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

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

2.1

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet housing needs, reflecting section 5 of the Framework and the Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), which are material considerations.

This indicates that the draft LP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, many of the policies and provisions reflect this imbalance.

It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

Proposal:

2. The Vision

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

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

2.1

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: Local Plan Vision Statement It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet housing needs, reflecting section 5 of the Framework and the Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), which are material considerations. This indicates that the draft LP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, many of the policies and provisions reflect this imbalance. www.carneysweeney.co.uk It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations.

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

Proposal:

2. The Vision

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

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

2.1

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet housing needs, reflecting section 5 of the Framework and the Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), which are material considerations. This indicates that the draft LP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, many of the policies and provisions reflect this imbalance. It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

Proposal:

2. The Vision

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

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

2.1

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

It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet housing needs, reflecting section 5 of the Framework and the Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), which are material considerations.

This indicates that the draft LP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, many of the policies and provisions reflect this imbalance.

It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

Proposal:

2. The Vision

1. To which part of the vision chapter does your representation relate?: Figure/Image

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

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

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet in full the District's housing needs, reflecting the Framework and the above Written Ministerial Statements, which are material considerations.

This indicates that the draft EDLP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, the policies and provisions throughout the draft EDLP reflect this imbalance.

3(c). Please set out the modification(s) you consider necessary to make this part of the vision 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.: It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations. It should also refer to the second new community and the wider strategic role of the West End as a sustainable location for meeting housing and other needs.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

Proposal:

2. The Vision

1. To which part of the vision chapter does your representation relate?: Figure/Image

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

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet housing needs, reflecting section 5 of the Framework and the Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), which are material considerations.

This indicates that the draft LP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, many of the policies and provisions reflect this imbalance.

3(c). Please set out the modification(s) you consider necessary to make this part of the vision 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.: It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal:

2. The Vision

1. To which part of the vision chapter does your representation relate?: Figure/Image

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

3(b). If no, please give details of why you consider this part of the vision chapter is not sound. Please be as precise as possible.: It is notable that the Vision does not refer to the allocation and delivery of sufficient land to meet in full the District's housing needs, reflecting the Framework and the above Written Ministerial Statements, which are material considerations.

This indicates that the draft EDLP places higher priority on environmental considerations than on addressing the national housing crisis. Indeed, the policies and provisions throughout the draft EDLP reflect this imbalance.

It is considered that the Vision should be re-balanced to acknowledge the need to address the housing crisis by providing a choice of decent housing for all, and this new balance should then be reflected in the policies and provisions of the plan, in accordance with our representations. It should also refer to the second new community and the wider strategic role of the West End as a sustainable location for meeting housing and other needs.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

Proposal:

3. The Spatial Strategy

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

Paragraph

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

3.1

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.: Housing Targets / Delivery

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. 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 75 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. 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”.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

Proposal:

3. The Spatial Strategy

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

Paragraph

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

3.11

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.: It is considered that splitting consultation on two parts of the same plan to enable the draft EDLP as a whole to take advantage of having to meet only at least 80% of the District's identified need does not meet the transitional arrangements in the December 2024 Framework. This is in circumstances where the forthcoming consultation on the second new community will in effect be a Regulation 18 consultation and where the draft EDLP is only planning for up to 80% of the District's needs.

In this respect, the draft EDLP is ducking the ambition and challenges in the December 2024 Framework and presented in two Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), setting out the need to address the national housing crisis and in so doing, to turbocharge the national economy. It is also delaying important strategic decisions on the scale and location of new development, including at the proposed second new community, which should be addressed now.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

Proposal:

3. The Spatial Strategy

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

Paragraph

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

3.8

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.: Housing Targets / Delivery

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. 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. www.carneysweeney.co.uk 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 75 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. 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”.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners 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.: SP01

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

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 the aim of the spatial strategy, in particular focussing the highest levels of growth in the West End. However, reference to the second new settlement is conspicuous by its absence.

The West End's distinctive characteristics are confirmed at Paragraph 3.4 1st bullet-point, which acknowledges that the West End is a highly sustainable area with strong functional links to Exeter, extensive infrastructure, proximity to urban services and efficient transport connections, making it a prime location for strategic development.

In addition, it is also notable that this part of the District is least constrained in environmental terms

These characteristics make the West End the most appropriate area to accommodate major development through existing and new allocations.

They also make the West End an appropriate area to meet needs arising in Exeter City Council's administrative area, which cannot be met there for capacity, viability and environmental reasons, as well as likely shortfalls in housing delivery against East Devon's housing requirements, as a result of the unduly onerous policies and provisions contained in the draft EDLP, likely under-delivery in Cranbrook and also the second new community.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners 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.: SP01

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon

We support the aim of the spatial strategy, in particular focussing the highest levels of growth in the West End. However, reference to the second new settlement is conspicuous by its absence.

The West End's distinctive characteristics are confirmed at Paragraph 3.4 1st bullet-point, which acknowledges that the West End is a highly sustainable area with strong functional links to Exeter, extensive infrastructure, proximity to urban services and efficient transport connections, making it a prime location for strategic development.

In addition, it is also notable that this part of the District is least constrained in environmental terms.

These characteristics make the West End the most appropriate area to accommodate major development through existing and new allocations. They also make the West End an appropriate area to meet needs arising in Exeter City Council's administrative area, which cannot be met there for capacity, viability and environmental reasons, as well as likely shortfalls in housing delivery against East Devon's housing requirements, as a result of the unduly onerous policies and provisions contained in the draft EDLP, likely under-delivery in Cranbrook and also the second new community.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners 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

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon. 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.

LOCAL PLAN PREPARATION - TRANSITIONAL ARRANGEMENTS It is considered that splitting consultation on two parts of the same plan to enable the draft EDLP as a whole to take advantage of having to meet only at least 80% of the District's identified need does not meet the transitional arrangements in the December 2024 Framework. This is in circumstances where the forthcoming consultation on the second new community will in effect be a Regulation 18 consultation and where the draft EDLP is only planning for up to 80% of the District's needs.

In this respect, the draft EDLP is ducking the ambition and challenges in the December 2024 Framework and presented in two Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), setting out the need to address the national housing crisis and in so doing, to turbo-charge the national economy. It is also delaying important strategic decisions on the scale and location of new development, including at the proposed second new community, which should be addressed now.

HOUSING DELIVERY AND TRAJECTORY Up to 2031/32, the draft EDLP sets 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 draft EDLP will be under-delivering against their identified housing need and more than likely unable to demonstrate a five-

This land is being promoted by our clients for a strategic sustainable residential-led mixed use development.

CarneySweeney hereby submits representations on behalf of our clients on the draft East Devon Local Plan 2020- 2042 (draft EDLP), which comprise:

1. This letter, which addresses a range of strategic matters including the strategy for the West End and Strategic Policies SP01: Spatial Strategy and WS01: Development of a second new community east of Exeter, as well as legal and procedural matters relating to the Council's approach to plan making, the allocation of sufficient sites to meet the District's needs and the housing trajectory.
2. A Vision Statement for the strategic development being promoted by our clients.
3. Detailed representations on a range of draft EDLP policies in tabular format entitled EDLP Reg 19 Policy Reps.

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.

LOCAL PLAN PREPARATION - TRANSITIONAL ARRANGEMENTS It is considered that splitting consultation on two parts of the same plan to enable the draft EDLP as a whole to take advantage of having to meet only at least 80% of the District's identified need does not meet the transitional arrangements in the December 2024 Framework. This is in circumstances where the forthcoming consultation on the second new community will in effect be a Regulation 18 consultation and where the draft EDLP is only planning for up to 80% of the District's needs.

In this respect, the draft EDLP is ducking the ambition and challenges in the December 2024 Framework and presented in two Written Ministerial Statements of 30 July 2024 (Angela Rayner MP) and 12 December 2024 (Matthew Pennycook MP), setting out the need to address the national housing crisis and in so doing, to turbo-charge the national economy. It is also delaying important strategic decisions on the scale and location of new development, including at the proposed second new community, which should be addressed now.

HOUSING DELIVERY AND TRAJECTORY Up to 2031/32, the draft EDLP sets 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 draft EDLP 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 EDLP. This approach appears to be at odds with the Framework, in particular, the requirement to meet an area's objectively assessed needs as a minimum.

It is, effectively, a workaround, where the LPA will only be delivering 70% of the housing requirement, which would have to 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.

The planned shortfall in the East Devon needs to be considered in the context of the recorded shortfall in housing delivery in the adjoining Exeter City Council's administrative area of about 2,400 new homes against its current Local Plan requirement. This will be compounded by the extreme vulnerability of its proposed draft LP strategy of locating most of the new homes required in the next Local Plan period on brownfield land.

We are also concerned at the over-reliance on the contribution that windfall sites are anticipated to make to meeting housing need. 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.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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(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.: 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.

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.: 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”.

Full name: Ollie Thorogood

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Jackson-Stops

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.: 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 overdelivery 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.

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.: The stepped trajectory approach appears to be at odds with the Framework, in particular, the requirement to "meet the area's objectively assessed needs".

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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(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.: HOUSING TARGETS / DELIVERY

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.

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 75 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.

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”.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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.: Housing Targets / Delivery

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.

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 75 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.

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”.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners 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

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

Up to 2031/32, the draft EDLP sets 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 draft EDLP 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 EDLP.

This approach appears to be at odds with the Framework, in particular, the requirement to meet an area's objectively assessed needs as a minimum. It is, effectively, a workaround, where the LPA will only be delivering 70% of the housing requirement, which would have to 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.

The planned shortfall in the East Devon needs to be considered in the context of the recorded shortfall in housing delivery in the adjoining Exeter City Council's administrative area of about 2,400 new homes against its current Local Plan requirement. This will be compounded by the extreme vulnerability of its proposed draft LP strategy of locating most of the new homes required in the next Local Plan period on brownfield land.

We are also concerned at the over-reliance on the contribution that windfall sites are anticipated to make to meeting housing need. 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.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son 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

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.: 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 75 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.

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”.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son 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

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.: HOUSING TARGETS DELIVERY

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.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son 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.: SP04

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.: EMPLOYMENT

As set out above, Strategic Policy SP04 identifies provision of 178.16ha of employment land against an identified need of 80ha. While reference is made to providing range and choice this significant over supply – some 98ha – is totally unjustified. The wording supporting Policy SP04 makes no explanation as to why it is appropriate to overprovide 98ha of employment floorspace, an oversupply of some 123%, when the same approach is not being applied (for example) to housing numbers, where the Council are only just meeting a target that falls short of the latest NPPF numbers.

In addition, the SP04 justification wording also fails to explain why a seemingly generic approach has been applied of allocating small pockets of employment floorspace as part of housing allocations. The Council's Site Selection Report (SAL-005), which supports the allocation of the Land East of Musbury Road, assesses Axmi_02, Axmi_08 and Axmi_09 for housing only and provides a yield accordingly (Axmi_02 – 100 dwellings, Axmi_08 – 68 dwellings, Axmi_09 – 270 dwellings). No mention is made of any potential capacity, or suitability for employment use. The site is also not assessed at all under the East Devon Employment Land Review (ECN-004) and so it remains unclear in which evidence document the Council has justified its position that this site is suitable for employment uses.

The site is not considered suitable for traditional employment 'sheds' due to its heritage and landscape sensitivities and small pockets of commercial use spread through residential development are very hard to make successful. Given the significant need for housing as compared to the much smaller need for employment land, it is not clear

why the Council are not choosing to maximise housing delivery on suitable sites such as this.

Further it is noted that one of the proposed allocations at Axminster is on an existing employment site – Land at Axminster Carpets (Axmi_07). This site is currently a 4.99ha site, part of which is in active employment use. While being proposed as mixed use for 50 dwellings and the retention of the existing 0.5 ha of employment it would make more sense to increase/redevelop the employment use on this site rather than decant employment uses to our client's site.

Axmi_07 is more centrally located within the town, immediately adjacent to Axminster Train Station, so must be considered a better location for increased employment opportunities. The loss of part of the site to residential also conflicts with Strategic Policy SE04: Resisting the loss of employment sites. If the Council are accepting the loss of 4.49ha of employment floorspace (total site area less the allocation requirement to retain 0.5ha) in a better location for such uses, it must undermine the justification for any employment being provided on Land East of Musbury Road.

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.:

-

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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(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.: The current wording of Policy SP06 does not provide confidence that development on windfall sites will be a reliable source of supply.

Full name: Ollie Thorogood

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Jackson-Stops

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.: 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.

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.:

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. An extension to Wood_06 should be considered.

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: Ollie Thorogood

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Jackson-Stops

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.: 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 www.carneysweeney.co.uk 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.

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.: Alter Policy SP06 (Development beyond Settlement Boundaries) as it 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

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son 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.: SP06

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.: 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 75 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.

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”.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners 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.: SP08

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.: The intention of the policy is acknowledged. However, the provisions of Policy SP08 relating to S38 approvals and the design of services and utilities duplicate other legislation and standards and should be deleted.

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.: Remove reference to other consenting regimes.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners 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.: SP08

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The intention of the policy is acknowledged. However, the provisions of Policy SP08 relating to S38 approvals and the design of services and utilities duplicate other legislation and standards and should be deleted.

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.: Remove reference to other consenting regimes.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: WS01

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.: The overall aim of Policy WS01 is acknowledged. However, there is at present no delivery model for the development and as such there is no evidence against which an assessment of the viability and deliverability of the second new community can be undertaken. This therefore casts some doubts on how quickly the site would be able to come forward. It follows that the claim that it will deliver “around” 3,300 new homes by 2042 cannot be evidenced.

These uncertainties offer very little confidence that the second new community will achieve what is required of it in the timescales needed to meet development needs. This is in the context of District that is subject to significant development pressures – arising from within the District and Exeter City - is heavily constrained in environmental terms and where political continuity at a national level cannot be guaranteed by virtue of potential local government reorganisation.

It is considered that the draft EDLP should also and plan for and consult on the approach to delivering the additional 2,000 new homes proposed at the second new community, rather than delaying the decision to a future local plan. To do this, it will be necessary for the draft LP to take a longer-term view of the delivery of the second new community in accordance with the Framework, by extending the plan period.

Uncertainties remain over the approach, procedures and timescales for future consultation on the second new community in the summer of 2025 and the effect of this on the submission of a comprehensive draft EDLP for examination and its ultimate adoption.

DRAFT EXETER CITY LOCAL PLAN (REG 19) We made representations on the draft Exeter Plan during formal consultation (which ended on 06 February 2025 and which is running neck and neck with the draft EDLP). These representations asserted that in the context of significant under-delivery against the adopted Local Plan requirement (as noted above, around 2,400 homes), the draft Exeter Plan would not deliver the homes required of it and that it had failed to engage with East Devon District Council (EDDC) under the Duty to Co-operate to explore the ability of unmet need in Exeter to be met in East Devon District. We further asserted that the best place to meet this need would be the West End for the very reasons acknowledged by the draft East Devon LP.

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.: It is considered a further strategic site allocation is needed in the West End to provide the flexibility needed to account for the uncertainties around viability and deliverability of the second new community, the likelihood of having to meet need in the West End arising in Exeter City Council's administrative area that cannot be met there and shortfalls in housing delivery on allocated sites elsewhere in the District.

Our client is promoting land for a sustainable strategic scale mixed-use development to the south of the second new community between the A3052 and the A376, that is unconstrained in land ownership, environmental and infrastructure terms and could come forward quickly.

This site was considered by the Council as part of the site appraisal process for the second new community (GEV-003). The site being promoted by our clients (Option 3) was scored at 37.4. The selected site (Option 1) scored at 38.3 The main difference between the overall scoring (0.9) was because at the time, the Option 3 site was larger

and controlled by multiple landowners, none of whom were contractually bound. The site is now smaller and controlled by three landowners who are contractually bound to promote the development.

The proposals could deliver up to 2,000 new homes, together with a local centre and a range of complementary uses, services and facilities to optimise self-containment, with a focus on active travel connections to employment, leisure and retail destinations. The Vision Statement accompanying these representations provides further detail on the proposals.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: WS01

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.:

CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon

The overall aim of Policy WS01 is acknowledged. However, there is at present no delivery model for the development and as such there is no evidence against which an assessment of the viability and deliverability of the second new community can be undertaken. This therefore casts some doubts on how quickly the site would be able to come forward. It follows that the claim that it will deliver “around” 3,300 new homes by 2042 cannot be evidenced.

These uncertainties offer very little confidence that the second new community will achieve what is required of it in the timescales needed to meet development needs. This is in the context of District that is subject to significant development pressures – arising from within the District and Exeter City - is heavily constrained in environmental terms and where political continuity at a national level cannot be guaranteed by virtue of potential local government reorganisation.

It is considered that the draft EDLP should also and plan for and consult on the approach to delivering the additional 2,000 new homes proposed at the second new community, rather than delaying the decision to a future local plan. To do this, it will be necessary for the draft LP to take a longer-term view of the delivery of the second new community in accordance with the Framework, by extending the plan period.

Uncertainties remain over the approach, procedures and timescales for future consultation on the second new community in the summer of 2025 and the effect of this on the submission of a comprehensive draft EDLP for examination and its ultimate adoption.

DRAFT EXETER CITY PLAN (REG 19)

We made representations on the draft Exeter Plan during formal consultation (which ended on 06 February 2025 and which is running neck and neck with the draft EDLP). These representations asserted that in the context of significant under-delivery against the adopted Local Plan requirement (as noted above, around 2,400 homes), the draft Exeter Plan would not deliver the homes required of it and that it had failed to engage with East Devon District Council (EDDC) under the Duty to Co-operate to explore the ability of unmet need in Exeter to be met in East Devon District. We further asserted that the best place to meet this need would be the West End for the very reasons acknowledged by the draft East Devon LP.

It is considered a further strategic site allocation is needed in the West End to provide the flexibility needed to account for the uncertainties around viability and deliverability of the second new community, the likelihood of having to meet need in the West End arising in Exeter City Council's administrative area that cannot be met there and shortfalls in housing delivery on allocated sites elsewhere in the District.

Our client is promoting land for a sustainable strategic scale mixed-use development to the south of the second new community between the A3052 and the A376, that is unconstrained in land ownership, environmental and infrastructure terms and could come forward quickly.

This site was considered by the Council as part of the site appraisal process for the second new community (GEV-003). The site being promoted by our clients (Option 3) was scored at 37.4. The selected site (Option 1) scored at 38.3. The main difference between the overall scoring (0.9) was because at the time, the Option 3 site was larger and controlled by multiple landowners, none of whom were contractually bound. The site is now smaller and controlled by three landowners who are contractually bound to promote the development.

The proposals could deliver up to 2,000 new homes, together with a local centre and a range of complementary uses, services and facilities to optimise self-containment, with a focus on active travel connections to employment, leisure and retail destinations. The Vision Statement accompanying these representations provides further detail on the proposals.

THE EFFECT OF DRAFT EDLP POLICIES ON HOUSING DELIVERY AND DEVELOPMENT VIABILITY

As can be seen from our tabulated representations, it is our view that the cumulative (and often individual) effect of numerous draft EDLP policies will be to delay and restrict the delivery the number of new homes on allocated sites. Development viability will also become challenging, which will in turn impact on affordable housing delivery.

This will create growing pressure to release more land for development in order to maintain housing land supply and to meet at least 80% of the identified need, undermining the plan-led approach to delivering new homes and jobs.

As a result, it is considered that the draft EDLP should address this by allocating more land for development, including land for a further sustainable self-contained strategic-scale development in addition to land for a second new community.

As noted above, our clients are promoting a site for such a development in the West End, which the Council acknowledges at paragraph 3.4.1 of the draft EDLP to be an appropriate location to accommodate major new development.

A Vision Statement accompanies these representations. This document is based on detailed technical analysis, including a “Vision-led” transport and access appraisal, a full season of ecology surveys, landscape assessment, arboricultural assessment and a flood risk and surface water drainage assessment. It presents a full constraints and opportunities analysis that culminates in a draft Illustrative Masterplan and land use plan.

SUMMARY

CarneySweeney submits representations on behalf of CR Down Farming Ltd and Stuart Partners Ltd.

We identify legal and procedural challenges with the Council's approach to plan preparation. These relate to:

- The approach to planning to meet up to 80% of need rather than the entire need or at least 80% of the need.
- Splitting the plan into two parts, with a Regulation 19 consultation on the one part of the plan and a future Regulation 18 consultation on the other part, which relates to a second new community which will be the central plank of the Council's future housing delivery strategy.
- The second new community consultation assuming that the only option for delivering a strategic sustainable new development to meet housing need is via the Council's preferred option site between the A30 and the A3052. It is an option but not the only one. The option being promoted by our client would complement the second new community rather than prejudicing it.

There are also a number of policies that impose technical and other standards that while entirely laudable, have not been properly evidenced or justified and as such are, in themselves, unsound. Furthermore, it is the cumulative (and often individual) effect of these policies (including those listed below) on scheme viability and overall deliverability that is of significant concern. These include:

- 20% BNG (Policy PB05)

- 110 litres per day restriction (Policy AR02)
- First Homes Standard (Policy CC02)
- BREAM “Excellent” for all non-residential development (Policy CC02)
- Design Code for all major development (Policy DS02)
- Housing design standards (Policy HN04)
- 5% custom and self build (Policy HN05)
- Public open space standards (Policy OS02)
- Bond of 25% of the cost of landscaping (Policy PB09)

A number of other policies introduce policy, procedural requirements and new standards that are not consistent with those in the Framework and PPG. It is considered that these will delay the submission and determination of planning applications and ultimately delay housing delivery.

As a result, the draft EDLP will delay and restrict housing delivery, such that the allocated sites will not meet the needs identified and the ability of windfall sites to “step in” to meet the shortfall are equally restricted in policy terms.

It has not been demonstrated that the second new community will deliver as the draft EDLP claims and the Council’s experience of the delivery timeline for Cranbrook (30 + years and counting) underlines the challenges that lie ahead. Furthermore, it is considered that the draft EDLP has failed to allocate enough sites to meet local need in full or to have planned positively to meet at least 80% of this need. This suggests strongly that the draft EDLP should either be paused to enable the second new community plans to “catch up” so that the whole draft LP can be considered comprehensively as one, or that more sites should be allocated at this stage to provide sufficient headroom for the significant uncertainties inherent in the draft EDLP.

Our clients are promoting land in the West End to the south of the 2nd new community for a self-contained residential-led, sustainable new village that is viable, sustainable and does not require external funding. It could come forward quickly and would eventually form part of and compliment (rather than prejudice delivery of) the second new community. It is considered that this land should be allocated in the draft EDLP.

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.: 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.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: We support the intention of Policy WS09, including the extension of the park onto land controlled by our clients. Our clients are prepared to work with stakeholders to achieve the objectives of Policy WS09 as part of the delivery of strategic scale development on land to the south. We make the following comments on detailed drafting:

- It is unsound to refer to objectives in the “CVRP Management Plan”. This is too vague, and the Management Plan is not submitted for public scrutiny as part of this examination. Similar points apply in respect of references to other documents in Policy WS09.
- Part D. SANG – duplicates Strategic Policy PB04
- No. 2. “30% tree canopy cover” is not defined.
- Final paragraph: “close” is not defined. The Policy states that it applies across the whole local plan area. It is considered that the requirement for development anywhere in the local plan area to make financial contributions to the CVRP in Policy WS09 would not be CIL Reg 122 compliant.

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.: Clarify scope and the above points.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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(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.:

CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

We support the intention of Policy WS09, including the extension of the park onto land controlled by our clients. Our clients are prepared to work with stakeholders to achieve the objectives of Policy WS09 as part of the delivery of strategic scale development on land to the south. We make the following comments on detailed drafting:

- It is unsound to refer to objectives in the “CVRP Management Plan”. This is too vague, and the Management Plan is not submitted for public scrutiny as part of this examination. Similar points apply in respect of references to other documents in Policy WS09.

- Part D. SANG – duplicates Strategic Policy PB04

- No. 2. “30% tree canopy cover” is not defined.

- Final paragraph: “close” is not defined.

The Policy states that it applies across the whole local plan area. It is considered that the requirement for development anywhere in the local plan area to make financial contributions to the CVRP in Policy WS09 would not be CIL Reg 122 compliant.

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.: Clarify scope and the above points.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son 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.: SD02

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.:

Re: Land east of Musbury Road (Axmi_02, Axmi_08 and Axmi_09) – for 438 dwellings and 1.6 hectares of employment land

Our client fully supports the allocation of the site for residential development but does not support the allocation for employment uses. There are also concerns about the justification for and feasibility of delivering a community hall.

SPATIAL STRATEGY AND DELIVERABILITY

Our client fully supports the identification of Axminster as a Main Centre able to support significant development. Axminster is a highly sustainable settlement with very good transport connections and a varied range of shops, services and facilities.

Strategic scale allocations at Axminster will better balance the historic skew of development towards the West End of the District as well as making up for the non-delivery of the former strategic allocation to the east of the town.

The proposed development site will both benefit from, and be able to further support, the extensive range of services and facilities in the town.

RESIDENTIAL

The three sites taken together as a single allocation is a logical extension to the town and the quantum of residential development identified in the policy is fully supported.

Allocating all three parcels as a single site will enable a comprehensive approach to forward planning future housing requirements delivering high quality homes to the south of Axminster.

The three parcels can function as a single entity, or can be delivered in phases, and are available, suitable and deliverable. Preliminary feasibility and design work confirms that this quantum can be accommodated on the site.

LAND QUALITY

Most of the site has remained as agricultural land and apart from minor and small-scale exceptions, is unlikely to have elevated levels of contamination.

FLOOD RISK AND DRAINAGE

The majority of the site is in Flood Zone 1 and any new development would be restricted to Flood Zone 1 at 'very low risk' of flooding from surface water. New development can be designed to safely convey any upstream flows through the site. In geological terms, soakaway drainage may be viable, to be confirmed by further assessment but if not the existing waterways on site would provide a natural outfall option.

ACCESS AND CONNECTION TO SERVICES AND FACILITIES

Vehicular access to the wider site can be provided from a number of locations. The site is accessible by foot and cycle to a range of shops, services and facilities in Axminster. There are a range of transport options to access Exeter, Taunton, Yeovil and Dorchester including train and local/strategic bus connections.

LANDSCAPE

Built development within the valleys and along the River Axe tributaries is an established pattern in Axminster and development on this site could follow this pattern.

Development on the higher slopes in the east will need to be carefully designed and planned. Measures will be required to soften the built edge and integrate development within the wider landscape and National Landscape setting. Field boundaries, hedgerows and hedgerow trees can be incorporated into the scheme to achieve this and help create stronger habitat links.

There is also an opportunity to improve the Public Right of Way network to create circular trails and connect to existing routes.

ECOLOGY

A full Phase 1 Habitat Assessment of the site has been undertaken. It is considered that there are not likely to be any insurmountable ecological challenges to a residential development of the scale and at the location proposed. Grassland habitats in particular are of local interest only.

There is potential for significant biodiversity enhancement in retained habitats to achieve required net gain and dovetail with the landscape mitigation.

HERITAGE

A Historic Desk Based Assessment (DBA) has been carried out confirming the likely presence of buried archaeological remains within the site. A programme of archaeological works will be carried out to understand the extent, nature and significance of the below ground archaeology within the allocation boundary. Once the results are available, appropriate mitigation can be designed into the scheme as required

The DBA also considered the potential for the development of the study site to affect the significance of the scheduled Roman fort and associated settlement, and Higher Wyke Farmhouse. The DBA concludes that the impact on the Roman fort would be addressed through the below ground archaeology assessment and mitigation. In terms of Higher Wyke Farmhouse the DBA concludes that any impact on its significance could be adequately addressed through detailed design measures.

UTILITIES

The site can achieve connections to existing utility networks, all of which have sufficient capacity to accommodate comprehensive development.

NUTRIENT NEUTRALITY

The Council is progressing a mitigation strategy for the River Axe catchment to address the impacts of the proposed allocations. Any future applications will make appropriate contributions to this to ensure the future development is nutrient neutral. The effect of surface water on the River Axe SAC can be mitigated through drainage design, using SuDS and other established techniques.

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.:

COMMUNITY HALL

While the provision of appropriate community infrastructure is supported, the need for such facilities and the challenges of delivery and operation need to be understood.

Axminster benefits from a number of existing community facilities including Phippen Community Centre, Axminster Leisure Centre, Axminster Community Shed, Axminster Bradshaw Heritage Meeting Room and the main Town Council office located close to the centre of the town, so the need for an additional hall or meeting place is questioned. There is also no evidence provided regarding overall Community provision in East Devon, or specifically in Axminster, neither has there been any evidence regarding interest from local groups or the Town Council in taking on such a facility. Mandating the delivery of such facilities in such circumstances risks leaving part of the site undeveloped or worse a structure unused that is not suitable for other uses.

If this element is retained in the policy, there needs to be referenced to evidenced need and an identified operator and / or flexibility about how the community element can be provided.

Viability is also an issue in Axminster as acknowledged by the Tree Dragons Viability Assessment so the requirement for additional facilities needs to be properly evidenced and the viability implications understood.

HIGHWAYS MEASURES

The references in the policy to the provision of active travel links to the town centre and maximising opportunities for localised improvements/contributions to enhance sustainable travel modes is supported.

There is a concern however with the reference to the provision of off-carriageway bus stops on Musbury Road insofar as practicality of delivery. While land from the site could be used to deliver such provision for the southbound direction, there is no land available on the other side of the road to provide an off-carriageway bus stop for the northbound direction. We note the policy only requires this to be explored, but it should not reference something which is known to not be deliverable.

Additionally current highway guidance “Buses in Urban Developments” published in 2018 by the CIHT on providing infrastructure for buses encourages the provision of on-carriageway bus stops to prioritise bus movements and make it easier for buses to pull out into traffic flow. As such specifically requiring the provision of off-carriageway bus stops is not consistent with current best practice and one suggestion might be to drop the off-carriageway requirements and just refer to bus stops. It would then be for the highway authority to determine the appropriate arrangement through the planning application process.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 in the Towns and Villages 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.: Suggested revised policy text:

This land is proposed for 438 dwellings. This allocation will need to come forward on the basis of an agreed masterplan for the whole site that clearly demonstrates how comprehensive development will be undertaken and implemented.

The allocation will need to consider active travel links to the town centre and railway station, and the masterplan should address the landscape and heritage sensitivities of the site.

Highways access shall be taken from the A358 Musbury Road. The masterplan shall take full account of archaeological survey work within the allocation boundary to determine the extent of any remains associated with the adjacent Scheduled Ancient Monument.

Connectivity onto Wyke Road and public rights of way will be required to ensure good pedestrian/cycle access. The development should maximise opportunities for localised improvements/contributions to enhance sustainable travel modes. In particular, it should explore opportunities to provide bus stops on Musbury Road to improve sustainable travel options.

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.: 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.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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.: SD03

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.:

Strategic Policy SD03: Honiton and its development allocations proposes to allocate the above site – Land at Kings Road, Honiton (Honi_18) – for residential development of 136 new homes

SITE PROMOTION HISTORY

The site was first promoted in response to the Further Draft Local Plan Consultation in June 2024 and subsequently considered by Strategic Planning Committee (SPC) on 29 October 2024 which resolved to allocate the site for about 136 homes, subject to confirmation from National Highways that the principle of an access can be achieved.

Prior to the final SPC meeting on 11 December 2024 to agree all proposed allocations ahead of the Regulation 19 consultation, confirmation was provided that an acceptable site access could be achieved following further discussions with DCC Highways. National Highways and the Police. The site was subsequently recommended for allocation.

Our client, Obsidian Strategic Asset Management (Obsidian), fully supports the allocation.

SPATIAL STRATEGY

Honiton is appropriately classified as a Main Centre and has an extensive range of services and facilities such that it has strategic significance as a location for higher levels of future housing development of the scale proposed in the emerging Local Plan.

ACCESS

The appended Highways Technical Note summarises the key highway discussions that have taken place regarding the site access. This demonstrates that a safe and acceptable site access that meets relevant standards can be secured with connection to the existing footways along Kings Road to provide pedestrian access into the town. The note also confirms that the identified Kings Road crossing can be provided.

The site is sustainably located in relation to the town with Honiton train station, providing links to Exeter, Axminster, Salisbury and London, located just 800m west of the site, with Honiton hospital and surgery immediately to the south of the train station. There is also an existing bus stop adjacent to the site at Kings Road and as referenced in the policy bus stops on Waterleat Avenue providing regular local services. Services and facilities along the High Street are within 0.6 miles of the site and schools, recreational facilities and the leisure centre are all within 1 mile of the site.

ENVIRONMENTAL DESIGNATION

Although the land lies adjacent to a National Landscape, the site itself is not subject to any statutory environmental designation.

The site is located to the east of Honiton, outside but adjacent to the current settlement boundary. The land also lies adjacent to the East Devon and Blackdown Hills National Landscapes.

While indicative at this stage the Concept Design has been prepared to provide a sensitive development that allows for a new edge of settlement built form that is appropriate to its setting with significant areas of open space and landscaping around the periphery of the development to assist with the assimilation to the National

Landscape, whilst also providing sustainable urban drainage and biodiversity net gain benefits.

An illustrative concept plan demonstrating how the site could be developed is appended.

TREE COVER

There is very limited tree cover on the site, and it would be expected that the existing trees could be retained in situ as part of any development proposal. Within the site are two field boundary hedgerows and the concept plan demonstrates that these hedgerows could be retained and enhanced, forming a central part of a scheme by lining the proposed main street.

CONTAMINATION

The site has been in agricultural use and there are no known contaminants on the site at this stage of investigation.

INFRASTRUCTURE

Following a preliminary review of the site and its opportunities and constraints, it is expected that the site can comfortably accommodate the identified allocation numbers. As set out above a new highway access will be required off the A35 which is envisaged to be a right turn lane junction.

The site is suitable for development of market homes and affordable homes in line with emerging policy contained within the East Devon Draft Local Plan.

DELIVERABILITY

The site under the control of a willing landowner, as evidenced by the active site promotion undertaken to date, such that it can come forward for development early in the local plan period. Initial site assessment and feasibility work has not identified any constraints that would preclude development of the site.

While only preliminary design work has been carried out to date, this demonstrates that the site can readily accommodate the identified development quantum with a sensitive scheme appropriate to its edge of settlement setting. Significant areas of open space and landscaping can be accommodated around the periphery of the development area to assist with mitigating views from the adjacent National Landscape, whilst also providing sustainable urban drainage and biodiversity net gain benefits.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: SD03

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.:

Site Allocation Taylor Wimpey strongly supports the allocation of Land at Ottery Moor Lane (Honi-10) for residential development. Policies There are a number of policies that impose technical and other standards that while entirely laudable but have not been properly evidenced or justified and as such are, in themselves, unsound. Cumulative these policies could hinder housing delivery by placing undue burdens on developers and landowners and affecting scheme viability.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: SD03

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.:

Taylor Wimpey fully endorses the allocation of site Honi_10. Honiton is appropriately classified as a Main Centre and has an extensive range of services and facilities such that it has strategic significance as a location for higher levels of future housing development of the scale proposed in the emerging Local Plan. The site has recently obtained a Committee resolution to approve, subject to a Section 106 agreement, demonstrating it is fully deliverable. The site can make a small but nonetheless important contribution to housing delivery in the early part of the plan period.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): WainHomes (South West) 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.: SD08

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.:

Strategic Policy SD08: Development at Budleigh Salterton proposes to allocate the site – Land at Barn Close, Budleigh Salterton (Budl_02) – for residential development of 35 new homes

Our client fully supports the allocation.

Budleigh Salterton is classified as a Local Centre containing all 11 of the local facilities and services and three of the eight strategic facilities and services categorised by the Council. The Town has good range of services and facilities, notably more than any other Local Centre settlement and has strategic significance as a location for higher levels of future housing development. This makes it ideally placed to support additional residential development and a development of 35 dwellings, and the associated infrastructure would be fairly modest in scale and nature in terms of the Town as a whole and the scheme would be in scale with Budleigh's role and function.

The proposal is not considered to be 'major development in the National Landscape' for the purposes of NPPF 2024 para 190. The Cornwall South Coast Central AONB Management Plan outlines key indicators for determining whether a development is 'major' in its impact on the landscape. These include factors such as visual harm to the AONB/NL's scenic quality, erosion of its special qualities, incompatibility with the surroundings, and conflicts with the local community's economic and social needs. A Landscape and Visual Impact Assessment (LVIA) has been conducted to evaluate the proposed development's impact. The site, visually well-contained by its topography, existing built form, and mature vegetation, is expected to have only minor adverse visual

effects on surrounding areas. The development layout and mitigation measures, such as increased planting and buffers, are designed to soften the visual impact and blend the new dwellings with the existing settlement, particularly over time as vegetation matures.

The development, located within Budleigh Salterton, a Local Centre with a good range of services, would provide 35 new homes, including 12 affordable units. The proposal is in scale with the town's needs and would not cause significant harm to the surrounding landscape or National Landscape Designation. The development is compatible with its surroundings, with careful consideration of building materials and design to reduce visual intrusion. In addition to addressing the housing crisis in East Devon, the scheme would provide economic benefits, including job creation and increased local spending. Overall, the proposal meets the requirements of the Development Plan, and it is concluded that the development does not constitute a "major development" as defined in paragraph 190.

DELIVERABILITY

The site is subject to a live planning application in full detail for 35 new homes. This demonstrates that the allocation is fully deliverable with a willing developer able to bring the site forward early as part of the Council's Five Year Housing Supply.

At the time of writing no technical issues have been identified through the consultation process that would prohibit delivery of the site, including no objections from County Highways to the proposed vehicular access arrangements.

Following a meeting with the Town Council the application is proposed to be amended to include provision of a footway connection across the front of the adjoining site to provide pedestrian and cycle connections to the Town and its facilities.

In terms of potential sensitive impacts on Heritage and the National Landscape (NL) the application is supported by both an Archaeological and Heritage Assessment (AHA) and a Landscape Visual Impact Assessment (LVIA).

HERITAGE IMPACTS

No particular archaeological potential or designated heritage assets are identified within the site.

The closest heritage asset to the site is the post-medieval Grade II* Tidwell Manor to the north east and the AHA concludes that, even in winter, trees on the edge of the site will screen it from views from the north east. Further the orientation of the Manor house is away from the site, focussed south eastwards along a shallow valley which historically contained a formal landscape. The site visit confirmed this orientation away from the site, as well as more recent trees surrounding the main house and that the site's development would not affect its significance.

Other Grade II listed buildings lie at a greater distance or are screened by surrounding structures and topography and none would be affected by change within the site.

The AHA concludes there would no adverse heritage impacts arising from the proposal.

NATIONAL LANDSCAPE IMPACTS

As set out above an LVIA has been completed to assess how the proposed development could potentially affect landscape and/or visual amenity and also identifies features of the proposals which will assist in mitigating adverse landscape and visual impacts.

From a visual perspective, the site is visually well-contained due to the nature of the surrounding topography, the presence of built form to the west and south, and mature boundary vegetation to the eastern boundary. Where the site is visible, it is observed within the context of existing settlement of Budleigh Salterton with housing abutting the site to the south and further houses partially under construction to the west.

The site layout (see page 5 of the attached document) shows an increased set back of development from the northern boundary of the site which has allowed for an increase

in open space and opportunity for further tree planting to aid in filtering views of the site from the wider NL landscape to the north.

A retained buffer to the western boundary and increased buffer to the eastern boundary ensures the retention of the existing mature vegetation and creates the opportunity to enhance these boundaries with increased planting which will also particularly assist in filtering views of the site. The landscape study concludes that:

“Visual effects have been assessed as no higher than Minor Adverse at Year 1 and Year 15 from those receptors on adjacent road routes (B3178), East Budleigh Footpath 4 and users of Bear Lane (a ‘other route with permitted access’). At Year 15, after maturation of the proposed mitigation planting, would soften the appearance of built form and help assimilate the Proposed Development into its settlement edge context.

"Views from private residential dwellings have not been tested in the field and therefore this LVIA has provided a commentary on the predicted magnitude of change as a result of the Proposed Development. The greatest change is expected to be experienced by those adjacent to the boundary of the main development area (dwellings at Hooker Close to the direct south of the Site, and dwellings at Evans Field to the direct west of the Site) who will experience a Moderate change.

"Regarding the East Devon National Landscape, the extremely limited spread of landscape and visual effects identified within the LVIA and summarised above would result in a negligible effect (emphasis added) upon the National Landscape Designation whilst the relevant special qualities would also be unaffected as a result of the Proposed Development."

Visually, the proposed dwellings at the site would be characteristic of other housing in the locality, including scale and massing, with careful choice of materials, which would ensure that the new dwellings blend well into their surroundings. Each dwelling is to be set within substantial grounds, assisting in creating a low-density development. Substantial planting as part of the scheme would help to provide a soft transition between the urban form and the rural setting beyond. It is therefore considered that the new housing would be in-keeping with their surroundings. The site would be seen in the context of the surrounding development, with the backdrop of vegetation, which would reduce the visual appearance of the site on the surrounding landscape.

Based on the assessment in the LVIA the scheme complies with the other part of NDP Policy H4 in that the proposal would conserve and enhance the NL.

JUSTIFICATION FOR DEVELOPMENT WITHIN THE NATIONAL LANDSCAPE

The whole of Budleigh Salterton, including the application site is within the East Devon NL. There are no sites in the Town capable of delivering market and affordable housing of anywhere near the scale required to address identified needs. Therefore, any development seeking to meet the housing needs of the town would have to be located on greenfield site adjoining the BUAB and would, by definition, be within the NL.

An Affordable Housing Statement submitted with the application identifies an acute affordable housing need for both East Devon – with 5,939 households on the housing register as of 1 October 2024 – and Budleigh Salterton – 76 households on Devon Homes Choice seeking affordable housing in Budleigh with 25 in priority bands A, B and C. Analysis of waiting times and bid levels for affordable housing in Budleigh, together with higher house prices in Budleigh compared to other locations in the District, demonstrates there is an ‘exceptional need’ for the provision of new affordable homes at Budleigh within the NL. On the basis of the emerging affordable housing policy requirements the site would provide 12 new affordable homes which would make a modest but nonetheless important contribution to this deficit.

If sites within the NL were excluded from allocation in the emerging local plan not only would overall housing numbers fall short of the required figures, but future development would also be disproportionately located across the district and would not meet local need at those settlements within the NL.

WainHomes fully endorses the Council for acknowledging the need to allocate sites within the NL.

Full name: Ollie Thorogood

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Jackson-Stops

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.: SD11

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.:

Proposed Allocations in 'Local Centres' The proposed distribution of residential allocations across the five Local Centers are set out below:

[table mentioned can be seen in the attached PDF]

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. www.carneysweeney.co.uk 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.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 in the Towns and Villages 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.: 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.

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: Ollie Thorogood

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Jackson-Stops

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.: SD11

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.:

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. www.carneysweeney.co.uk 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.

www.carneysweeney.co.uk 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.

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.:

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3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 in the Towns and Villages 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.: Allocate the site put forward by Jackson-Stops in addition to Wood_06

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Mr and Mrs Hansford

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.: SD20

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.:

Introduction CarneySweeney acts for Mr and Mrs Hansford, in connection with land at Pit Orchard, Bimbom Lane, Kimington (Kilm_05) which our client has been seeking to promote for open market led housing development through the draft Local Plan. These comments are submitted to the East Devon Local Plan 2020-2042 Regulation 19 Consultation. These comments supplement those that were submitted to the Local Planning Authority in September 2024 in connection with the Regulation 18 Consultation. This previous comments are appended in full. Once again, we write to confirm that a series of inaccuracies have arisen within reporting of this site by the Council that has led to the site not being considered for allocation for market-led residential development. The characteristics of the site, and its location, inform its development potential and its omission from the Draft Local Plan is unjustified. The Site and Surroundings The site – shown below - extends to 0.56ha and is located to the south of Kilmington. The site fronts on to Bimbom Lane from which access is taken: Topographically, the lane is lower than the surrounding landscape, with the exception of a narrow band of land already developed for housing to the north that runs east to west along a section of Silver Street and Silver Lea. The site largely consists of scrubland with the central part of the site already been cleared and an access road constructed up to base course level in connection with an existing planning consent. The site also includes narrow but steep banks in the south west, south and east with heavily planted mature trees positioned at the top of the slope. The northern boundary consists of a low bank topped with a mature hedgerow and trees. The topographical nature of the site and the presence of a band of heavily planted mature trees around the boundary, with the exception of the point of access, means that the views out of the site are very limited. The level central part of the site falls away from Bimbom Lane meaning that the

site is not visible in any views from the east. At this location, Bimbom Lane acts as a small ridge with it being the local high point for views from the east coming from other areas of Kilminster, and Axminster beyond. In addition to the topography of the site, a strong mature Devon hedgebank on the east side of Bimbom Lane prevents any views towards the site from the east, as demonstrated in Photograph 3 of this report.

Kilminster itself is a village with a population of just under 1,000, situated south of the A35. Kilminster has a good range of community facilities including a church, primary school, pub, petrol station, farm shop and cricket pavilion with bus services available to the larger settlements of Honiton and Axminster. These factors contribute to Kilminster being able to accommodate suitable levels of development. Planning History The site has a relatively extensive planning history and benefits from an extant planning consent (ref: 15/1746/OUT and 16/1586/RES) for 6 residential dwellings. The planning consent is for an affordable housing led development, therefore, there is a recognition that residential development can be accommodated at the site. Correspondence received from East Devon District Council by email dated 15th May 2018 states that “the development has begun within the requisite time period established” and consequently, it can be said with confidence that the principle of residential development of this site has been established and secured. In granting consent for the proposal for 6 residential dwellings, the Council concluded that “the benefits of the scheme are considered to outweigh any harm”. In relation to character and appearance, it was determined that the “site would be apparent from localised views... such views as would be afforded would though be localised only and although likely to have a slight negative impact this could be minimised through the use of appropriate design and materials”. Furthermore, landscape impact was considered to be “limited”.

www.carneysweeney.co.uk Subsequently, two more detailed planning applications have been submitted to EDDC for residential development (19/0077/FUL and 20/0435/FUL) with both being refused. The former was dismissed at appeal in March 2020, yet raises pertinent points regarding the development prospects of the site. Notably, in coming to their decision, the Inspector concluded that the development would “utilise a brownfield site which is encouraged by the Framework”, suggesting that weight should be added to the re-use of the site for residential development. Notable in its absence, was any discussion around landscape impact, particularly of interest as the site is within the AONB suggesting that landscape impact was not fundamental to the case for refusal. The latter application provided new commentary on landscape impact, stating that “the impact of the development on visual receptors is likely to be negligible in most views although the visual impact on residents and pedestrians from Silver Street is likely to be moderate adverse during construction and on completion reducing to low as new perimeter planting matures”. These recent applications demonstrate that development would give rise to very limited landscape harm. The fact remains that the site has secured a consent for 6 dwellings which has been lawfully commenced through the creation of the access road and remains capable of

implementation in full. 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. www.carneysweeney.co.uk 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. The Spatial Strategy We support the spatial strategy contained within Policy SP01 which identifies Kilmington as a Service Village where the Draft Plan seeks to allow limited development. This is reflective of the amenities available within Kilmington which are located in proximity to the site. However, only two allocations are proposed for the settlement set to deliver 28 new homes in total over the plan period. East Devon Strategic Planning Committee decided not to allocate the site at the meeting dated 20th September 2024. The Report, prepared by Officers in advance of the meeting, proposed not to allocate the site due to development likely having “significant landscape impact”. This assertion of significant landscape impact is not justified and ignores the Council’s own site assessment carried out in preparation of the Report. The Council contends that the site has a very high landscape value but a low to medium visibility due to mature trees at its boundary. The Council has also failed to recognise the extant planning permission on the site which not only secures the principle of residential development but also contains written commentary from the Council within the Officer Report that the landscape impact would largely be negligible with some moderate adverse impacts from Silver Street. As such, the Council failed to appropriately justify the decision to omit Kilm_05 as a draft allocation in the Local Plan. Housing Trajectory and Delivery 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 www.carneysweeney.co.uk 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. 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 75 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. 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”. Previously

Developed or Brownfield Land An appeal decision for this site from March 2020 concluded that the site is a brownfield site, and factors of perceived neglect are not uncommon with many brownfield sites. Nevertheless, the NPPF acknowledges the significant role of brownfield sites to meet housing need and encourages development of these sites, with Paragraph 123 stating that: “Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”. We consider that appropriate weight has not been given to the site’s status as previously developed land in the site assessment for Kilm_05. www.carneysweeney.co.uk Environmental Considerations Ecological matters have never been cited as reasons to refuse planning permission on this site. Furthermore, both preferred allocation options in Kilmington would be caught by both Nutrient Neutrality and mandatory Biodiversity Net Gain requirements which would limit their deliverability and site yield. As Pit Orchard already benefits from an extant planning consent, development would not be subject to the same restrictions either through implementation of the current consent or a variation thereto. CONCLUSION Fundamentally, the reason given by EDDC for not allocating Kilm_05 is inconsistent with assessments of the site undertaken by officers in determining the previous planning applications on the site. The conclusion that

development of the site will create visual impact on the wider parts of the National Landscape overlooks documented evidence contained within the extensive planning history of the site. For example, the description of the site and the ability to develop the site under the extant planning consent are not considered in the EDDC site assessment. Moreover, there is no reference in the EDDC site assessment to Kilm_05 being a brownfield site. This is surprising as the NPPF clearly favours the use of brownfield land for the development of new homes which is a key component in the core theme of 'making effective use of land'. It is considered that much greater weight should be afforded to this status. In the context of the Framework and other material considerations, aspects of the Draft Plan appear inconsistent with these, and sufficient justification is not provided to demonstrate that the housing trajectory is robust, particularly when considering the approach for windfall sites. In the event that additional housing sites are required to meet the identified housing needs of the District, the site is in a prime position to accommodate a modest level of growth. Development of the site is shown to provide very limited impact on heritage assets and areas of landscape importance and is located in a sustainable location with good access to local services and facilities as confirmed by the decision of EDDC in granting permission for residential development of the site in April 2016. Finally, the site is deliverable in BNG and nutrient neutrality terms by virtue of the extant consent. These characteristics put the site head and shoulders above any other site in the village and in our opinion make it a logical and essential choice for allocation.

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: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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.: SD29

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.:

Land off Station Road (Ref: Whim_11)

Our client fully endorses the allocation of land at Station Road for residential development.

Representations were also made to the Local Plan Reg 18 Further Consultation in June 2024, which also advised of our client's full support to the residential allocation. These have been attached at APPENDIX 1.

Our client is willing to work closely with EDDC to achieve the objectives of the policy in relation to this site.

Land to the west of Bramley Gardens, Whimble (Ref: Whim_08a)

The above site had been identified on the Reg 18 Emerging Local Plan Policy Maps as a 'second choice site' referenced as LP_Whim_08. Representations were made to the Local Plan Reg 18 Further Consultation in June 2024, which strongly encouraged the second-choice allocation ref: Whim_08 to be upgraded to a Preferred Allocation for residential development for Whimble. As above, the previous representations have been attached at Appendix 1.

The Draft Strategic Policy SD29 now includes this site as a residential allocation for Whimble. Our client's fully support the allocation of land to the west of Bramley Gardens for residential development and are prepared to work with stakeholders to achieve the objectives of Policy SD29.

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.:

Land off Broadclyst Road (Ref: Whim_07)

The above site had been identified on the Emerging Local Plan Policy Maps during the Reg 18 Consultation of the Local Plan as a 'second choice site' as referenced LP_Whim-07 and coloured orange on Figure 2 (see page 4 of the attached document).

On the 1st November 2024, EDDC's Strategic Planning Committee (SPC) met to consider a range of further allocations for sites within the District of East Devon.

With regard to site ref: Whim_07, SPC was advised that further work looking at the critical drainage matters for Whimble which had not been completed due to the high cost of the technical work. It was proposed by SPC not to include this site as a further allocation for development due to the flood risk covering half of the site. SPC did however consider that the inclusion of half of the site, situated outside of the floodplain could be included within the BUAB to allow windfall development to come forward in the future.

On the 22nd November 2024 SPC considered a report on amended settlement boundaries and draft allocation plans for the emerging Local Plan. For Whimble, the built-up area boundary (BUAB) had been amended to include further land, as shown in Figure 3 (see page 5 of the attached document). The revised BUAB included within it, land off Broadclyst Road, highlighted for completeness, by the red circle.

The Settlement Boundaries Evidence Paper [ED LP Settlement Boundaries Evidence Paper 222 Nov 2024 SPC Version 2] supported the report taken to SPC and set out how the boundaries have been drawn for individual settlements and why any changes have been made. The report states "The strategy of the emerging local plan differs from the adopted plan in wanting to promote some opportunities for housing within the settlement boundaries so that they guide but do not stifle the outward growth of settlements in line with the plan strategy."

The report references the inclusion of land off Broadclyst Road and states “Most of the areas to the northwest of the village that were included in the 2022 consultation plan have now been excluded due to their retention in the Green Wedge. The exception is a house and part of a field north of Manley Close, as agreed at the Strategic Planning Committee meeting on 1st November 2024.”

The Local Plan Regulation 19 version, of which is being consulted on, shows the BUAB to have been pulled back to not include Whim_07.

3(c). Please set out the modification(s) you consider necessary to make this part of the Development in the Towns and Villages 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 in the Towns and Villages 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 previous history of the site being included within the settlement boundary for Whimple, our clients wish to propose their land as suitable for development and deliverable within the plan period. It is considered that the land is centrally located with easy pedestrian/cycle access to Whimple’s services, facilities and railway station and that it can be brought forward at an early stage within the plan period to meet the objectives of Whimple to support development that meets local needs.

Our clients therefore consider that the site should be included within the BUAB for Whimple and allocated for residential development.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: CC02

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.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023. The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that: The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP). The policy is also not expressed in such a way that complies with the second bullet. Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS. Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

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.: Policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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.: CC02

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.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards are too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained.

The Council should not seek to pre-empt national standards.

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

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.: Policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: CC02

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.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023. The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that: The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP). Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards feel too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is www.carneysweeney.co.uk impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above

WMS and so the policy should not be retained. The Council should not seek to pre-empt national standards. The policy is also not expressed in such a way that complies with the second bullet. Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS. Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

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.: 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)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: CC02

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.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023. The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that: The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

•The additional requirement is expressed as a percentage uplift of a dwelling's TargetEmissions Rate (TER) calculated using a specified version of the Standard AssessmentProcedure (SAP). Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards feels too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained. The Council should not seek to pre-empt national standards. The policy is also not expressed in such a way that complies with the second bullet. Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS. Part C: New homes to

be designed to avoid temperature discomfort. Temperature discomfort is not defined. All major non-residential developments will be required to meet the latest BREEAM “Excellent” standard – the EPC regime for newly constructed commercial buildings is becoming much stricter as we approach 2030. It is not necessary to include this BREEAM requirement if improvements to the sustainability credentials of commercial properties is covered by EPCs.

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.: 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)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: CC02

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

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.: Policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: CC02

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.: Part A requires compliance with the Future Homes Standard 2025 or successors or if not implemented, the Future Homes and Buildings Standards 2023.

The Written Ministerial Statement dated 13 December 2023 in respect of energy efficiency standards states that:

The improvement in standards already in force, alongside the ones which are due in 2025, demonstrates the Government's commitment to ensuring new properties have a much lower impact on the environment in the future. In this context, the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.

- The additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

Based on current experience the values put in the Three Dragons Viability Assessment for the additional costs associated with achieving Future Homes standards are too low. However more fundamentally as the government are still consulting on the various options for how Future Homes could be achieved it is impossible to properly cost achieving this at this time. As such the viability impacts of the policy cannot be tested as is required by the above WMS and so the policy should not be retained.

The Council should not seek to pre-empt national standards.

The policy is also not expressed in such a way that complies with the second bullet.

Even if the policy is found sound, it must be applied flexibly where the applicant can demonstrate that meeting the higher standard is not technically feasible in relation to the availability of appropriate local infrastructure, in accordance with the WMS.

Part C: New homes to be designed to avoid temperature discomfort. Temperature discomfort is not defined.

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.: Policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: CC05

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.: While heat networks are recognised as a key element of the Council's sustainability approach the feasibility / viability of providing such connections needs to be properly recognised with not too high a bar set for such connections not being provided.

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.: Replace significantly undermines commercial viability of development with unviable.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: CC05

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

While heat networks are recognised as a key element of the Council's sustainability approach the feasibility / viability of providing such connections needs to be properly recognised with not too high a bar set for such connections not being provided.

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.: Replace 'significantly undermines commercial viability of development' with 'unviable'.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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.: The requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues. The financial implications of this additional requirement on development costs are also not assessed in the Three Dragons Viability Assessment. If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

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.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

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.: The requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

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.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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

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.: While Cavanna supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues. The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment. If this requirement is found sound it would also provide greater clarity and effectiveness if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed. If a target/measure is not specified, then the policy would be meaningless. Conversely if there is a target set this would have viability implications.

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.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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

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.: While Taylor Wimpey supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues. The financial implications of this additional requirement on development costs have not been assessed in the Three Dragons Viability Assessment. If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

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.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs are also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

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.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: While C G Fry supports consideration of embodied carbon the requirement for all major developments to undertake an embodied carbon assessment appears excessive and unjustified. This should only be required where the particular circumstances of the proposal raise significant embodied carbon issues.

The financial implications of this additional requirement on development costs is also not assessed in the Three Dragons Viability Assessment.

If this requirement is found sound it would also provide greater clarity if the Policy identified which nationally recognised Whole Life Cycle Carbon Assessment procedure the Council would expect to be completed.

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.: Policy to be deleted or amended to refer to justified circumstances and confirm which Whole Life Cycle Carbon Assessment should be completed.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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. 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.: The following requirements are not justified and set a requirement over and above the approach in the Framework.

- Assessment of land within 5 metres horizontal distance of Flood Zone 2.
- Identifying wider community flood risk benefit. The delivery of over-sized SuDS and partnership financial contributions should have been considered in the site allocation process. They have not been viability tested and could impact on scheme viability.

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.: Delete the above requirements.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.:

CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The following requirements are not justified and set a requirement over and above the approach in the Framework.

- Assessment of land within 5 metres horizontal distance of Flood Zone 2.

- Identifying wider community flood risk benefit.

The delivery of over-sized SuDS and partnership financial contributions should have been considered in the site allocation process. They have not been viability tested and could impact on scheme viability.

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.: Delete the above requirements.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: AR02

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.: Policy AR02 imposes the standard of 110 litres per day per person of water usage. The supporting text refers to the Water Cycle Study, but this has yet to be published. Accordingly, the policy is not based on available evidence.

The Written Ministerial Statement of 25 March 2015 states that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.” The PPG states that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plan. Paragraph: 002 Reference ID: 56-002-20160519). Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment (Paragraph: 003 Reference ID: 56-003-20150327). The PPG requires there to be a clear local need (Paragraph: 014 Reference ID: 56-014-20150327). The PPG places the burden of proof on the local planning authority (Paragraph: 015 Reference ID: 56-015-20150327) and identifies the following evidence:

- existing sources of evidence*.

- consultations with the local water and sewerage company, the Environment Agency and catchment partnerships.

- consideration of the impact on viability and housing supply of such a requirement.

*EA's Water stressed Areas 2021 classification, water resource management plans produced by water companies and river basin management plans (Paragraph: 016 Reference ID: 56-016-20150327)

There is no hard technical evidence to support the stricter standard nor is there any evidence to demonstrate that the Council has considered the impact of this stricter standard on housing supply and scheme viability (noting that the Three Dragons Viability Assessment states this has a de minimis cost).

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.: The policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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.: AR02

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.: Policy AR02 imposes the standard of 110 litres per day per person of water usage. The supporting text refers to the Water Cycle Study, but this has yet to be published. Accordingly, the policy is not based on available evidence.

The Written Ministerial Statement of 25 March 2015 states that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.”

The PPG states that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans (Paragraph: 002 Reference ID: 56-002-20160519).

Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment (Paragraph: 003 Reference ID: 56-003-20150327).

The PPG requires there to be a clear local need (Paragraph: 014 Reference ID: 56-014-20150327).

The PPG places the burden of proof on the local planning authority (Paragraph: 015 Reference ID: 56-015-20150327) and identifies the following evidence:

- existing sources of evidence*.
- consultations with the local water and sewerage company, the Environment Agency and catchment partnerships.
- consideration of the impact on viability and housing supply of such a requirement.

*EA's Water stressed Areas 2021 classification, water resource management plans produced by water companies and river basin management plans (Paragraph: 016 Reference ID: 56-016-20150327)

There is no hard technical evidence to support the stricter standard nor is there any evidence to demonstrate that the Council has considered the impact of this stricter standard on housing supply and scheme viability (noting that the Three Dragons Viability Assessment states this has a de minimis cost).

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.: The policy should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: AR02

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.: Policy AR02 imposes the standard of 110 litres per day per person of water usage. While Cavanna applies this standard as a matter of course it is challenging to achieve on larger units so risks setting an unachievable requirement. Planning policies should not seek to replicate Building Regulations. www.carneysweeney.co.uk The supporting text also refers to the Water Cycle Study, but this has yet to be published. Accordingly, the policy is not based on available evidence. The Written Ministerial Statement of 25 March 2015 states that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.” The PPG states that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans (Paragraph: 002 Reference ID: 56-002-20160519). Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment (Paragraph: 003 Reference ID: 56-003-20150327). The PPG requires there to be a clear local need (Paragraph: 014 Reference ID: 56-014-20150327). The PPG places the burden of proof on the local planning authority (Paragraph: 015 Reference ID: 56-015-20150327) and identifies the following evidence:

- existing sources of evidence*.
 - consultations with the local water and sewerage company, the Environment Agency and catchment partnerships.
 - consideration of the impact on viability and housing supply of such a requirement.
- *EA's Water stressed Areas 2021 classification, water resource management plans

produced by water companies and river basin management plans (Paragraph: 016 Reference ID: 56-016-20150327) There is no hard technical evidence to support the stricter standard nor is there any evidence to demonstrate that the Council has considered the impact of this stricter standard on housing supply and scheme viability (noting that the Three Dragons Viability Assessment states this has a de minimis cost).

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.: The 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)?: Yes, I wish to participate in hearing session(s)

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: AR02

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.: Policy AR02 imposes the standard of 110 litres per day per person of water usage. The supporting text refers to the Water Cycle Study, but this has yet to be published. Accordingly, the policy is not based on available evidence. The Written Ministerial Statement of 25 March 2015 states that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.” The PPG states that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans (Paragraph: 002 Reference ID: 56-002-20160519). Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment (Paragraph: 003 Reference ID: 56-003-20150327). The PPG requires there to be a clear local need (Paragraph: 014 Reference ID: 56-014-20150327). The PPG places the burden of proof on the local planning authority (Paragraph: 015 Reference ID: 56-015-20150327) and identifies the following evidence:

- existing sources of evidence*. www.carneysweeney.co.uk
 - consultations with the local water and sewerage company, the Environment Agency and catchment partnerships.
 - consideration of the impact on viability and housing supply of such a requirement.
- *EA’s Water stressed Areas 2021 classification, water resource management plans produced by water companies and river basin management plans (Paragraph: 016 Reference ID: 56-016-20150327) There is no hard technical evidence to support the

stricter standard nor is there any evidence to demonstrate that the Council has considered the impact of this stricter standard on housing supply and scheme viability (noting that the Three Dragons Viability Assessment states this has a de minimis cost).

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.: The 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)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: AR02

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.:

CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

Policy AR02 imposes the standard of 110 litres per day per person of water usage. The supporting text refers to the Water Cycle Study, but this has yet to be published. Accordingly, the policy is not based on available evidence.

The Written Ministerial Statement of 25 March 2015 states that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.”

The PPG states that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans (Paragraph: 002 Reference ID: 56-002-20160519).

Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment (Paragraph: 003 Reference ID: 56-003-20150327).

The PPG requires there to be a clear local need (Paragraph: 014 Reference ID: 56-014-20150327). The PPG places the burden of proof on the local planning authority (Paragraph: 015 Reference ID: 56-015-20150327) and identifies the following evidence:

- existing sources of evidence*.
- consultations with the local water and sewerage company, the Environment Agency and catchment partnerships.
- consideration of the impact on viability and housing supply of such a requirement.

*EA's Water stressed Areas 2021 classification, water resource management plans produced by water companies and river basin management plans (Paragraph: 016 Reference ID: 56-016-20150327)

There is no hard technical evidence to support the stricter standard nor is there any evidence to demonstrate that the Council has considered the impact of this stricter standard on housing supply and scheme viability (noting that the Three Dragons Viability Assessment states this has a de minimis cost).

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.: The policy should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: AR02

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.: Policy AR02 imposes the standard of 110 litres per day per person of water usage. The supporting text refers to the Water Cycle Study, but this has yet to be published. Accordingly, the policy is not based on available evidence.

The Written Ministerial Statement of 25 March 2015 states that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.”

The PPG states that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans (Paragraph: 002 Reference ID: 56-002-20160519).

Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment (Paragraph: 003 Reference ID: 56-003-20150327).

The PPG requires there to be a clear local need (Paragraph: 014 Reference ID: 56-014-20150327). The PPG places the burden of proof on the local planning authority (Paragraph: 015 Reference ID: 56-015-20150327) and identifies the following evidence:

- existing sources of evidence*.

- consultations with the local water and sewerage company, the Environment Agency and catchment partnerships.

- consideration of the impact on viability and housing supply of such a requirement.

*EA's Water stressed Areas 2021 classification, water resource management plans produced by water companies and river basin management plans (Paragraph: 016 Reference ID: 56-016-20150327)

There is no hard technical evidence to support the stricter standard nor is there any evidence to demonstrate that the Council has considered the impact of this stricter standard on housing supply and scheme viability (noting that the Three Dragons Viability Assessment states this has a de minimis cost).

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.: The policy should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: HN01

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.: While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing raises concerns. General aims: E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up to date needs evidence and a blanket approach does not align with this. Housing mix: D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

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.: Required change: General aim criteria E – No specific changes requested Housing Mix criteria D – Amend to refer to suitable sites rather than serviced plots of land.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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.: HN01

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.: While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing (SCB) raises concerns.

General aims:

E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up-to-date needs evidence and a blanket approach does not align with this.

Housing mix:

D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

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.: Required change:

General aim criteria E – No specific changes requested

Housing Mix criteria D – Amend to refer to suitable sites rather than serviced plots of land.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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.: HN01

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.: While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing (SCB) raises concerns.

General aims:

E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up-to-date needs evidence and a blanket approach does not align with this.

Housing mix:

D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

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.: Required change:

General aim criteria E – No specific changes requested

Housing Mix criteria D – Amend to refer to suitable sites rather than serviced plots of land.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: HN01

2. Do you consider that this part of the Meeting Housing Needs chapter is legally compliant?: No

2(b). If no, please give details of why you consider this part of the Meeting Housing Needs chapter is not legally compliant. Please be as precise as possible.: While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing) raises concerns. www.carneysweeney.co.uk General aims: E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up-to-date needs evidence and a blanket approach does not align with this. Housing mix: D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

2(c). Please set out the modification(s) you consider necessary to make this part of the Meeting Housing Needs 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 Meeting Housing Needs 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.: Required change: General aim criteria E – No specific changes requested Housing Mix criteria D – Amend to refer to suitable sites rather than serviced plots of land.

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: HN01

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.: While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing (SCB) raises concerns. General aims: E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up-to-date needs evidence and a blanket approach does not align with this. Housing mix: D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

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.: Required change: General aim criteria E – No specific changes requested

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: HN01

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing raises concerns.

General aims:

E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up to date needs evidence and a blanket approach does not align with this.

Housing mix:

D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

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.: Required change:

General aim criteria E – No specific changes requested

Housing Mix criteria D – Amend to refer to suitable sites rather than serviced plots of land.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: HN01

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.: While the general aims and objectives of Strategic Policy HN01 are supported, the approach to self and custom build housing (SCB) raises concerns.

General aims:

E – This section refers to meeting identified local demand for self and custom build (SCB) but Policy HN05 (discussed further below) mandates a blanket requirement of 5% of plots on schemes of 20 or more to be provided as SCB plots. Any requirement for SCB plots should be based on up-to-date needs evidence and a blanket approach does not align with this.

Housing mix:

D. It is not considered that serviced SCB plots on larger housing developments is the most effective way to meet any identified SCB need (discussed further below).

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.: Required change:

General aim criteria E – No specific changes requested;

Housing Mix criteria D – Amend to refer to suitable sites rather than serviced plots of land.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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.: The identified affordable percentages are supported. Regarding the identified tenure split, social rent as opposed to affordable rent does have significant viability implications. While explicit reference is made to the tenure split for Axminster being flexible through the consideration of viability, this flexibility needs to apply to all sites. Viability supporting a lower percentage or different tenure mix is referred to further down in the policy but this explicit reference to Axminster in the main part of the policy risks causing confusion. There is also an inconsistency regarding the policy and C2 housing. In the introductory paragraph it states the policy specifically applies to C2 uses but lower down it states that C2 uses are exempt – this needs to be clarified.

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.: Text to be clarified regarding C2 Affordable table – tenure mix column – final paragraph (amended text underlined):

At all sites there will be flexibility, through consideration of viability assessments and where schemes are non-viable, to vary tenure percentages.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

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.: 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 75 of the Framework is clear that there should be “compelling evidence” that windfall sites will provide a reliable source of supply.

Full name: Ollie Thorogood

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Jackson-Stops

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

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.: 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.

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.: Revisit wording of Strategic Policy HN02 in regards to windfall development outside settlement boundaries relating to SP06

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The identified affordable percentages are supported.

Regarding the identified tenure split, social rent as opposed to affordable rent does have significant viability implications. While explicit reference is made to the tenure split for Axminster being flexible through the consideration of viability, this flexibility needs to apply to all sites.

Viability supporting a lower percentage or different tenure mix is referred to further down in the policy but this explicit reference to Axminster in the main part of the policy risks causing confusion.

There is also an inconsistency regarding the policy and C2 housing. In the introductory paragraph it states the policy specifically applies to C2 uses but lower down it states that C2 uses are exempt – this needs to be clarified.

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.: Text to be clarified regarding C2

Affordable table – tenure mix column – final paragraph (amended text underlined):

AT ALL SITES there will be flexibility, through consideration of viability assessments and where schemes are non-viable, to vary tenure percentages.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: The identified affordable percentages are generally considered reasonable (subject to a full update to the Viability Assessment to take account of the Building Levy) .

Regarding the identified tenure split, social rent as opposed to affordable rent does have significant viability implications. While explicit reference is made to the tenure split for Axminster being flexible through the consideration of viability, this flexibility needs to apply to all sites.

Viability supporting a lower percentage or different tenure mix is referred to further down in the policy but this explicit reference to Axminster in the main part of the policy risks causing confusion.

There is also an inconsistency regarding the policy and C2 housing. In the introductory paragraph it states the policy specifically applies to C2 uses but lower down it states that C2 uses are exempt – this needs to be clarified.

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.: Text to be clarified regarding C2

Affordable table – tenure mix column – final paragraph:

At all sites, and in particular at Axminster there will be flexibility, through consideration of viability assessments and where schemes are non-viable, to vary tenure percentages.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: 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 75 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.

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”.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: HN03

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.: Extra care housing is stated to be a C3 use but whether such a use falls into C2 or C3 depends on the accommodation and facilities provided, the level of care and services offered as part of the accommodation, and the specific care needs of the occupants. Whether a property is C2 or C3 has implications for Section 106 obligations so this needs to be assessed on a case-by-case basis. While the aim of increasing the amount of specialist accommodation is admirable the blanket requirement for all general housing schemes of 50 to 199 homes to provide 10% of dwellings as 'specialist older person dwellings (C3)' and for schemes of 200+ to provide 10% dwellings as 'specialist older person dwellings (C3) and/or C2 equivalents' is not supported. Firstly, it is not clear what is meant by 'specialist older persons dwellings' (and how this relates to the requirements of Policy HN04 discussed further below) or how the two threshold requirements differ. It is noted the Three Dragons Viability Assessment refers to 10% bungalows, but this is not what is set out in the policy. Secondly it is not reasonable to impose a blanket percentage requirement as the provision and composition of such accommodation should be based on evidenced need. Further for the C2 accommodation this would need interest from a care operator/provider which may not be available. While the reference to commercial viability is welcomed (noting the apparent conflict between the Viability Assessment and the policy as to what is meant by the policy) , mandating the provision of a percentage of older person housing where the earlier criteria listed at A – F in the policy may not be achievable (for example H - having flat topography) and/or place additional burdens on developers (for example F - the need for a Care Needs Assessment) is not reasonable. Further in regard to viability the Viability Assessment confirms that older persons housing is not viable in Axminster as tested so a blanket requirement is not justified.

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.: Use Class C3 (dwellings) - Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care are will generally be considered as falling within Use Class C3 (dwellings) subject to information being provided regarding the level of care and facilities provided and the needs of the residents. The blanket requirement for a percentage of older persons housing should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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.: HN03

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.: While the aim of increasing the amount of specialist accommodation is admirable the blanket requirement for all general housing schemes of 50 to 199 homes to provide 10% of dwellings as 'specialist older person dwellings (C3)' and for schemes of 200+ to provide 10% dwellings as 'specialist older person dwellings (C3) and/or C2 equivalents' is not supported.

Firstly, it is not clear what is meant by 'specialist older persons dwellings' (and how this relates to the requirements of Policy HN04 discussed further below) or how the two threshold requirements differ. It is noted the Three Dragons Viability Assessment refers to 10% bungalows, but this is not what is set out in the policy.

Secondly it is not reasonable to impose a blanket percentage requirement as the provision and composition of such accommodation should be based on evidenced need. Further for the C2 accommodation this would need interest from a care operator/provider which may not be available. While the reference to commercial viability is welcomed (noting the apparent conflict between the Viability Assessment and the policy as to what is meant by the policy) , mandating the provision of a percentage of older person housing where the earlier criteria listed at A – F in the policy may not be achievable (for example H - having flat topography) and/or place additional burdens on developers (for example F - the need for a Care Needs Assessment) is not reasonable.

The cumulative costs of the provision of different housing tenures – older peoples housing, affordable housing, self build etc – must be properly assessed in terms of impacts on deliverability.

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.: The policy should be amended as follows:

Use Class C3 (dwellings) - Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care are will generally be considered as falling within Use Class C3 (dwellings) subject to information being provided regarding the level of care and facilities provided and the needs of the residents.

The blanket requirement for a percentage of older persons housing should be deleted.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: HN03

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.: Extra care housing is stated to be a C3 use but whether such a use falls into C2 or C3 depends on the accommodation and facilities provided, the level of care and services offered as part of the accommodation, and the specific care needs of the occupants. Whether a property is C2 or C3 has implications for Section 106 obligations so this needs to be assessed on a case-by-case basis. While the aim of increasing the amount of specialist accommodation is admirable the blanket requirement for all general housing schemes of 50 to 199 homes to provide 10% of dwellings as 'specialist older person dwellings (C3)' and for schemes of 200+ to provide 10% dwellings as 'specialist older person dwellings (C3) and/or C2 equivalents' is not supported. Firstly, it is not clear what is meant by 'specialist older persons dwellings' (and how this relates to the requirements of Policy HN04 discussed further below) or how the two threshold requirements differ. It is noted the Three Dragons Viability Assessment refers to 10% bungalows, but this is not what is set out in the policy. If bungalows are envisaged this has land capacity implications on allocated sites needs to allow for the additional space requirements to provide this type of housing - bungalows take twice the land so additional land will need to be allocated to reach the housing numbers. Secondly it is not reasonable to impose a blanket percentage requirement as the provision and composition of such accommodation should be based on evidenced need. Further for the C2 accommodation this would need interest from a care operator/provider which may not be available. www.carneysweeney.co.uk While the reference to commercial viability is welcomed (noting the apparent conflict between the Viability Assessment and the policy as to what is meant by the policy) , mandating the provision of a percentage of older person housing where the earlier criteria listed at A – F in the policy may not be achievable (for example H - having flat topography) and/or place additional burdens on

developers (for example F - the need for a Care Needs Assessment) is not reasonable. Further in regard to viability the Viability Assessment confirms that older persons housing is not viable in Axminster as tested so a blanket requirement is not justified.

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.: The policy should be amended as follows (new text underlined): Use Class C3 (dwellings) - Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care are will generally be considered as falling within Use Class C3 (dwellings) subject to information being provided regarding the level of care and facilities provided and the needs of the residents. The blanket requirement for a percentage of older persons housing 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)?: Yes, I wish to participate in hearing session(s)

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: HN03

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

Extra care housing is stated to be a C3 use but whether such a use falls into C2 or C3 depends on the accommodation and facilities provided, the level of care and services offered as part of the accommodation, and the specific care needs of the occupants. Whether a property is C2 or C3 has implications for Section 106 obligations so this needs to be assessed on a case-by-case basis.

While the aim of increasing the amount of specialist accommodation is admirable the blanket requirement for all general housing schemes of 50 to 199 homes to provide 10% of dwellings as 'specialist older person dwellings (C3)' and for schemes of 200+ to provide 10% dwellings as 'specialist older person dwellings (C3) and/or C2 equivalents' is not supported.

Firstly, it is not clear what is meant by 'specialist older persons dwellings' (and how this relates to the requirements of Policy HN04 discussed further below) or how the two threshold requirements differ. It is noted the Three Dragons Viability Assessment refers to 10% bungalows, but this is not what is set out in the policy.

Secondly it is not reasonable to impose a blanket percentage requirement as the provision and composition of such accommodation should be based on evidenced

need. Further for the C2 accommodation this would need interest from a care operator/provider which may not be available.

While the reference to commercial viability is welcomed (noting the apparent conflict between the Viability Assessment and the policy as to what is meant by the policy) , mandating the provision of a percentage of older person housing where the earlier criteria listed at A – F in the policy may not be achievable (for example H - having flat topography) and/or place additional burdens on developers (for example F - the need for a Care Needs Assessment) is not reasonable.

Further in regard to viability the Viability Assessment confirms that older persons housing is not viable in Axminster as tested so a blanket requirement is not justified.

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.: Use Class C3 (dwellings) - Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care are will generally be considered as falling within Use Class C3 (dwellings) subject to information being provided regarding the level of care and facilities provided and the needs of the residents.

The blanket requirement for a percentage of older persons housing should be deleted.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: HN03

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.: Extra care housing is stated to be a C3 use but whether such a use falls into C2 or C3 depends on the accommodation and facilities provided, the level of care and services offered as part of the accommodation, and the specific care needs of the occupants. Whether a property is C2 or C3 has implications for Section 106 obligations so this needs to be assessed on a case-by-case basis.

While the aim of increasing the amount of specialist accommodation is admirable the blanket requirement for all general housing schemes of 50 to 199 homes to provide 10% of dwellings as 'specialist older person dwellings (C3)' and for schemes of 200+ to provide 10% dwellings as 'specialist older person dwellings (C3) and/or C2 equivalents' is not supported.

Firstly, it is not clear what is meant by 'specialist older persons dwellings' (and how this relates to the requirements of Policy HN04 discussed further below) or how the two threshold requirements differ. It is noted the Three Dragons Viability Assessment refers to 10% bungalows, but this is not what is set out in the policy.

Secondly it is not reasonable or practical to impose a blanket percentage requirement as the provision and composition of such accommodation should be based on evidenced need. Further for the C2 accommodation this would need interest from a care operator/provider which may not be available.

While the reference to commercial viability is welcomed (noting the apparent conflict between the Viability Assessment and the policy as to what is meant by the policy) , mandating the provision of a percentage of older person housing where the earlier criteria listed at A – F in the policy may not be achievable (for example H - having flat topography) and/or place additional burdens on developers (for example F - the need for a Care Needs Assessment) is not reasonable.

Further in regard to viability the Viability Assessment confirms that older persons housing is not viable in Axminster as tested so a blanket requirement is not justified.

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.: The policy should be amended as follows:

Use Class C3 (dwellings) - Market accommodation for older people in the form of age restricted general market housing, retirement living or sheltered housing and extra care housing or housing with care will generally be considered as falling within Use Class C3 (dwellings) subject to information being provided regarding the level of care and facilities provided and the needs of the residents.

- The blanket requirement for a percentage of older persons housing should be deleted.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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.: HN04

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.: The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns. As a starting point any higher standards needs to be evidence, the implications in terms of scheme

deliverability and viability need to be properly tested and understood, and there needs to be flexibility. 100% delivery of M4 (2) This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district do not have suitable topography to fully meet the M4(2) standards.
- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing space for street trees/landscaping The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.

- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens. Further mandating M4 (2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

5% affordable rent M4 (3) (a) or homeownership M4 (3) (a) or (b)

The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced.

If such accommodation is to be provided there is strong preference for M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or(b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed. Viability Regarding the Three Dragons Viability Assessment do the additional costings allowed for M4(2) and M4(3) just address internal costs or do these costs take account of additional levelling/retaining wall works that would be involved in providing level access on uneven sites.

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.: A reduced percentage requirement for M4 (2) dwellings would be more acceptable and reasonable. Flats, 1 bed units, and self and custom build plots should be excluded entirely. M4 (3) only where up to date evidence of need.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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.: HN04

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.: The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns.

As a starting point any higher standards needs to be evidence, the implications in terms of scheme deliverability and viability need to be properly tested and understood, and there needs to be flexibility.

100% DELIVERY OF M4 (2)

This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district do not have suitable topography to fully meet the M4(2) standards.
- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing

space for street trees/landscaping The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.

- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens.

Further mandating M4 (2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

5% AFFORDABLE RENT M4 (3) (A) OR HOMEOWNERSHIP M4 (A) OR (B)

The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced. If such accommodation is to be provided there is strong preference for M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or (b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed.

VIABILITY

Regarding the Three Dragons Viability Assessment is it not clear if the additional costings allowed for M4(2) and M4(3) just address internal costs or if these costs take account of additional levelling/retaining wall works that would be involved in providing level access on uneven sites.

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.: A reduced percentage requirement for M4 (2) dwellings would be more acceptable and reasonable.

Flats, 1 bed units, and self and custom build plots should be excluded entirely.

M4 (3) only where up to date evidence of need.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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.: HN04

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.: The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns.

As a starting point any higher standards needs to be evidenced, the implications in terms of scheme deliverability and viability need to be properly tested and understood, and there needs to be flexibility.

100% delivery of M4 (2)

This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district including Honi_18, do not have suitable topography to fully meet the M4(2) standards.
- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing

space for street trees/landscaping. The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.

- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens.

Further mandating M4 (2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

5% affordable rent M4 (3) (a) or homeownership M4 (3) (a) or (b)

The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced.

If such accommodation is to be provided there is strong preference for M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or(b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed.

VIABILITY

Regarding the Three Dragons Viability Assessment do the additional costings allowed for M4(2) _and M4(3) just address internal costs or do these costs take account of additional levelling/retaining wall works that would be involved in providing level access on uneven sites.

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.: A reduced percentage requirement for M4 (2) dwellings would be more acceptable and reasonable.

Flats, 1 bed units, and self and custom build plots should be excluded entirely.

M4 (3) only where up to date evidence of need.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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.: HN04

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.: The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns. As a starting point any higher standards needs to be evidence, the implications in terms of scheme deliverability and viability need to be properly tested and understood, and there needs to be flexibility. 100% delivery of M4 (2) This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district do not have suitable topography to fully meet the M4(2) standards.

- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing space for street trees/landscaping.

- The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.

- M4 (2) also causes significant difficulties on 1 bed maisonettes where the principal entrance is on a different level from the main living accommodation.

www.carneysweeney.co.uk

- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens. Further mandating M4 (2) standards on

self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home. 5% affordable rent M4 (3) (a) or homeownership M4 (3) (a) or (b) The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced. If such accommodation is to be provided there is strong preference for M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or (b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed.

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.: A reduced percentage requirement for M4 (2) dwellings would be more acceptable and reasonable. Flats, 1 bed units, and self and custom build plots should be excluded entirely. M4 (3) only where up to date evidence of need/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: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: HN04

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.: The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns. www.carneysweeney.co.uk As a starting point any higher standards needs to be evidence, the implications in terms of scheme deliverability and viability need to be properly tested and understood, and there needs to be flexibility. 100% delivery of M4 (2) This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district do not have suitable topography to fully meet the M4(2) standards.
- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing space for street trees/landscaping The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.
- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens. Further mandating M4 (2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home. 5% affordable rent M4 (3) (a) or homeownership M4 (3) (a) or (b) The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced. If such accommodation is to be provided there is strong preference for

M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or (b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed. Viability With regard to the Three Dragons Viability Assessment while the estimated additional costs for M4(3) appear accurate, the additional costs for M4(2) are disputed – the Viability Assessment gives an additional cost of £1,400 per unit but Taylor Wimpey assert this should be £2,0000 per unit. It is also unclear if these additional costings are just based on the internal costs for the plot or do these www.carneysweeney.co.uk costs take account of additional levelling/retaining wall works that would be involved in providing level access on uneven sites.

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.: A reduced percentage requirement for M4 (2) dwellings would be more acceptable and reasonable and the Viability Assessment needs to be updated for M(2) costs. Flats, 1 bed units, and self and custom build plots should be excluded entirely. M4(3) only where up to date evidence of need.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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.: HN04

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns.

As a starting point any higher standards needs to be evidence, the implications in terms of scheme deliverability and viability need to be properly tested and understood, and there needs to be flexibility.

100% DELIVERY OF M4 (2)

This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district do not have suitable topography to fully meet the M4(2) standards.

- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing space for street trees/landscaping The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.

- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens.

Further mandating M4 (2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

5% AFFORDABLE RENT M4 (3) (A) OR HOMEOWNERSHIP M4 (3) (A) or (B)

The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced.

If such accommodation is to be provided there is strong preference for M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or(b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed.

VIABILITY

Regarding the Three Dragons Viability Assessment do the additional costings allowed for M4(2) and M4(3) just address internal costs or do these costs take account of additional levelling/retaining wall works that would be involved in providing level access on uneven sites.

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.: A reduced percentage requirement for M4 (2) dwellings would be more acceptable and reasonable.

Flats, 1 bed units, and self and custom build plots should be excluded entirely.

M4 (3) only where up to date evidence of need.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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.: HN04

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.: The aim of increasing accessible and adaptable housing is supported and the reference to site suitability and site viability is welcomed but the mandated standards set out in the policy raise serious concerns.

As a starting point any higher standards needs to be evidence, the implications in terms of scheme deliverability and viability need to be properly tested and understood, and there needs to be flexibility.

100% delivery of M4 (2)

This proposal is of significant concern in terms of the implications for site yield, viability, and site suitability:

- Many sites in the district do not have suitable topography to fully meet the M4(2) standards.

- M4 (2) external parking standards, due to the additional space requirements (up to 3.3m wide), has a potentially significant cumulative effect on developable areas affecting site yield and/or street scene quality by increasing hard surfacing and reducing

space for street trees/landscaping The additional circulation space required for M4(2) units will, together with the internal room requirements of NDSS (discussed under Strategic Policy DS01), significantly increase the built footprint of each unit thereby reducing development numbers and density.

- For flat blocks this will require lifts which for occupiers and in particular RP's would cause additional maintenance costs burdens.

Further mandating M4 (2) standards on self and custom build plots (discussed further below) would go against the essence of allowing people to design and build their own bespoke home.

5% affordable rent M4 (3) (a) or homeownership M4 (3) (a) or (b)

The provision of a smaller percentage to M4(3) is not as much of a concern, although it is considered any such accommodation should be evidenced.

If such accommodation is to be provided there is strong preference for M4 (3) (a) wheelchair adaptable which can be suitable for all occupiers giving maximum flexibility whereas the specific internal requirements of M4 (3) (b) wheelchair dwellings (for example internal cabinet and worktop heights) is not really suitable for a non-wheelchair user. Provision of affordable M4 (3) (a) or(b) units should be informed by the needs evidence noting that for some wheelchair users often a more bespoke design can be needed.

Viability

Regarding the Three Dragons Viability Assessment it is not clear as to whether the additional costings allowed for M4(2) and M4(3) just address internal costs or also take account of additional levelling/retaining wall works that would be involved in providing level access on uneven sites, which can be significant.

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.: A reduced percentage requirement (e.g. 30%) for M4 (2) dwellings would be more acceptable and reasonable.

Flats, 1 bed units, and self and custom build plots should be excluded entirely.

M4 (3) only where up to date evidence of need.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): CR Down Farming Ltd and Stuart Partners Ltd

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.
- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.
- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification.

There are also concerns with the following policy requirements: B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes. C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with. Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered. The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required. Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not a reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is no requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

Full name: Jess Perminter

Organisation (where relevant): CarneySweeney

Other party name (if relevant): DAAB Partnership

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification.

There are also concerns with the following policy requirements:

B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes.

C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with.

Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered.

The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those

in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required.

Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is not requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Obsidian Strategic Asset Management

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- This also notes that the most popular locations for SCB demand are Exmouth, Sidmouth, Budleigh, and Ottery St Mary. As such the evidence of need does not support this generic policy approach.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification.

There are also concerns with the following policy requirements:

B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes.

C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with.

Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered.

The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required.

Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is not requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

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

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification.

There are also concerns with the following policy requirements:

B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes.

C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with.

Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered.

The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those

in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required.

Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is not requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Cavanna Homes (Cavanna)

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

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- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and health and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts where a finished part of the site is then subject to further construction works. Leaving plots unfinished for completion for potentially up to 2 years

risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification. This has been experienced in Teignbridge who have a similar policy, but most successful self builds in Teignbridge have been delivered in more rural locations rather than plots being taken up on larger scale housing estates. There are also concerns with the following policy requirements: B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes and could adversely affect sales/delivery of adjacent plots. C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with. Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered. The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 (discussed further below) which requires design codes on all major schemes or those in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required. Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not a reasonable requirement as time limits for development commencing are set in the relevant permission www.carneysweeney.co.uk and once implemented there is no requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

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

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification. www.carneysweeney.co.uk Taylor Wimpey's view is that larger sites should concentrate on delivering affordable housing, open space, community facilities, etc. which smaller schemes do not provide rather than also being asked to provide SCB plots. There are also concerns with the following policy requirements: B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes. C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with. Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered. This also has the potential to reduce the amount of affordable social rent units on a site which currently are the most in need and house the more vulnerable in society. The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required. Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not a reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is no requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: While the monitoring evidence suggests the current approach is providing enough SCB plots to meet the identified need if the Council do want to respond more positively. a better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

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

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C R Down Farming Ltd and Stuart Partners Ltd

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

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.: CarneySweeney acts for CR Down Farming Ltd and Stuart Partners Ltd in connection with land south of A3052 and east of A376, Clyst St Mary, East Devon.

A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification.

There are also concerns with the following policy requirements:

B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes.

C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with.

Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered.

The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required.

Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not a reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is no requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

Full name: Simon Coles

Organisation (where relevant): CarneySweeney

Other party name (if relevant): C G Fry & Son Ltd

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

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.: A set out in respect of Strategic Policy HN01: Housing to address need, imposing a mandatory percentage requirement for self and custom build (SCB) plots on larger residential schemes is not considered the right approach:

- Provision of SCB plots should be based on up to date evidenced need both in terms of numbers and location, rather than imposing a blanket requirement on all sites. The latest Self Build Demand and Supply Monitoring Report from 31/10/23 to 30/10/24 (reported to SPC on 4 February) at para 3.4 identifies that even with a noted decrease in the number of consented plots “the supply meets both the ‘residual’ demand from the 31/10/21-30/10/2022 (3 plots) and covers all the demand from the 31/10/2022-30/10/2023 base period (9 plots), with a surplus of 3 plots.” As the identified need is being met currently without a bespoke SCB policy this does not justify the policy approach now proposed.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- If there is local demand the required plot sizes may not be in keeping with rest of the development accounting for local characteristics and density requirements.

- Delayed build out of SCB plots by private individuals / separate companies creates considerable logistic and safety issues for developers in terms of construction phasing, safety for plot occupants and established residents, and residential amenity impacts. Leaving plots unfinished for completion for potentially up to 2 years risks considerable disturbance to new residents and ongoing management for developers/management companies.

- Providing SCB plots in this way also means more creative solutions for SCB provision do not need to be pursued. It is envisaged that the majority of people wanting to build their own home will not want to be on a modern housing estate limited by plot passports or design codes (noting the requirement of this and Policy DS02). If the need is met by serviced plots on larger schemes this could stifle community led or individual schemes in other locations and stifle design and creativity which are specifically noted as benefits of SCB housing in the policy justification.

There are also concerns with the following policy requirements:

B – This may lead SCB plots to need be delivered in early phases where road access is provided which in turn will be more visually prominent. As above visually prominent serviced plots left undeveloped for up to 2 years will have a detrimental visual impact on schemes.

C – Specifically requires plot sizes to meet local demand but if there is no local demand this cannot be complied with.

Regarding the provision of affordable SCB plots for schemes over 250 dwellings it is not clear how this would be delivered.

The policy states that schemes over 100 dwellings should use a design code but this conflicts with Policy DS02 which requires design codes on all major schemes or those

in environmentally or heritage sensitive locations. There needs to be consistency where Design Codes are required.

Finally, the policy states that all plots must be completed within 3 years of the plot purchase. This is not a reasonable requirement as time limits for development commencing are set in the relevant permission and once implemented there is no requirement to complete a scheme. Further the policy does not set out what would happen if it not completed within 3 years from the plot being purchased.

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.: A better and more proactive approach would be for the Council to allocate sites specifically for SCB housing in locations where need and demand is evidenced with reasonable contributions from certain scale developments to be collected towards the delivery of these plots.

Full name: Samantha Thomas

Organisation (where relevant): CarneySweeney

Other party name (if relevant): Taylor Wimpey Exeter

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.: SE05

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.: The policy refers to adhering to the requirements set out in "relevant guidance published and available online via the Council's website." We are not clear what guidance is referenced here noting the supporting text at para 9.26 states that "guidance on these plans and statements will be published on the Council's website" (emphasis added). If the policy requirement is based on existing available www.carneysweeney.co.uk guidance this needs to be confirmed so it can be reviewed. Conversely if there is no guidance published yet we cannot properly comment on the merits/reasonableness of the policy. Ultimately, any conditions or obligations will need to be broad and flexible enough to be achievable for larger developments to properly implement, as workforce strategies over the course of a number of years can face changing environments.

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.: Further clarity required to properly comment.

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)